

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JANUARY 17, 2017
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: James K. Johns, District 1, Chair
Henry Dean, District 5, Vice Chair
Jeb Smith, District 2
Paul Waldron, District 3
Jay Morris, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Sindy Wiseman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Regina Ross, Deputy County Attorney

(01/17/17 - 1 - 9:00 a.m.)
CALL TO ORDER

Johns called the meeting to order.

(01/17/17 - 1 - 9:00 a.m.)
ROLL CALL

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

(01/17/17 - 1 - 9:00 a.m.)
INVOCATION

Smith gave the invocation.

(01/17/17 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(01/17/17 - 1 - 9:02 a.m.)
PROCLAMATION RECOGNIZING JANUARY 2017 AS ST. JOHNS COUNTY JEWISH HISTORY MONTH

Waldron and presented the proclamation for Jewish History Month to Rabbi Merrill Shapiro, Jewish Historical Society. Shapiro expressed his appreciation to the Board and spoke on Jewish History.

(01/17/17 - 1 - 9:09 a.m.)
PROCLAMATION RECOGNIZING JANUARY 2017 AS NATIONAL MENTORING MONTH

Johns spoke on the Big Brothers and Big Sisters mentoring program and presented the proclamation for National Mentoring Month to Theresa Andrews, EPIC. Andrews expressed her appreciation to the Board and spoke on the importance of mentoring.

(01/17/17 - 2 - 9:15 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Smith, seconded by Morris, carried 5/0, to accept the proclamations.

(9:18 a.m.) Dean stated that he supported the Farmers Market at the pier and requested that the item be placed on the next agenda.

Consensus was given to place the Farmers Market on the next available agenda.

(01/17/17 - 2 - 9:20 a.m.)

PUBLIC COMMENT

Tom Reynolds, 880 A1A Beach Boulevard, expressed his opinion on the elected officials' performance.

(9:23 a.m.) Morris commented on the behind the scenes work performed between meetings.

(9:24 a.m.) Bill Jones, President of the St. Augustine Civic Association, presented background on the Civic Center and mentioned an online petition, regarding the Farmers Market.

(9:26 a.m.) Rich Gallik, 471 High Tide Drive, spoke in support of the market at the pier and Music by the Sea. He provided history on both venues and how the revenue generated was utilized.

(9:30 a.m.) Meeka Ricor, 161 Pompano Road, spoke in support of the market and its' contribution to the County.

(9:31 a.m.) Phil King, 880 A1A Beach Boulevard, Unit 7202, spoke on the importance of the market to local residents and visitors.

(9:34 a.m.) Gay Jones, 207 Woodland Avenue, spoke in support of the market.

(9:36 a.m.) Bob Samuels, 110 Mickler Boulevard, spoke on the revenue received from the market and the benefits to the County. He presented a letter, on behalf of Rich O'Brien, in support of the pier, *Exhibit A*.

(9:39 a.m.) Mark Jordana, 5384 Riverview Drive, on behalf of the vendors at the Pier Farmers Market, spoke on the economic impact to the County and the available parking spaces during the week.

(9:42 a.m.) Susan Green, 624 Nautical Way, provided her opinion on the Music by the Sea and the Pier Farmers Market.

(9:44 a.m.) Jim Stafford, 253 Dondanville Road, spoke in support of the Farmers Market and Music by the Sea Concert Series.

(9:46 a.m.) Kevan Breitingler, 218 Kenan Street, spoke in support of keeping the Pier Farmers Market and requested more information on the concerns, regarding the financial needs of the market.

(9:49 a.m.) Paul Breitinger, 218 Kenan Street, spoke in support of the location of the Pier Farmers Market.

(9:52 a.m.) Rudin Ferra, 11105 Barbizon Circle East, Jacksonville, FL, spoke on the importance of the market for his business. He voiced his concern for the survival of the market if moved to an alternate location.

(9:54 a.m.) David Cameron, 112 Grand Oaks Drive, said there was a need to explore alternate ways to generate revenue to fund the Farmers Market.

(9:56 a.m.) Larry Roselle, 4340 CR 305, spoke in support of the Farmers Market and in opposition of a paid parking lot due to the dramatic effect it would have on his business.

(9:59 a.m.) Tasha Peters, 2 Coquina Boulevard, spoke in support of the Farmers Market and Music by the Sea, stating that the few parking spots gained, would not equate to what would be lost, as a community.

(10:02 a.m.) Susan Stone, 131 16th street, spoke in support of the market and voiced her concerns with moving the events from Pier Park.

(10:04 a.m.) Linda Chambless, 3043 South Ponte Vedra Boulevard, spoke on the beach erosion and requested the Board facilitate assistance to urge the Department of Environmental Protection (DEP) to grant an exemption, for the ban on beach construction, during the 2017 turtle season; requested that DEP review the temporary seawall siding issues; requested that during the Legislative Delegation, the County committed to establishing a long-term program for the beaches; and invited the commissioners and staff to participate in the County devastation from Hurricane Matthew tour, scheduled with Katy Ross, Director of Senator Nelson's Office, January 18, 2017, at 9:30 a.m.

(10:07 a.m.) Debbie Hanania, 2965 South Ponte Vedra Boulevard, presented her concerns and displayed pictures of the damages to her home, from Hurricane Matthew, *Exhibit B*.

(10:11 a.m.) Bill Ockenhouse, 226 Evergreen Lane, Middleburg, FL, spoke in support of the Farmers Market and Music by the Sea. He noted that he, his wife, and friends had come specifically for the events, atmosphere, and restaurants.

(10:13 a.m.) Michel Pawlowski, 216 10th street, voiced his concern with the Civic Association and the length of the current contract, *Exhibit C*.

(10:16 a.m.) Robert Kahler, 29 Sunfish Drive, requested a forensic audit of the St. Augustine Civic Association.

(10:18 a.m.) Nickie Gorce, 5281 Timucua Circle, spoke on the example this generation was setting for the youth, with regards to growth in the County.

(10:21 a.m.) Elayna Wanerka, 45A Atlantic Oaks Circle, spoke in support of continuing the Music by the Sea.

(10:22 a.m.) Ed Slavin, P O Box 3084, spoke on the guest editorial in *The St. Augustine Record*, January 15, 2017, regarding the Pier Farmers Market, *Exhibit D*, and commented on the county administrator's contract renewal.

(10:25 a.m.) S. Gary Snodgrass, 712 Ocean Palm Way, spoke on the benefits and welcoming vibe that the Pier Farmers Market contributed to the City. He suggested the Board consider extending the current lease agreement, enabling the Farmers Market to remain at Pier Park.

Ross left the meeting at 10:26 a.m.

(10:29 a.m.) Andrea Samuels, 110 Mickler Boulevard, requested the Board direct staff to meet with the Civic Association, concerning the Farmers Market.

(10:28 a.m.) Danielle Anderson, P. O. Box 354142, Palm Coast, FL, President of the Friends of A1A Scenic and Historic By-Way, spoke in support of the market, but in opposition to paid parking. She noted that part of the charm of the St. Augustine area was that there was free parking.

(10:30 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the road closures on Magnolia and Douglas Streets for construction of the roundabout. She encouraged attendance at the meeting scheduled for January 23, 2017, at the Fullerwood School, for the Mobilage consultant's solution to the congestion on the streets of St. Augustine.

(10:32 a.m.) Dean commented on Chambliss' issue with the beach erosion/re-nourishment. He requested the Board, and other entities, to collaborate for a satisfactory solution, in regards to the beach damage from Hurricane Matthew.

(10:34 a.m.) Johns suggested the addition of a formal agenda item, regarding an update on the hurricane damages, in order to make an informed decision on how to support the residents and the County.
Discussion ensued.

(01/17/17 - 4 - 10:37 a.m.)
DELETIONS TO CONSENT AGENDA

Smith requested that Consent Agenda Item 25 be pulled and placed on the Regular Agenda. Johns placed the item on the Regular Agenda, as Item 13.

(10:37 a.m.) Johns requested that Consent Agenda Items 18, 29, and 30 be pulled and placed them on the Regular Agenda, as Items 14, 15, and 16.

(01/17/17 - 4 - 10:38 a.m.)
APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to approve the Public Official Bond for Sheriff David Shoar, in the amount of 10,000, beginning January 1, 2017, through January 1, 2021
3. Motion to adopt **Resolution No. 2017-1**, approving the final plat for Bannon Lakes, Phase 1B-2

RESOLUTION NO. 2017-1

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR BANNON LAKES, PHASE 1B-2

4. Motion to adopt **Resolution No. 2017-2**, approving the final plat for Enclave at Rivertown, Phase Two-A

RESOLUTION NO. 2017-2

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ENCLAVE AT RIVERTOWN, PHASE TWO-A

5. Motion to adopt **Resolution No. 2017-3**, approving the final plat for Whisper Creek, Phase 4, Unit D

RESOLUTION NO. 2017-3

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 4, UNIT D

6. Motion to adopt **Resolution No. 2017-4**, approving the final plat for Breezy Oaks (replat)

RESOLUTION NO. 2017-4

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR BREEZY OAKS

7. Motion to adopt **Resolution No. 2017-5**, approving the final plat for Whisper Creek, Phase 4, Unit A

RESOLUTION NO. 2017-5

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 4, UNIT A

8. Motion to adopt **Resolution No. 2017-6**, approving the final plat for Whisper Creek, Phase 4, Unit B

RESOLUTION NO. 2017-6

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 4, UNIT B

9. Motion to adopt **Resolution No. 2017-7**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines to serve St. Mark Development Authority PODS Warehouse, located off Bronze-Glow Way

RESOLUTION NO. 2017-7

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 ST. MARK DEVELOPMENT AUTHORITY PODS WAREHOUSE, LOCATED OFF BRONZE-GLOW WAY

10. Motion to adopt **Resolution No. 2017-8**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines to serve a Commercial Retail Store, located off US1 South

RESOLUTION NO. 2017-8

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 A COMMERCIAL RETAIL STORE, LOCATED OFF US 1 SOUTH

11. Motion to adopt **Resolution No. 2017-9**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with a force main extension, along North Roscoe Boulevard

RESOLUTION NO. 2017-9

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 A FORCE MAIN EXTENSION, ALONG NORTH ROSCOE BOULEVARD

12. Motion to adopt **Resolution No. 2017-10**, accepting an Easement for Utilities to provide water and sewer service to Gran Lake, Phase 1B, and 1C, located off Pacetti Road; and accepting a Bill of Sale, conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2017-10

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES TO PROVIDE WATER AND SEWER SERVICE TO GRAN LAKE, PHASE 1B, AND 1C, LOCATED OFF PACETTI ROAD; AND ACCEPTING A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

13. Motion to adopt **Resolution No. 2017-11**, accepting a Special Warranty Deed for a pump station; an Easement for Utilities, to provide water and sewer service, to

Gran Lake, Phase 1A, and 1D, located off Pacetti Road; and accepting a Bill of Sale conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2017-11

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED, FOR A PUMP STATION; AN EASEMENT FOR UTILITIES, TO PROVIDE WATER AND SEWER SERVICE, TO GRAN LAKE, PHASE 1A, AND 1D, LOCATED OFF PACETTI ROAD; AND ACCEPTING A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

14. Motion to adopt **Resolution No. 2017-12**, accepting Special Warranty Deeds, conveying two lift station sites to serve Marshall Creek Development of Regional Impact (DRI), MV-4, and MUA-2

RESOLUTION NO. 2017-12

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING SPECIAL WARRANTY DEEDS, CONVEYING TWO LIFT STATION SITES TO SERVE MARSHALL CREEK DRI, MV-4, AND MA-2

15. Motion to adopt **Resolution No. 2017-13**, accepting an Easement for Utilities to provide water service to South Shore Plaza; and accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water lines

RESOLUTION NO. 2017-13

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES TO PROVIDE WATER SERVICE TO SOUTH SHORE PLAZA; AND ACCEPTING A BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER LINES

16. Motion to adopt **Resolution No. 2017-14**, accepting an Easement for Utilities and a Bill of Sale, conveying all personal property associated with the water and sewer system, to serve Palencia North, Phase III B, located off US 1 North

RESOLUTION NO. 2017-14

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES AND A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM, TO SERVE PALENCIA NORTH, PHASE III B, LOCATED OFF US1 NORTH

17. Motion to adopt **Resolution No. 2017-15**, accepting an Easement for Utilities to provide water and sewer service to Summer Island, located off A1A South; and accepting a Bill of Sale, conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2017-15

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES TO PROVIDE WATER AND SEWER SERVICE TO SUMMER ISLAND, LOCATED OFF A1A SOUTH; AND ACCEPTING A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

(Item 18 was pulled from the Consent Agenda and placed as Item 14 on the Regular Agenda.)

18. Motion to approve the terms and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement, for property offered as surplus by the Anastasia Mosquito Control District, at 500 Old Beach Road; and to approve a transfer of \$25,000, from General Fund Reserves, for related costs
19. Motion to adopt **Resolution No. 2017-16**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines, to serve Medical Urgent Care, on A1A South

RESOLUTION NO. 2017-16

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 MEDICAL URGENT CARE, ON A1A SOUTH

20. Motion to adopt **Resolution No. 2017-17**, accepting a Deed of Dedication Right-of-Way, from Moultrie Properties, LLC, to St. Johns County, for additional right-of-way, along Old Moultrie Road, required for a turn lane

RESOLUTION NO. 2017-17

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION RIGHT-OF-WAY, FROM MOULTRIE PROPERTIES, LLC, TO ST. JOHNS COUNTY, FOR ADDITIONAL RIGHT-OF-WAY, ALONG OLD MOULTRIE ROAD, REQUIRED FOR A TURN LANE

21. Motion to adopt **Resolution No. 2017-18**, accepting a Grant of Easement from Anastasia Baptist Church to St. Johns County, for drainage improvements to the Menendez Park area

RESOLUTION NO. 2017-18

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

**ACCEPTING A GRANT OF EASEMENT FROM
ANASTASIA BAPTIST CHURCH TO ST. JOHNS
COUNTY, FOR DRAINAGE IMPROVEMENTS TO THE
MENENDEZ PARK AREA**

22. Motion to adopt **Resolution No. 2017-19**, approving the terms, provisions, conditions, and requirements of an agreement between St. Johns County, Florida, and Gran Lake, Incorporated, for the provision of utility water unit connection fee refund; and authorizing the county administrator, or his designee, to execute the agreement, substantially in the same form, as attached, on behalf of St. Johns County

RESOLUTION NO. 2017-19

**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 GRAN LAKE, INCORPORATED, FOR
THE PROVISION OF UTILITY WATER UNIT
CONNECTION FEE REFUND; AND AUTHORIZING
THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE,
TO EXECUTE THE AGREEMENT ON, BEHALF OF ST.
JOHNS COUNTY**

23. Motion to adopt **Resolution No. 2017-20**, authorizing the county administrator, or designee, to award Bid No. 17-04, St. Johns County Council on Aging (COA) Transit Center Storage Buildings, to ACON Construction Company, Inc.; and to execute a contract, in substantially the same form and format, as the attached hereto, for completion of the scope of work at a contract price, not to exceed \$90,029

RESOLUTION NO. 2017-20

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD BID NO. 17-04; AND TO
EXECUTE AGREEMENTS FOR ST. JOHNS COUNTY
COA TRANSIT CENTER STORAGE BUILDINGS**

24. 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

(Item 25 was pulled from the Consent Agenda and placed as Item 13 on the Regular Agenda.)

25. Motion to authorize the county administrator, or designee, to award Bid No. 17-09, Combined Fire Station 5 and Sheriff's South Regional Command Center, to F&G Construction General Contractors, Inc.; and to execute a contract, in substantially the same form and format, as the attached hereto, for completion of the Combined Fire Station 5 and Sheriff's South Regional Command Center, at a contract price not to exceed \$7,158,000
26. Motion to adopt **Resolution No. 2017-21**, approving the terms, conditions, and requirements of the State of Florida, Emergency Medical Services Grant Program; authorizing the county administrator, or his designee, to apply for the grant, on

behalf of the County; and recognizing and appropriating within the Fiscal Year 2017, General Fund Emergency Medical Services budget

RESOLUTION NO. 2017-21

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO APPLY FOR GRANT FUNDS UNDER THE STATE OF FLORIDA'S EMERGENCY MEDICAL SERVICES COUNTY GRANT PROGRAM, ON BEHALF OF ST. JOHNS COUNTY, FLORIDA; AND CERTIFYING THAT THE GRANT FUNDS WILL BE USED FOR THE IMPROVEMENT AND EXPANSION OF THE COUNTY'S PRE-HOSPITAL EMERGENCY MEDICAL SERVICE SYSTEM

27. Motion authorizing the county administrator, or authorized designee, to submit the attached matching grant application to the Florida Department of Health Emergency Medical Services Program
28. Motion to adopt **Resolution No. 2017-22**, approving the terms and conditions contained in the attached Interlocal Agreement, regarding County-Funded Court Employees; and authorizing the county administrator to execute an Interlocal Agreement, in substantially the same form and format, on behalf of the County

RESOLUTION NO. 2017-22

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE SEVENTH JUDICIAL CIRCUIT COURT, PROVIDING FOR COUNTY-FUNDED COURT EMPLOYEES

(Item 29 was pulled from the Consent Agenda and placed as Item 15 on the Regular Agenda.)

29. Motion to authorize the county administrator to execute a Hurricane Matthew Disaster Declaration (FEMA-4283-DR-FL) Federally Funded Public Assistance State Agreement, in substantially the same form and format, as attached hereto

(Item 30 was pulled from the Consent Agenda and placed as Item 16 on the Regular Agenda.)

30. Motion to recognize and appropriate a Department of Homeland Security FEMA Hurricane Matthew Grant, in an amount not to exceed \$55,853, and a State of Florida Division of Emergency Management Grant, in an amount not to exceed \$9,309, within the Fiscal Year 2017 General Fund [Hurricane Matthew Department 0110]; and Motion to approve the transfer of \$232,723, from General Fund Reserves to the General Fund [Hurricane Matthew Department 0110]
31. Motion to adopt **Resolution No. 2017-23**, approving the terms and authorizing the county administrator to execute a Construction Agreement Payment of \$40,000, from the Moultrie Oaks Mobile Home Park to St. Johns County, for site access improvements on Wildwood drive

RESOLUTION NO. 2017-23

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

APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONSTRUCTION AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND MOULTRIE OAKS MOBILE HOME PARK, L.L.C.

32. Motion to ratify the terms of the Recreation Advisory Board, as stated in the attached letter dated November 21, 2016
33. Motion to reappoint Ms. Susan Ponder-Stansel as the St. Johns County representative, on the Health Planning Council of Northeast Florida, Inc., for a two-year term, scheduled to expire in October 2016
34. Motion to adopt **Resolution No. 2017-24**, approving and authorizing the transfer of an amount not to exceed \$12,000, from the Tree Bank Funds Reserves, to provide landscaping, as part of the Armstrong Park Trailhead project

RESOLUTION NO. 2017-24

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE TRANSFER OF FUNDING FROM THE TREE BANK RESERVES, TO FUND LANDSCAPING IMPROVEMENTS, RELATED TO THE ARMSTRONG PARK TRAILHEAD PROJECT

35. Motion to adopt **Resolution No. 2017-25**, authorizing completion of each of the audits, described herein, approving the transfer of an amount, not to exceed \$60,000, from the Health Insurance Fund Reserves [5500-59920], in order to complete the audits; and authorizing the county administrator, or designee, to execute an agreement, in substantially the same form and format, for completion of the audits in calendar year 2017

RESOLUTION NO. 2017-25

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO ACCEPT THE QUOTES AND ENTER INTO A LEGALLY SUFFICIENT AGREEMENT, FOR MEDICAL CLAIMS AND DEPENDENT AUDITING, OF THE HEALTH PLAN WITH SIVER

36. Approval of Minutes:
 - September 20, 2016, Regular Meeting
 - November 22, 2016, Emergency Meeting
 - November 29, 2016, Emergency Meeting
 - December 13, 2016, Emergency Meeting
 - December 27, 2016, Emergency Meeting
 - January 3, 2017, Emergency Meeting
37. Proofs:
 - a) Proof: Request for Bids, RFP No. 17-14, Fire Sprinkler Systems Maintenance, Inspection, and Repair, published November 14, 2016, and November 21, 2016, in *The St. Augustine Record*

- b) Proof: Request for Bids, Bid No. 17-16, Hazardous Tree Removal Services, published November 23, 2016, and November 30, 2016, in *The St. Augustine Record*
- c) Proof: Request for Bids, Bid No. 17-01, Six-Mile 1 Master Lift Station Improvements, published on November 16, 2016, and November 23, 2016, in *The St. Augustine Record*
- d) Proof: Notice of Meeting, Special Meeting 12/6/2016, published November 30, 2016, in *The St. Augustine Record*
- e) Proof: RFQ No. 17-19, Coastal Engineering Professional Services, published November 24, 2016, and December 01, 2016, in *The St. Augustine Record*
- f) Proof: Request for Bids, Bid No. 17-20, Restroom Cleaning Services, for St. Johns County Beaches, published December 02, 2016, and December 09, 2016, in *The St. Augustine Record*
- g) Proof: Notice of Meeting, 11/8/16, Emergency BCC Meeting, published November 7, 2016, in *The St. Augustine Record*

(01/17/17 - 12 - 10:39 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were none.

(01/17/17 - 12 - 10:39 a.m.)

APPROVAL OF REGULAR AGENDA

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

(01/17/17 - 12 - 10:39 a.m.)

1. PROFESSIONAL SERVICES CONTRACT-COUNTY ADMINISTRATOR. THE EFFECTIVE TERM OF THE COUNTY ADMINISTRATOR'S CURRENT PROFESSIONAL SERVICES AGREEMENT EXPIRES ON JULY 30, 2017. THE AGREEMENT WILL AUTOMATICALLY RENEW UNLESS THE BOARD PROVIDES A WRITTEN NOTICE OF TERMINATION TO THE COUNTY ADMINISTRATOR BY NO LESS THAN 180 DAYS PRIOR TO THE EXPIRATION DATE. AS DIRECTED BY THE BOARD DURING ITS LAST REGULARLY SCHEDULED MEETING, A PROPOSED, REVISED DRAFT OF THE AGREEMENT IS PROVIDED FOR REVIEW AND DISCUSSION

(10:41 a.m.) Ross presented an overview of the contract, including proposed options for the Board, via PowerPoint. The options included 1) if no action was taken, the existing agreement would renew for a two year-term, with the renewed agreement subject to statutory provisions regarding severance; 2) if the Board chose to provide written notice to terminate, the existing agreement would end July 30, 2017; 3) the Board may choose to revise the existing agreement, with an effective date of July 31, 2017, which would require mutual consent by the Board and the County Administrator, with the revised agreement subject to statutory provisions regarding severance, effective July 31, 2017; 4) if the Board revised the agreement effective today, or any time prior to the expiration date of the existing contract it would also require mutual consent by the Board and the County Administrator, with the revised agreement subject to statutory provisions regarding severance; or 5) if the Board chose to revise the existing agreement, reducing the 180 day written notice requirement, with mutual consent by the Board and the County Administrator, allowing for additional time for consideration and the matter may be presented again at a future meeting. She noted that any modifications or revisions to the existing agreement would be subject to statutory provisions regarding severance, with the exception of the written notice of termination, where the contract would expire un-amended.

(10:45 a.m.) McCormack emphasized that if the Board took no action under the existing contract, consequences would result. Discussion ensued regarding the options and the statutory requirements.

(10:49 a.m.) Ross stated that the packet included a first draft agreement and said there were changes she would like to recommend. She said the agreement included the severance pay, which amounted to 20 weeks of compensation at the rate of when the contract was terminated; payment for accrued unused vacation and sick leave; group insurance coverage; and that the county administrator would not be entitled to any severance pay, if terminated for reasons that constituted misconduct, as defined in the Statute. Therefore, *Ross suggested changing the word "cause" to "misconduct" and the definition of "cause" be stricken from the agreement.* She reviewed the requested revisions by the Board, including, *allowing the term of the agreement to be 2 ½ years from a designated effective date, revising the requirement of a super majority to just a majority vote to modify the term of renewal.* She requested direction regarding the accrual of vacation and sick leave and the payout upon termination, as well as executive benefits.

(10:56 a.m.) McCormack suggested just having an ending date rather than stating a certain number of years.

(10:57 a.m.) Johns stated that the first action may be to decide whether or not to renew the contract or provide notice of termination of the contract, prior to any changes to the contract.

(10:57 a.m.) Smith recommended termination of the contract and explained his reasons for the recommendation, including financial compensation, vacation accrual, and general benefits, *Exhibit A.* He spoke on trust issues.

(11:11 a.m.) Morris commented on Wanchick's management abilities, compensations, and read language from an article in the St. Augustine Record, *Exhibit B,* regarding Wanchick through the recession. He spoke on vacation and sick leave.

(11:17 a.m.) Dean spoke on the professionalism Wanchick had portrayed during Hurricane Matthew and stated that he would not support a termination.

(11:20 a.m.) Waldron voiced his concerns with the contract, concerns from the public, and said he would like more time to re-negotiate the contract.

(11:22 a.m.) Johns requested staff clarify the requested contract changes prior to requesting a decision on a renewal of the contract. He said Wanchick should be included in the discussion to determine whether he wanted the contract renewed, with the contract changes.

(11:24 a.m.) Mary Kohnke, 29 South Roscoe Boulevard, spoke on Wanchick's accomplishments during the recession and recommended renewing his contract.

(11:27 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of extending Wanchick's contract, commended Smith for initiating the needed changes, and remaining transparent.

(11:31 a.m.) Ed Slavin, P O Box 3084, commended Smith for addressing necessary issues in the administrator's contract. He spoke in opposition of extending the administrators contract, voiced his concern with Wanchick's performance, and displayed an article from The St. Augustine Record, regarding Wanchick, *Exhibit C.*

(11:34 a.m.) Marcie Skinner, 961 Lawhon Drive, spoke on her interactions with Wanchick and supported extending the contract.

(11:38 a.m.) Jim Triola, 100 PGA Tour Boulevard, spoke on the strong relationship and trust between Wanchick and the PGA Tour and supported extending his contract.

(11:41 a.m.) Patty Greenough, 5 Marilyn Avenue, spoke on her relationship with Wanchick, his leadership team, and the Health and Human Services (HHS) Department. She supported extending the administrators contract.

(11:43 a.m.) Sheriff David Shoar, thanked the Board, shared some of Wanchick's attributes, and requested extending his contract.

(11:49 a.m.) Lynn Schumacher, 2420 Kacie Lane, thanked Smith for his research and added that sometimes a fresh perspective was good.

(11:50 a.m.) Richard Smith, 61 Magnolia Dunes Circle, spoke on Wanchick's attributes and supported extending his contract.

(11:51 a.m.) Vernon Kelley, 5895 CR 214, spoke on Wanchick's leadership and supported extending his contract.

Waldron left the meeting at 11:51 a.m.

(11:54 a.m.) Bill Jones, 207 Woodland Avenue, spoke on Wanchick's attributes and supported extending his contract.

(11:57 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on suggested changes to the contract and requested to terminate the contract.

(12:00 p.m.) Rachael Bennett, spoke on Wanchick's consistency, experience, and professionalism. She noted that fresh perspectives came with the new faces on the commission.

(12:04 p.m.) Bill Dudley, Chairman of the Veterans Council, spoke on Wanchick's attributes and supported extending his contract.

Waldron returned to the meeting at 12:04 p.m.

(12:06 p.m.) Ray Quinn, 1097 Winterhawk Drive, spoke on Wanchick's attributes and supported extending his contract.

(12:09 p.m.) Dick Williams, 193 Plantation Circle South, voiced his opinion on the concerns before the Board and spoke in support of renewing the contract.

(12:12 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke in support of extending the administrator's contract; however, felt the terms needed to be reviewed and was opposed to an automatic renewal.

(12:14 p.m.) Ron Sanchez, 724 CR 13 South, spoke on the salary concerns and supported renewing the administrator's contract.

(12:17 p.m.) Johns suggested the discussion proceed in the order of the concerns, which were compensation and clarification of the value of sick and vacation leave, whether the contract was renewed or not renewed.

(12:19 p.m.) Ross stated that as to sick leave, staff could strike the language in the draft and provide alternative language to clarify the accrual and payout intensions.

(12:19 p.m.) McCormack clarified that the issue was with vacation accrual and payout and stated that the language “without limit” would bind the County to the full accrued hours.

(12:21 p.m.) Smith stated that language read one way, yet staff relayed a different meaning.

(12:22 p.m.) McCormack clarified the language “without limit” based on the accrual of vacation time.

(12:28 p.m.) Wanchick agreed that the language was questionable and stated he would agree to language changes to conform to standard County benefits.

(12:35 p.m.) Discussion ensued on salary and the language, regarding an accidental death policy.

(12:38 p.m.) Ross stated that the original contract stated “accidental death”; however, the policy had been updated to read “accidental death and dismemberment”. Discussion ensued on the updated language.

(12:40 p.m.) Smith addressed the open ended statement, regarding annual adjustments of Deferred Compensation. Wanchick agreed that the language “adjusted annually” could be stricken from the contract.

(12:43 p.m.) Waldron questioned the automatic two year renewal. Morris emphasized that the Board controlled whether or not the contract automatically renewed. Discussion ensued on the automatic renewal provision. Waldron recommended removing the “automatic renewal” provision.

(12:48 p.m.) Ross clarified that the current contract would expire; they would remove the language “automatic renewal”; and add a provision that required Board approval for renewal. Discussion ensued on the renewal language.

(12:52 p.m.) McCormack noted that the contract in the agenda packet was from 2009 and there had been updates since that date. Ross briefed the Board on those changes.

(12:56 p.m.) McCormack recommended direction from the Board and then recessing the meeting, in order for staff to make the requested revisions.

(12:56 p.m.) **Motion by Smith, seconded by Waldron, carried 2/3, with Dean, Johns, and Morris dissenting, to terminate the Professional Services Agreement, as submitted.**

(12:57 p.m.) Morris said moving forward, the contract needed to be clear and correct.

(12:58 p.m.) Ross questioned the effective date of the new contract.

(12:58 p.m.) **Motion by Dean, to offer Wanchick a 2.5 year contract, commencing July 31, 2017, and would incorporate the changes discussed, scheduled to expire December 31, 2019.**

(12:59 p.m.) Morris questioned whether the expiration date should be January 31, 2020.

(1:00 p.m.) Ross questioned whether the expiration date was intended to be the end of the calendar year 2019 or exactly 30 months, which would be January 1, 2020. **Dean amended the motion to expire January 1, 2020.** Discussion ensued on the notification date and if not extended, whether the administrator be required to work the remaining 180 days.

(1:01 p.m.) Johns made note that the notice period would be in July 2019 and the discussion to extend would be in the middle of the budget discussions. All commissioners agreed to the change. Discussion ensued on whether the administrator would be obligated to finish the term if not retained.

(1:04 p.m.) Wanchick stated that the changes were as he anticipated and that the first of the year was a good time period.

(1:05 p.m.) Ross requested clarification regarding accumulation of the vacation leave. Johns stated that *320 hour limit was accepted* by Wanchick. Ross verified that with the contract signed today that it would reset to 320 hours as of today. Wanchick clarified that it would be *320 plus what had accrued since January 1, 2017*. Ross said she would clean-up clerical errors as well.

(1:09 p.m.) **Motion carried 3/2, with Smith and Waldron dissenting.**

(1:10 p.m.) Ross clarified that the draft agreement was what the changes would be to.

(1:10 p.m.) Wanchick thanked the Board for their consideration and stated his commitment to work with the Board collectively and individually was in the best interest of the County.

The meeting recessed at 1:11 p.m. and reconvened at 2:00 p.m. with all five commissioners, Wanchick, Locklear, McCormack, Soria, and Deputy Clerk Natasha McGee present.

(6:56 p.m.) Subsequently, discussion ensued on the changes to the contract, including the date of January 1, 2020.

(6:58 p.m.) McCormack stated that a vote was not needed; however, the contract should be executed. Dean described what he felt was the action needed from the Board.

Consensus from the Board was given to execute the county administrator's contract.

(7:00 p.m.) Johns requested Waldron provide 2-3 ideas/goals to staff and stated the list from all Commissioners would be prioritized.

The meeting moved to Regular Agenda Item No. 13, formerly Consent Agenda Item No. 25.

(Items 2 and 3 were presented together.)

(01/17/17 - 16 - 2:00 p.m.)

2. PUBLIC HEARING, COMPAMD 2016-05, 4560 RACE TRACK ROAD. ADOPTION HEARING FOR COMPAMD 2016-05, KNOWN AS 4560 RACE TRACK ROAD, A COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO COMMUNITY COMMERCIAL (CC), FOR APPROXIMATELY 14.32 ACRES OF LAND. THE AMENDMENT ALSO INCLUDES A TEXTUAL POLICY TO LIMIT THE COMMUNITY COMMERCIAL USES TO 90,000 SQUARE FEET. THE PLANNING AND ZONING AGENCY RECOMMENDED ADOPTION OF THE AMENDMENT, WITH A 5-0 VOTE, AT THE DECEMBER

1, 2016, MEETING, BASED ON THE THREE FINDINGS OF FACT CONTAINED IN THIS REPORT

Proof of publication of the notice of public hearing on COMPAMD 2016-05, 4560 Race Track Road, was received, having been published in *The St. Augustine Record* on November 9, 2016.

Johns disclosed ex parte communication with an unknown person regarding the proposed item. He noted the communication was not documented.

(2:01 p.m.) Beverly Frazier, Planner, presented details on Regular Agenda Items 2 and 3, via Power Point. She reviewed the waiver requests, text amendment, and the 50 foot reduction to the development edge. She noted that a small portion of the property extended west of the Jacksonville Electric Authority (JEA) utility corridor and would not be developed.

(2:06 p.m.) Thomas Ingram of Akerman, LLP, 50 N. Laura Street, Jacksonville, Florida, representing the land owner and applicant, stated he was available for questions.

(2:07 p.m.) Ed Slavin, P.O. Box 3084, spoke on utilizing a Planned Unit Development (PUD) to rezone property, disclosure of beneficial owners, government transparency, post-employment restrictions, and water-filled borrow pits.

(2:10 p.m.) **Motion by Dean, seconded by Waldron, carried 5/0, to enact Ordinance No. 2017-1, adopting COMPAMD 2016-05, 4560 Race Track road, based upon three Findings of Fact.**

ORDINANCE NO. 2017-1

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 RURAL/SILVICULTURE (R/S) TO COMMUNITY COMMERCIAL (CC), FOR APPROXIMATELY 14.32 ACRES OF LAND, LOCATED AT 4560 RACE TRACK ROAD; PROVIDING A TEXT AMENDMENT TO LIMIT THE ENCLOSED, CONDITIONED AREA OF BUILDINGS TO 90,000 SQUARE FEET; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(01/17/17 - 17 - 2:00 p.m.)

3. PUBLIC HEARING, PUD 2016-15, 4560 RACE TRACK ROAD. PUD 2016-15, 4560 RACE TRACK ROAD, A REQUEST TO REZONE FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW FOR 90,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT. THE SUBJECT PROPERTY IS APPROXIMATELY 14.32 ACRES IN AREA AND IS LOCATED ON THE SOUTH SIDE OF RACE TRACK ROAD, EAST OF ST. JOHNS PARKWAY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING AT THE DECEMBER 1, 2016, MEETING, WITH A 5-0 VOTE

Proof of publication of the notice of public hearing on PUD 2016-15, 4560 Race Track Road, was received, having been published in *The St. Augustine Record* on November 7, 2016.

Discussion occurred with Item 2.

(2:11 p.m.) **Motion by Dean, seconded by Waldron, carried 5/0, to enact Ordinance No. 2017-2, PUD 2016-15, 4560 Race Track Road, based upon nine Findings of Fact.**

ORDINANCE NO. 2017-2

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

(01/17/17 - 18 - 2:12 p.m.)

4. PUBLIC HEARING, NZVAR 2016-08, PUTMAN HOUSE. REQUEST FOR A NON-ZONING VARIANCE TO THE LAND DEVELOPMENT CODE (LDC), SECTION 5.01.01, TO ALLOW RELIEF FROM PLATTING AND REPLATTING REQUIREMENTS, FOR COMPLETION OF A SINGLE-FAMILY HOME ON A 5-ACRE LOT; AND A NON-ZONING VARIANCE TO LDC, SECTIONS 6.04.07.B.1 AND 2, TO ALLOW RELIEF FROM EASEMENT REQUIREMENTS, SPECIFICALLY LOCATED AT 7122-A OLD STATE ROAD 207. THIS REQUEST IS COMPANION TO SMALL SCALE COMPREHENSIVE PLAN AMENDMENT CPA(SS) 2016-11, TO AMEND THE FUTURE LAND USE MAP FOR FIVE ACRES FROM AGRICULTURAL-INTENSIVE TO RESIDENTIAL-A, WHICH WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON DECEMBER 20, 2016, WITH A VOTE OF 5-0

Proof of publication of the notice of public hearing on NZVAR 2016-08, Putman House, was received, having been published in *The St. Augustine Record* on December 26, 2016.

Smith disclosed ex parte communication with the applicant's representative, Thomas Ingram of Akerman, LLP, and neighbors to the south of the property regarding the proposed request. Smith and Waldron disclosed site visits. Johns disclosed ex parte communication with Ingram regarding project details.

(2:13 p.m.) Shannon Acevedo, Planning Application Review Supervisor, and John Burnham, Chief Engineer, presented details of the request, via Power Point. Burnham reviewed the condition regarding the driveway improvement for the emergency vehicle turnaround and the stabilized easement with the varying width of 16 to 24 feet.

(2:21 p.m.) Discussion between Smith, Johns, and Burnham ensued on drainage, the emergency vehicle turnaround and estimated costs for the emergency vehicle turnaround and road improvements, new easement compliance with County regulations, and State compliance for emergency vehicle accessibility, with additional comments by Jeff Prevatt, Assistant Fire Recue Chief.

(2:26 p.m.) Thomas Ingram of Akerman, LLP, 50 N. Laura Street, Jacksonville, Florida, representing the landowners, noted the Affidavit from Tammy Putman, landowner, regarding the buildability of the lot, in the revised application.

(2:27 p.m.) Johns, Smith, and Suzanne Konchan, Director of Growth Management, spoke on the new home site application versus a replacement home application.

(2:32 p.m.) **Motion by Dean, seconded by Morris, carried 5/0, to approve NZVAR 2016-08, request for a Non-Zoning Variance to the LDC, Section 5.01.01, to allow relief from platting and replatting requirements for completion of a single-family**

home on a 5-acre lot; and a Non-Zoning Variance to the LDC, Sections 6.04.073B31 and 2, to allow relief from easement requirements, subject to seven Findings of Fact and four conditions.

(01/17/17 - 19 - 2:34 p.m.)

5. PUBLIC HEARING, PUD 2016-08, CR 210 TOWN CENTER. PUD 2016-08, CR 210 TOWN CENTER, A REQUEST TO REZONE FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW FOR 399,000 SQUARE FEET OF RETAIL/COMMERCIAL AND 46,000 SQUARE FEET OF PROFESSIONAL OFFICE DEVELOPMENT. THE SUBJECT PROPERTY IS APPROXIMATELY 44.5 ACRES IN AREA AND IS LOCATED IN THE NORTHEAST QUADRANT OF THE CR 210/GREENBRIAR ROAD INTERSECTION. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH STIPULATIONS, OF THE REZONING, AT THE DECEMBER 1, 2016, MEETING, WITH A 5-0 VOTE. THE AGENCY SPECIFIED THE RECOMMENDATION OF APPROVAL, WITH REMOVAL OF THE WAIVER REQUESTED, TO THE ACCESS MANAGEMENT STANDARDS THAT ALLOWED A FULL MEDIAN OPENING, THAT DID NOT MEET THE SPACING REQUIREMENTS. IN ADDITION, THE AGENCY REQUESTED MODIFICATIONS TO THE MASTER DEVELOPMENT PLAN, TO ADDRESS SHARED CONCERNS WITH STAFF, REGARDING THE DEPICTION OF THE MINOR ACCESS LOCATIONS AND RESERVATION OF RIGHT-OF-WAY, FOR POTENTIAL EXTENSION OF SHEARWATER PARKWAY, ON THE EASTERN BOUNDARY OF THE PROPOSED PUD. THE APPLICANT HAS MODIFIED THE PLANNED UNIT DEVELOPMENT TO ADDRESS SOME, BUT NOT ALL, OF THE PLANNING AND ZONING AGENCY RECOMMENDATIONS

Proof of publication of the notice of public hearing on PUD 2016-08, CR 210 Town Center, was received, having been published in *The St. Augustine Record* on November 7, 2016.

Smith disclosed ex parte communication with the applicants, Mark Shelton and Joseph Helow, regarding waivers, access points, and the full median access on the southern end of the project. He also received emails from Ramzy Bakkar, Jeff Conn, and Josh Spooner in support of the request. Dean and Waldron disclosed ex parte communication with Helow and Bill Schilling, Kimley-Horn and Associates, Inc., representing the applicant, regarding waivers, access points, and the full median access on the southern end of the project. Waldron also received emails from Ramzy Bakkar, Jeff Conn, and Josh Spooner in support of the request. Johns disclosed ex parte communication with Schilling, Phong Nguyen, Transportation Development Manager, and Jay Brawley, County Engineer, regarding details of the request and intersection.

(2:35 p.m.) Beverly Frazier, Planner, presented details of the request, via Power Point. She noted waivers and that the future Veterans Parkway would border the property on the north. She also noted that correspondence was received regarding concerns with increased traffic on CR 210; the consequences of the additional traffic signal; and the impacts of intensive commercial development on the existing residential community.

(2:42 p.m.) Bill Schilling, Kimley-Horn and Associates, Inc., 12740 Gran Bay Parkway West, Suite 2350, Jacksonville, Florida, representing the applicant, presented details of the request, via Power Point. He referenced three letters of support regarding access points, *Exhibit A*.

(3:01 p.m.) Smith questioned Schilling on open space.

(3:02 p.m.) Ed Slavin, P.O. Box 3084, spoke on beneficial owners, living wage, 2025 retail projections, silviculture, and Exhibit A letters, referenced by Schilling, regarding access points.

(3:05 p.m.) Kelly and Glenn Kellett, 4455 County Road 210 west, referenced a Master Development Plan map (MDP), *Exhibit B*, and spoke in opposition of the full median access waiver.

(3:11 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the full median access waiver.

(3:13 p.m.) Dean spoke in opposition of the full median access waiver.

(3:15 p.m.) McCormack offered guidance to the Board regarding relying on evidence and on approving or denying the PUD.

(3:17 p.m.) Discussion ensued between Johns and Schilling on the phasing and minimum open space waivers; and with Johns, Schilling, and Nguyen on roadway improvements and relocating access points and spacing requirements to the full median access waiver with Schilling referencing photos, *Exhibit C*, and Nguyen referencing maps, *Exhibit D*.

(3:41 p.m.) Waldron spoke in opposition to the minimum open space waiver.

(3:44 p.m.) The Board moved to Regular Agenda Item 12.

(5:07 p.m.) Subsequently, Soria noted three proposals by the applicants: 1) *request to withdraw the waiver pursuant to Land Development Code (LDC) 6.04.05, regarding the request for a full median access, and to retain the LDC waiver to 5.03.05.C.6, regarding minor access connection, defined as a right-in/right-out only driveway connection; 2) request to withdraw the waiver pursuant to LDC 5.03.03.A.1 for less than 25 percent open space and to retain the 50 percent of amenitized stormwater pond areas to be considered open space and be included in the open space calculations; and 3) to request a waiver pursuant to LDC 9.04.05.C, regarding the limitation of rezoning a property after the property has been rezoned, allowing for the submittal of a major modification application within one year of approval, to encompass the entirety of the Intensive Commercial (IC) future land use lands, including the wetlands, to meet the open space and access requirements for the entirety of the proposal. Additionally, the MDP map and text would be revised to comply with the removed waivers.*

(5:09 p.m.) Morris questioned Soria on the changes to vehicular access. Schilling summarized the proposed revisions.

(5:12 p.m.) Motion by Johns, seconded by Smith, carried 5/0, to enact Ordinance No. 2017-4, PUD 2016-08, CR 210 Town Center, based upon nine Findings of Fact, to include the three revised proposals, as amended.

ORDINANCE NO. 2017-4

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

(01/17/17 - 21 - 5:13 p.m.)

6. PUBLIC HEARING, COMPAMD 2014-04, MILL CREEK FOREST, TRANSMITTAL HEARING. TRANSMITTAL HEARING FOR COMPAMD 2014-04, KNOWN AS MILL CREEK FOREST, A COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE MAP FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL - B, WITH A TEXT AMENDMENT LIMITING THE NUMBER OF RESIDENTIAL UNITS, TO A MAXIMUM OF 305 SINGLE-FAMILY DWELLING UNITS. THE SUBJECT PROPERTY FRONTS ALONG GREENBRIAR ROAD, EAST OF LONGLEAF PINE PARKWAY, IN THE VICINITY OF 601 GREENBRIAR ROAD. THE PLANNING AND ZONING AGENCY FIRST HEARD THIS REQUEST ON JULY 21, 2016, AND RECOMMENDED THE AMENDMENT BE TRANSMITTED, WITH A 6-1 VOTE. SUBSEQUENT TO THE AGENCY MEETING, THE APPLICANT REQUESTED A DELAY IN THIS APPLICATION GOING TO THE BOARD OF COUNTY COMMISSIONERS, DUE TO CHANGES BEING PROPOSED. THESE CHANGES INCLUDED THE ADDITION OF 25 UNITS, RESULTING IN THE NUMBER OF UNITS BEING INCREASED FROM 280 TO 305 AND DESIGN CHANGES TO THE LAYOUT OF THE PUD. ON NOVEMBER 17, 2016, THE PLANNING AND ZONING AGENCY HEARD THIS REQUEST FOR TRANSMITTAL, A SECOND TIME, RECOMMENDING TRANSMITTAL, WITH A 4-3 VOTE. THE AGENCY INDICATED CONCERN WITH THE LACK OF ROAD AND SCHOOL CAPACITY AND TIMING OF THE DEVELOPMENT IN RELATION TO THE PROVISION OF THESE FACILITIES AND SERVICES

Proof of publication for the notice of public hearing on COMPAMD 2014-04, Mill Creek Forest, was received, having been published in *The St. Augustine Record* on October 26, 2016.

Teresa Bishop, Planning Division Manager, presented details of the Mill Creek Forrest COMPAMD, including the text amendment, to limit the development to 305 single-dwelling units, via PowerPoint.

(5:17 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, presented further details, regarding the project, including the amount of open space and recreation, which was over the required amount, via PowerPoint. Discussion ensued on gating the community, funding, and road deficiency, based on the impact of the project.

(5:40 p.m.) Motion by Johns, seconded by Morris, carried 3/2, with Smith and Waldron dissenting, to approve transmittal of COMPAMD 2014-04, Mill Creek Forest, subject to three Findings of Fact.

The meeting moved to Regular Agenda Item No. 8.

(01/17/17 - 21 - 3:51 p.m.)

7. PUBLIC HEARING, PUD 2016-09, LIGHTSEY ROAD EXTENSION PUD. REQUEST TO REZONE APPROXIMATELY 89.82 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT, TO ALLOW FOR A 207-UNIT, SINGLE-FAMILY SUBDIVISION. THE PLANNING AND ZONING AGENCY HEARING FOR THIS REQUEST WAS HELD ON NOVEMBER 17, 2016, WHERE THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 5-2 VOTE

Proof of publication of the notice of public hearing on PUD 2016-09, Lightsey Road Extension, was received, having been published in *The St. Augustine Record* on October 26, 2016.

Zachary Moore, Planner, presented details of the request, via Power Point. He noted the correct net density of 2.65, waivers, and letters of opposition.

(3:57 p.m.) Smith disclosed ex parte communication with the applicants, Samuel Easton and Brain Pate, and Ellen Avery-Smith, representing the applicants, regarding drainage and the reduction in the paved surface. He also met with an adjoining neighbor, Pam Halterman, regarding compatibility, received emails regarding traffic, and conducted a site visit. Dean disclosed ex parte communication with Easton and Avery-Smith, received emails, and conducted a site visit. Waldron disclosed ex parte communication with Easton, Pate, and Avery-Smith, regarding project details; and the following adjoining neighbors: Tommy and Beth Masters, Angela and Freddy Touzet, Debbie Miller, Mr. and Mrs. Tolerico, Dr. Shawn Johnston, Johnny Rogero, Pam Halterman, and Scott Clarkson. He also received emails and conducted a site visit. Morris disclosed ex parte communication with Easton, Pate, and Avery-Smith, and received emails. Johns disclosed ex parte communication with Easton, Pate, Avery-Smith, and received emails regarding the scope of work and community concerns.

(3:59 p.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, representing the applicant, presented details of the request, including a drainage presentation, via Power Point. She noted the proposed revision, to Section N, of the Master Development Plan (MDP) text regarding additional buffering and screening, *Exhibit A*.

(4:18 p.m.) Discussion ensued between Smith and Avery-Smith on maximum density standards, road width, and drainage, with additional comments on drainage by Locklear and Dean; between McCormack and Smith on the density component; and between Avery-Smith, McCormack, Soria, and Smith on Section A.1.3.11 of the Comprehensive Plan, with Smith reading Section A.1.3.11 for the record, *Exhibit B*.

(4:36 p.m.) McCormack, on behalf of Lynn Schumacher, 2420 Kacie Lane, referenced a Florida Department of Transportation (FDOT) document and photographs on lane widths.

(4:38 p.m.) Freddy Touzet, 1820 Lightsey Road, referenced photographs, *Exhibit C*, and spoke on drainage.

(4:42 p.m.) Shawn Johnston, 1840 Lightsey Road, spoke on drainage, road quality and safety, lane widths, and traffic concerns.

(4:44 p.m.) Tommy Masters, 1875 Lightsey Road, spoke on road quality and safety.

(4:46 p.m.) Beth Masters, 1875 Lightsey Road, referenced a photograph, *Exhibit D*, and spoke on road quality and safety, lane widths, traffic concerns, and ingress and egress concerns.

(4:49 p.m.) Charlotte Baker, 2328 Plantation Lake Drive, spoke on ingress and egress concerns.

(4:50 p.m.) Lee Perkins, 2332 Plantation Lake Drive, spoke on drainage and property flooding.

(4:51 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the request regarding the maintenance of the road.

(4:53 p.m.) John Cleary, 1950 Lightsey Road, spoke on drainage, traffic concerns, and lane widths.

(4:54 p.m.) In response to public comment, Avery-Smith spoke on the road quality and drainage. She noted there was consistency with the Comprehensive Plan and Land Development Code, and that the FDOT document, referenced by McCormack, on behalf of Schumacher, regarding lane widths, was not County standards and could not be used as evidence.

(5:00 p.m.) Sindy Wiseman, Deputy Clerk, entered the meeting and McGee left the meeting.

(5:00 p.m.) Waldron questioned Phong Nguyen, Transportation Development Manager, on the current road conditions, and questioned John Burnham, Chief Engineer, on drainage.

(5:03 p.m.) Waldron recused himself from the vote. He stated that members of his family owned land at the intersection of Lightsey Road and SR 207.

(5:06 p.m.) Motion by Dean, seconded by Morris, carried 3/1, with Waldron recusing and Smith dissenting, to enact Ordinance No. 2017-3, PUD 2016-09, Lightsey Road Extension, based upon nine Finding of Fact.

ORDINANCE NO. 2017-3

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

(5:07 p.m.) The Board moved to Regular Agenda Item 5.

(01/17/17 - 23 - 5:40 p.m.)

8. PUBLIC HEARING, REZ 2016-05, 2391 US 1 SOUTH. REQUEST TO REZONE APPROXIMATELY 4.20 ACRES FROM COMMERCIAL GENERAL (CG) AND OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI), TO BRING EXISTING BUSINESSES INTO COMPLIANCE AND ALLOW FOR ADDITIONAL USES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING REQUEST AT ITS DECEMBER 1, 2016, MEETING, WITH A 5-0 VOTE

Proof of publication for the notice of public hearing on REZ 2016-05, 2391 US 1 South, was received, having been published in *The St. Augustine Record* on November 8, 2016.

Smith, Dean, Waldron, and Morris disclosed ex parte communication with Karen Taylor, via email, explaining that the intent for the rezoning request and the requirements needed to comply with Florida Statute.

(5:41 p.m.) Zachary Moore, Planner, presented details of the rezoning request, via PowerPoint.

(5:44 p.m.) Karen Taylor, 77 Saragossa Street, spoke on the rezoning request.

(5:47 p.m.) BJ Kalaidi, 8 Newcomb Street, stated her concerns, regarding the residents of the Southgate Mobile Home Park and the need for affordable housing.

(5:48 p.m.) Motion by Dean, seconded by Waldron, carried 5/0, to enact Ordinance No. 2017-5, REZ 2016-05, 2391 US 1 South, based upon five Findings of Fact.

ORDINANCE NO. 2017-5

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED, HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATIONS OF COMMERCIAL GENERAL (CG) AND OPEN RURAL (OR), TO COMMERCIAL INTENSIVE (CI), MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(01/17/17 - 24 - 5:49 p.m.)

9. PUBLIC HEARING, REZ 2016-06, FARM BOY'S PRODUCE. THIS IS A REQUEST TO REZONE FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI), TO ALLOW FOR OUTDOOR SALES FROM A FOOD TRUCK, IN CONJUNCTION WITH THE EXISTING FARM BOY'S PRODUCE BUSINESS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING REQUEST AT ITS NOVEMBER 17, 2016, MEETING, WITH A 7-0 VOTE

Proof of publication for the notice of public hearing on REZ 2016-06, Farm Boy's Produce, was received, having been published in *The St. Augustine Record* on October 26, 2016.

Valerie Stukes, Growth Management Department, Planner, presented details of the Farm Boy's Produce rezoning request, via PowerPoint.

Smith, Dean, Morris, and Waldron disclosed ex parte communication from Karen Taylor, via email, explaining that the request to rezone was to allow sales from a food truck vendor. Waldron, additionally, had visited the site.

(5:53 p.m.) Karen Taylor, 77 Saragossa Street, provided the intent, regarding request for the rezoning. Smith commented on the impact of the rezoning.

(5:54 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to enact Ordinance No. 2017-6, REZ 2016-06, Farm Boy's Produce, based upon four Findings of Fact.

ORDINANCE NO. 2017-6

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 COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(01/17/17 - 24 - 5:55 p.m.)

10. PUBLIC HEARING, REZ 2016-11, STATE ROAD 16 AND VARELLA AVENUE. REQUEST TO REZONE APPROXIMATELY 1.56 ACRES FROM RESIDENTIAL SINGLE-FAMILY (RS-3) TO COMMERCIAL NEIGHBORHOOD (CN), SPECIFICALLY LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSECTION OF STATE ROAD 16 AND VARELLA AVENUE. THE

PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE
REZONING REQUEST AT ITS DECEMBER 15, 2016, MEETING, WITH A 6-0
VOTE

Proof of publication for the notice of public hearing on REZ 2016-11, State Road 16 and Varella Avenue, was received, having been published in *The St. Augustine Record* on November 30, 2016.

Smith, Dean, Johns, and Waldron disclosed ex parte communication, via a conversation with the adjacent landowner, Tommy Allen, regarding the proposed fence and the proximity of his carport.

(5:56 p.m.) Patrick Doty, Planner, presented details of the request to rezone, via PowerPoint.

(6:00 p.m.) Cecelia Bonifay, Akerman Law Firm, 420 South Orange Avenue, Orlando, Florida, representing Concept Development, spoke on the site-specific, zoning request and the intent for the property, community-scale retail, via PowerPoint.

Rebecca Lavie entered the meeting at 6:05 p.m.

(6:08 p.m.) Shane Walton, 2850 Del Rio Drive, voiced his concerns with the project, due to safety and requested the Board visit the site.

(6:11 p.m.) Christy Walton, 2850 Del Rio Drive, voiced her concerns with the project, due to the safety of the neighborhood and the children walking to and from the schools.

(6:13 p.m.) Bonifay responded to public concerns, stated a traffic study had been completed, submitted a letter from Florida Department of Transportation (FDOT), confirming 2012-2015 crash data for the area, and presented a map showing the site to be a transition area, *Exhibit A*.

(6: 18 p.m.) Motion by Dean, seconded by Morris, carried 5/0, to enact Ordinance No. 2017-7, REZ 2016-11, State Road 16 and Varella Avenue, based upon four Findings of Fact, including relocating the fence.

ORDINANCE NO. 2017-7

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS, AS
DESCRIBED, HEREINAFTER, FROM THE PRESENT
ZONING CLASSIFICATION OF RESIDENTIAL SINGLE-
FAMILY (RS-3) TO COMMERCIAL NEIGHBORHOOD
(CN); MAKING FINDINGS OF FACT; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE**

(01/17/17 - 25 - 6:19 p.m.)

11. HURRICANE MATTHEW DISASTER RECOVERY, DEBRIS REMOVAL. IN OCTOBER 2016, HURRICANE MATTHEW INFLICTED SEVERE IMPACTS TO FLORIDA, GEORGIA, SOUTH CAROLINA, AND NORTH CAROLINA, RESULTING IN A PRESIDENTIAL DECLARATION FOR FEDERAL ASSISTANCE IN CATEGORIES A & B [DEBRIS REMOVAL AND EMERGENCY PROTECTIVE MEASURES, RESPECTIVELY]. ST. JOHNS COUNTY ACTIVATED CONTRACTS IN ACCORDANCE WITH THE CONTRACT, FOR DISASTER DEBRIS REMOVAL, REDUCTION, DISPOSAL, AND INFRASTRUCTURE RESTORATION, PURSUANT TO RFP 04-79. THE

COUNTY ESTIMATES THE COST FOR DEBRIS REMOVAL, BASED UPON 487,000 CUBIC YARDS FOR VEGETATIVE DEBRIS AND 60,000 CUBIC YARDS FOR CLASS III DEBRIS, TO TOTAL \$18.5 MILLION, RELATED TO HURRICANE MATTHEW. FOR MANY DISASTER RECOVERY COSTS, FEMA WILL REIMBURSE UP TO 75% OF ELIGIBLE EXPENDITURES AND THE STATE WILL REIMBURSE UP TO 12.5% OF ELIGIBLE EXPENDITURES, LEAVING ST. JOHNS COUNTY TO FUND THE REMAINING 12.5%; HOWEVER, BOTH FEMA AND THE STATE DO NOT UTILIZE THE SAME REIMBURSEMENT RATES FOR DEBRIS REMOVAL AND MONITORING ON PRIVATE ROADS. THE ATTACHED OCTOBER 21, 2016, STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT LETTER SUSPENDS THEIR RESPONSIBILITY TO PAY 12.5% OF COSTS OF DEBRIS REMOVAL, ON PRIVATE ROADS. THE ATTACHED DECEMBER 21, 2016, FEMA LETTER DEEMS SOME-BUT-NOT-ALL PRIVATE ROAD ZONES ELIGIBLE FOR REIMBURSEMENT. CURRENT ESTIMATES FOR ELIGIBLE REIMBURSEMENT FOR DEBRIS REMOVAL EXPENDITURES ARE AS FOLLOWS: FEMA \$12,487,500, STATE \$1,734,375, AND THE COUNTY AT \$2,428,125. CURRENT ESTIMATES FOR INELIGIBLE EXPENDITURES TOTAL \$1,850,000 FOR THE COUNTY. TOTAL ELIGIBLE AND INELIGIBLE COUNTY COSTS FOR DEBRIS REMOVAL TOTAL \$4,278,125. BECAUSE THE COMMISSION APPROVED AN INITIAL \$1,000,000 FOR DEBRIS REMOVAL, FROM SOLID WASTE RESERVES, AT THE OCTOBER 18, BCC MEETING, THE SOLID WASTE RESERVE REQUIREMENT IS \$3,278,125

Jesse Dunn, Director, Office of Management and Budget (OMB), presented an update, regarding disaster recovery, including debris removal, associated with Hurricane Matthew, via PowerPoint. He referenced a letter from the State Emergency Management on debris removal, related to private roads [zones]; spoke on the grant process and eligibility criteria for reimbursement, through FEMA; and presented an estimated breakdown of disaster debris removal reduction and disposal costs, as well as infrastructure restoration, *Exhibit A*.

(6:30 p.m.) Smith requested a map showing the eligible and ineligible projects/properties from *Exhibit A* and questioned whether there was a cost difference in vegetation and class III pickup. Dunn presented a map with the currently approved zones, *Exhibit B* and Greg Caldwell, Assistant Public Works Director, stated the cost was the same per cubic yard. Discussion ensued on the overall estimated costs, associated with debris removal, and future funding. Johns recommended a process for if/when reserve funds were not available in future emergencies and suggested follow-up with other counties on their funding processes.

(6:41 p.m.) Smith questioned the cost associated with expedited clean-up. Caldwell reported that by bringing in additional vehicles and manpower, for debris removal, the cost increased by \$2.00 per cubic yard. McCormack spoke on the County's pre-arranged, emergency contracts. Smith noted the outstanding bills and questioned whether the money would come out of General Funds. Dunn responded first, that the County would not be paying the entire \$18.5 million; however, reserves and/or re-appropriating funds would be options.

(6:44 p.m.) Dean requested the County's financial information. Johns suggested adding an upcoming meeting agenda item to discuss current funding availability, including reserves. Dunn stated an overview would be provided the second meeting in March.

(6:47 p.m.) Morris spoke on the proposed adjustments to the budget and the lack of funding, in excess of \$36 million, with no funding source.

(6:50 p.m.) Wanchick commented on the initial priority of debris removal and now the priority shift to cost, the funding, and the process.

(6:54 p.m.) **Motion by Dean, seconded by Waldron, carried 5/0, to adopt Resolution No. 2017-27, recognizing and appropriating a Department of Homeland Security FEMA Hurricane Matthew Grant, in an amount not to exceed \$12,487,500, and a State of Florida Division Emergency Management Grant, in an amount not to exceed \$1,734,375, within the Fiscal Year 2017, General Fund (Hurricane Matthew Department 0110); and move to approve the transfer of \$3,278,125 from Solid Waste Reserves to the General Fund (Hurricane Matthew Department 0110).**

RESOLUTION NO. 2017-27

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING A US DEPARTMENT OF HOMELAND SECURITY FEMA GRANT AND A STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT GRANT, WITHIN THE FISCAL YEAR 2017 GENERAL FUND, HURRICANE MATTHEW DEPARTMENT

(6:55 p.m.) The meeting moved to Regular Agenda Item No. 1.

(01/17/17 - 27 - 3:44 p.m.)

12. PRE-ENTRY DECK AT ST. AUGUSTINE AMPHITHEATRE. THE ST. JOHNS COUNTY CULTURAL EVENTS DIVISION CONTINUES TO LOOK FOR WAYS TO IMPROVE THE PATRON EXPERIENCE AND FOR OPPORTUNITIES TO GENERATE ADDITIONAL REVENUE. AS SUCH, AN OPPORTUNITY TO OBTAIN A \$60,000 SPONSORSHIP WITH CANAN LAW WILL PROVIDE FUNDING TO CONSTRUCT AN OUTDOOR PRE-ENTRY GATHERING SPACE BETWEEN THE ST. AUGUSTINE AMPHITHEATRE'S EAST AND CENTER ENTRY CORRIDORS. REVENUE GENERATED THROUGH FOOD AND BEVERAGE CONCESSIONS GENERATES ADDITIONAL REVENUE TO COVER BOTH THE DECK'S ASSOCIATED OPERATING EXPENSES AND ADDITIONAL REVENUE FOR THE OVERALL OPERATION (A FIFTEEN YEAR ASSET LIFE PRO FORMA IS ATTACHED OUTLINING TWO SCENARIOS WHICH REFLECT POSITIVE NET POSITION). THE DECK IS ANTICIPATED TO COST \$62,750 NET DONATED MATERIALS. ADDITIONALLY, THE PRE-ENTRY DECK WILL PROVIDE FUTURE MONETARY SPONSORSHIP OPPORTUNITIES FOR BUSINESSES SEEKING VISIBILITY TO PATRONS ENTERING THE FACILITY. AN ADDITIONAL BENEFIT PROVIDED FROM THE DECK'S LOCATION IS AN IMPROVED INGRESS. THIS INGRESS WILL SEND PATRONS TO A LESSER-USED ENTRY WAY, ALLEVIATING A "BOTTLE NECKING" ISSUE, COMMON AT BUSIER GATE ENTRANCES. THE LOCATION ALREADY HAS SUFFICIENT POWER, PLENTY OF SHADE FROM OAK TREES, AND IS LARGE ENOUGH TO FIT A 4,300 SQUARE FOOT DECK

(3:45 p.m.) Ryan Murphy, Director of the Cultural Events Division, gave a summary of the request. Gabriel Pellicer, Assistant Director of the Cultural Events Division, noted there would be no cutting of trees and that there would be advanced funding by sponsors.

(3:46 p.m.) McCormack spoke on adopting a sponsorship agreement template.

(3:49 p.m.) Johns questioned Pellicer on operational and maintenance expenses.

(3:50 p.m.) **Motion by Dean, seconded by Waldron , carried 5/0, to approve Resolution No. 2017-26, authorizing the county administrator, or his designee, to execute a sponsorship agreement with Canan Law, substantially in the same form and format, as attached; and to recognize and appropriate \$83,625 within the FY 2017 Cultural Events Fund.**

RESOLUTION NO. 2017-26

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF A SPONSORSHIP AGREEMENT, WITH CANAN LAW, SUBSTANTIALLY IN THE SAME FORM AND FORMAT, AS ATTACHED;; AND TO RECOGNIZE AND APPROPRIATE BOTH THE ASSOCIATED SPONSORSHIP AND OPERATING REVENUE WITHIN THE FY 2017 CULTURAL EVENTS FUND

(3:51 p.m.) The Board moved to Regular Agenda Item 7, with Ross not in attendance.

(Formerly Consent Item No. 25)

(01/17/17 - 28 - 7:03 p.m.)

13. MOTION TO AWARD BID NO. 17-09, COMBINED FIRE STATION 5 AND SHERIFF'S SOUTH REGIONAL COMMAND CENTER, TO F&G CONSTRUCTION GENERAL CONTRACTORS, INC.; AND TO EXECUTE A CONTRACT IN SUBSTANTIALLY THE SAME FORM AND FORMAT, AS THE ATTACHED HERETO, FOR COMPLETION OF THE COMBINED FIRE STATION 5 AND SHERIFF'S SOUTH REGIONAL COMMAND CENTER, AT A CONTRACT PRICE NOT TO EXCEED \$7,158,000

Jesse Dunn, Office of Management and Budget (OMB), presented the consideration to award the contract for the combined Fire Station No.5 and the Sheriff's South Regional Command Center. He stated that he and additional staff were available for questions.

(7:03 p.m.) Smith questioned the substantial increase in cost from the original estimate for the project, which did not include the \$800,000 cost of the land. He stated his concern with the overall cost and suggested a review to see whether there was room for savings. Discussion ensued on the cost of the project, the pattern of increases in estimates given for this and other projects, and the number of bids versus supply and demand.

(7:17 p.m.) Locklear noted that the cost increase was anticipated and was built into the 2017 budget.

(7:19 p.m.) Smith felt the need to delay the project, due to the other current financial issues.

(7:18 p.m.) Motion by Dean, to adopt a Resolution No. 2017-28, failed for lack of a second, authorizing the county administrator, or designee, to award Bid No. 17-09 Combined Fire Station 5 and Sheriff's South Regional Command Center, to F&G Construction General Contractors, Inc.; and to execute a contract in substantially the same form and format, as the attached hereto, for the completion of the Combined Fire Station 5 and Sheriff's South Regional Command Center, at a contract price not to exceed \$7,158,000.

(7:20 p.m.) Morris questioned Smith's intent in delaying the project and whether he wanted the item to go back out for bids. Smith said he recommended reviewing it to

assure that it was cost effective and to look for additional savings. Discussion ensued on an outside source reviewing the bid, re-bidding the item with a different scope, and County's deficit due to the effects from Hurricane Matthew and disaster recovery.

(7:24 p.m.) McCormack outlined options for the Board. He said they could move to the item to the next agenda, authorize the county administrator to review for additional savings, and/or re-bid the item.

(7:25 p.m.) Dunn stated that value engineering could be added; and clarified that the funds for the bid were built into the 2017 budget and were separate funds from the hurricane disaster recovery, with the exception of \$1 million dollars. Johns commented on the cost of debris removal and questioned the \$150 million in infrastructure damage, stating his concerns with future costs. Dunn responded with the 18 month to four year delay with FEMA reimbursement for disaster recovery.

(7:29 p.m.) Dean stated that he agreed with the need for cost savings, even with the lowest bid, and requested to withdraw his earlier motion and provide a different one.

(7:29 p.m.) **Motion by Dean, seconded by Smith, to direct staff to expeditiously review, with the low bidder, possible cost savings, and bring the results back to the Board, at the first available Board meeting.**

(7:30 p.m.) Smith commented on a similar situation with the Vilano Beach Pier.

(7:31 p.m.) Locklear asked for verification on whether the County had to be under contract with the contractor before they value engineered with them. Ross confirmed that the County did need to be under contract due to that portion of the work not being described in the scope; would need the low bidders consent to do the work; and would need to estimate the cost to do the work. McCormack said that the County could enter into negotiations before entering into a contract.

(7:32 p.m.) Johns reiterated that the approval of a contract was not necessary to enter into negotiations. Ross responded that the contractors consent would be needed to do the value engineering and any additional work, outside of the original scope.

(7:32 p.m.) Dean clarified his motion, stating that he was not approving the contract, but directing the staff to go back and sit down, discuss, and negotiation with the low bidder and try to see if there are any cost-cutting opportunities, where we would still have a quality building and then come back and present the results to the Board.

(7:34 p.m.) **The motion carried 5/0.**

(Formerly Consent Item No. 18)

(01/17/17 - 29 - 7:34 p.m.)

14. MOTION TO APPROVE THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A PURCHASE AND SALE AGREEMENT, FOR PROPERTY OFFERED AS SURPLUS, BY THE ANASTASIA MOSQUITO CONTROL DISTRICT, AT 500 OLD BEACH ROAD, AND APPROVE A TRANSFER \$25,000, FROM GENERAL FUND RESERVES, FOR RELATED COSTS

Wanchick provided background information, as well as details of the request.

(7:35 p.m.) Johns stated his concerns with spending more on maintenances to the property than what the County paid for the property, additionally, the concern that the site was not environmentally clean. Morris agreed that the property must be clean.

(7:39 p.m.) Motion by Johns, seconded by Morris, carried 5/0, to adopt Resolution No. 2017-29, approving the terms and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement, for property offered as surplus, by the Anastasia Mosquito Control District, at 500 Old Beach Road; and approve a transfer of \$25,000, from General Fund Reserves for related costs.

RESOLUTION NO. 2017-29

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A PURCHASE AND SALE AGREEMENT WITH THE ANASTASIA MOSQUITO CONTROL DISTRICT, FOR PROPERTY AT 500 OLD BEACH ROAD

(Formerly Consent Item No. 29)

(01/17/17 - 30 - 7:40 p.m.)

15. MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A HURRICANE MATTHEW DISASTER DECLARATION (FEMA-4283-DR-FL) FEDERALLY FUNDED PUBLIC ASSISTANCE STATE AGREEMENT, IN SUBSTANTIALLY THE SAME FORM AND FORMAT, AS ATTACHED HERETO

Jesse Dunn, Office of Management and Budget, explained the grant process and the agreement [document]. He said there was no commitment or funding requirement, associated with the approval.

(7:42 p.m.) Motion by Johns, seconded by Morris, carried 5/0, authorizing the county administrator, or designee, to execute a Hurricane Matthew Disaster Declaration (FEMA-4283-DR-FL) Federally Funded Public Assistance State Agreement, in substantially the same form and format, as attached hereto. [Resolution No. 2017-28]

RESOLUTION NO. 2017-28

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT

(Formerly Consent Item No. 30)

(01/17/17 - 30 - 7:42 p.m.)

16. MOTION TO RECOGNIZE AND APPROPRIATING A DEPARTMENT OF HOMELAND SECURITY FEMA HURRICANE MATTHEW GRANT IN AN AMOUNT NOT TO EXCEED \$55,853 AND A STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT GRANT, IN AN AMOUNT NOT TO EXCEED \$9,309, WITHIN THE FISCAL YEAR 2017 GENERAL FUND [HURRICANE MATTHEW DEPARTMENT 0110]; AND MOTION TO APPROVE THE TRANSFER OF \$232,723, FROM GENERAL FUND RESERVES TO THE GENERAL FUND [HURRICANE MATTHEW DEPARTMENT 0110]

Jesse Dunn, Office of Management and Budget, presented clarification on the first task order, which was a consultant, who would assist the County identify projects and work with FEMA, and the State, to receive the maximum reimbursement back to the County; and displayed the overall costs, *Exhibit A*.

(7:47 p.m.) Johns questioned the purpose of and the Return on Investment (ROI) with the Ardurra Group, LLC. Dunn stated he would get an ROI from the Ardurra Group, LLC and bring it back to the Board. Additionally, he spoke on a project worksheet, which FEMA would recognize as an eligible cost for reimbursement and subsequent task orders.

(7:52 p.m.) Dean agreed with the request for the ROI and the delta, and believed hiring an expert on FEMA requirements, was one of the best expenditures.

(7:54 p.m.) BJ Kalaidi, 8 Newcomb Street, agreed that an expert was needed and questioned whether the \$232,723 was a top limit figure for the consultant.

(7:56 p.m.) Motion by Johns, seconded by Waldron, carried 5/0, to adopt Resolution No. 2017-30, recognizing and appropriating the Department of Homeland Security FEMA Hurricane Matthew Grant in an amount not to exceed \$55,853 and a State of Florida Division of Emergency Management Grant in an amount not to exceed \$9,309, within the Fiscal Year 2017 General Fund [Hurricane Matthew Department 0110]; and motion to approve the transfer of \$232,723, from General Fund Reserves to the General Fund [Hurricane Matthew Department 0110].

RESOLUTION NO. 2017-30

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS, ST. JOHNS COUNTY, FLORIDA, REZONING AND APPROPRIATING A US DEPARTMENT OF HOMELAND SECURITY FEMA GRANT AND A STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT GRANT, WITHIN THE FISCAL YEAR 2017, GENERAL FUND HURRICANE MATTHEW DEPARTMENT

(01/17/17 - 31 - 7:57 p.m.)
COMMISSIONERS' REPORTS

Commissioner Waldron

Waldron spoke on exploring revenue options, including an increase in the bed tax; would like to review the bid process, citizens' consultant groups, and competitiveness, in regards to the gas tax.

Commissioner Morris

Morris had no report.

Commissioner Dean

(8:00 p.m.) Dean spoke on gas tax and requested adding it to the February 7, 2017, agenda. Additionally, he suggested community workshops. Smith stated that a Board workshop prior to adding it to the agenda. Morris suggested that the Board discuss budget concerns, as an agenda item, with the addition of the gas tax discussion.

Commissioner Smith

(8:02 p.m.) Smith spoke on the Institute of Food and Agricultural Sciences (IFAS) contracts; the people of Hastings' choice to de-charter the town; provided an

agricultural update, which included the New World Screwworm confirmation in Dade County, Florida.

Commissioner Johns

(8:04 p.m.) Johns thanked the Board and staff for their patience.

(01/17/17 - 32 - 8:05 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick requested Locklear present information that would be presented to the Legislative Delegation on January 18, 2017. Locklear presented potential requests for funding, from the Legislative Delegation, regarding beach re-nourishment, along the County's coastline and beach accessibility; and displayed a handout, *Exhibit A*.

(8:12 p.m.) Subsequently, Locklear corrected an error with the total estimated cost of the requested funding for beach re-nourishment.

(01/17/17 - 32 - 8:11 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack spoke on staff attending the Florida Association of Counties (FAC) summit on medical marijuana. He requested the Clerk of Courts correct any resolutions reading 2016, instead of 2017 and noted Regular Item No. 12, needed the resolution corrected to Resolution 2017-26.

(01/17/17 - 32 - 8:13 p.m.)

CLERK OF COURT'S REPORT

No report.

(01/17/17 - 32 - 8:13 p.m.)

ADJOURN

With there being no further business to come before the Board, Johns adjourned the meeting at 8:13 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 540423-540424, totaling \$20,285.10 (12/16/16)
2. St. Johns County Board of County Commissioners Check Register, Check No. 540425, totaling \$275.83 (12/16/16)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 540426-540607, totaling \$3,524,649.98 and Voucher Register, Voucher Nos. 27034-27074, totaling \$606,053.56 (12/20/16)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 540608-540677, totaling \$43,860 and Voucher Register, Voucher Nos. 27075-27159, totaling \$55,127.86 (12/21/16)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 540678-540697, totaling \$42,862.86 and Voucher Register, Voucher No. 27160, totaling \$184.62 (12/22/16)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 27161-27162, totaling \$9,739.50 (12/22/16)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 540698-540890, totaling \$1,043,949.46 and Voucher Register, Voucher Nos. 27163-271202, totaling \$577,518.41 (12/27/16)

8. St. Johns County Board of County Commissioners Check Register, Check Nos. 540891-540892, totaling \$1,018.75 (12/28/16)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 540893-540905, totaling \$195,285.49 (12/29/16)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 540906-541047, totaling \$931,470.20 and Voucher Register, Voucher Nos. 27203-27230, totaling \$795,131.81 (1/3/17)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 541048-541049, totaling \$18,033.49 (1/3/17)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 541050-541070, totaling \$28,979.48 and Voucher Register, Voucher Nos. 27231-27247, totaling \$22,111.99 (1/4/17)
13. St. Johns County Board of County Commissioners Check Register, Check Nos. 541071-541084, totaling \$6,946.98 and Voucher Register, Voucher No. 27248 (1/5/17)
14. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 27249-27250, totaling \$10,199.86 (1/5/17)
15. St. Johns County Board of County Commissioners Check Register, Check No. 541085, totaling \$215.56 (1/6/17)
16. St. Johns County Board of County Commissioners Check Register, Check Nos. 541086-541226, totaling \$486,972.77 and Voucher Register, Voucher Nos. 27251-27276, totaling \$41,600.99 (1/10/17)

CORRESPONDENCE:

There was none.

Approved _____ March 21 _____, 2017

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: *Hunter S. Conrad*
Deputy Clerk

