

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 7, 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 S. Smith, District 2
Paul M. Waldron, District 3
Jay Morris, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Bonnie A. Putman, Deputy Clerk

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

(02/07/17 - 1 - 9:00 a.m.)
CALL TO ORDER

Johns called the meeting to order.

(02/07/17 - 1 - 9:00 a.m.)
ROLL CALL

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

(02/07/17 - 1 - 9:00 a.m.)
INVOCATION

Dr. Donnie Warren, Christ the Redeemer Church of St. Augustine, gave the invocation.

(02/07/17 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(02/07/17 - 1 - 9:02 a.m.)
RECOGNITION OF GREGORY JAMES, FOR 30 YEARS OF SERVICE TO ST. JOHNS COUNTY

Bill Young, Utilities Director, spoke highly of Gregory James' background and his work with the County. James spoke on his time with St. Johns County.

(02/07/17 - 1 - 9:06 a.m.)
PRESENTATION RECOGNIZING THE 10TH ANNIVERSARY OF THE DONNA MARATHON WEEKEND

Morris spoke on the importance of St. Johns County's partnership with the 26.2 Donna Marathon weekend. Donna Deegan, Race Founder, presented the County with artwork from this year's event. She spoke on her organization and the event.

(02/07/17 - 2 - 9:09 a.m.)

RECOGNITION OF ST. JOHNS COUNTY FIRE RESCUE HAZARDOUS MATERIALS (HAZMAT) TEAM

Dean and Wanchick spoke on the Fire Rescue HAZMAT team. Chief Carl Shank spoke on the St. Johns County Fire Rescue HAZMAT team's recent accomplishments.

(02/07/17 - 2 - 9:14 a.m.)

PRESENTATION RECOGNIZING THE ST. JOHNS COUNTY EMERGENCY MANAGEMENT DIVISION FOR EXEMPLARY RESPONSE TO HURRICANE MATTHEW

Johns spoke on the Emergency Management staff and their work, on behalf of St. Johns County, before, during and after Hurricane Matthew. Linda Stoughton, Director of Emergency Management, thanked all involved during the disaster and currently through the recovery process.

(9:20 a.m.) **Motion by Smith, seconded by Morris, carried 5/0, to accept the recognitions.**

(9:21 a.m.) Morris commented on the beaches farmers market and the requested five month extension of the contract. He requested consensus from the Board to grant the contract extension. Dean stated he supported the contract extension.

(9:24 a.m.) McCormack provided legal clarification on the request.

Regina Ross, Deputy County Attorney, entered the meeting at 9:25 a.m.

Wanchick requested to utilize his authority to extend the Civic Association's contract with the Beaches Farmer's Market.

(02/07/17 - 2 - 9:28 a.m.)

PUBLIC COMMENT

General Public Comment-

David Williams, 10460 Turpin Avenue, Hastings, Florida, Chairman of the Flagler Estates Community Redevelopment Steering Committee, spoke on the improved signage, the need for improvements to the Oliver Park, and the lack of communication to the residents.

Lavie left the meeting at 9:29 a.m.

(9:31 a.m.) Smith requested that the lack of communication between the directors and the leadership within Flagler Estates be addressed. Wanchick stated that he would look into it.

(9:32 a.m.) Elliott Jones, A.J. Johns, Inc., requested a modification of the current-use agreement for the Mickler's Landing parking lot and suggested a split repair cost of 50/50. Discussion ensued on the agreement.

(9:36 a.m.) Cliff Scarr, 708 Standish Drive, spoke in opposition to digital billboards, due to distractions to drivers and requested the removal of digital billboards from the sign ordinance.

(9:38 a.m.) Merrill Roland, 6281 Old Dixie Drive, spoke in opposition to the parking situation at the St. Augustine Beach Pier Park and requested clarification on when the item, regarding the Farmer's Market, would be heard. Discussion ensued on the administrator's authority to extend the current contract, without the need for Board approval.

(9:44 a.m.) Johns recognized Larry Harvey, Putman County Commissioner, District Four, who was in attendance.

(9:45 a.m.) Rhonda Matthews, 567 Federal Point Road, East Palatka, Florida, representing St. Paul's Episcopal Church, spoke on their location along the bicycle trails and their partnership with the Gullah/Geechee Spring Bicycle tour event on March 18-24, 2017.

(9:47 a.m.) Larry Harvey, Chairman of the Board of County Commissioners, Putman County, requested a joint meeting on topics of interest, which both counties would benefit from, including developing partnerships.

(9:49 a.m.) Bill McClure, 6905 Richards Place, suggested restoring the mileage to .093; consider impact fees and a finalization on the calculations; and a thorough review of the 2018 budget, before considering a gas tax increase.

(9:52 a.m.) BJ Kalaidi, 8 Newcomb Street, questioned when a discussion on the 5% gas tax would be heard and requested information on what would be discussed.

(9:54 a.m.) James Snider, 206 Third Street, spoke on the lack of Fire Rescue Services in the Northeast area of the County, the flooding on A1A, the poles left by Florida Power and Light (FPL), for cable, and the number of sand piles alongside the coastal roads.

(9:58 a.m.) Neil Armingeon, Matanzas River Keeper, 291 Cubbedge Road, spoke on beach restoration and the ongoing project in Summerhaven.

Public Comment Specific to the Farmer's Market-

(10:02 a.m.) Andrea Samuels, 110 Mickler Boulevard, stated there was not a vote taken, in regards to the Beaches Farmers Market, at the St. Augustine Beach Commission meeting, held on 2/6/17; and that people were not being charged to park at the Civic Association.

(10:03 a.m.) Lavie entered the meeting and Ross left the meeting.

(10:04 a.m.) Dr. Michel Pawlowski, commended the administrator for requesting a review of the Farmer's Market and Civic Association's contract. He stated his opposition to the contract and displayed a letter that was being handed out to vendors of the Farmer's Market, *Exhibit A*.

(10:07 a.m.) Ran Middleton, 235 Anastasia Circle, spoke on the amount of bad communication, in regards to the Farmer's Market.

(10:08 a.m.) Bruce Norman, 227 South Matanzas Boulevard, commended Emergency Management and the County during Hurricane Matthew; stated he was opposed to parking fees at the beach and suggested a parking fee at administration building; and spoke on the competitive bidding process.

(10:12 a.m.) Bill Jones, President of the St. Augustine Beach Civic Association, 207 Woodland Avenue, spoke on his separation between his civic activities and his

employment; spoke on Electronic Benefit Transfer (EBT) usage at the Farmer's Market and distributed a response letter, regarding Wi-Fi being provided, *Exhibit B*. He stated an African American vender was being targeted at the Farmer's Market, to the point that it had become an unpleasant and unfriendly work environment.

(10:15 a.m.) Merrill Roland, 6281 Old Dixie Drive, spoke in support of the Farmer's Market, but in opposition to the Civic Association not paying rent, or utilities, and charging for parking.

(02/07/17 - 4 - 10:19 a.m.)

DELETIONS TO CONSENT AGENDA

Wanchick requested withdrawing Item Nos. 3 and 8 from the Consent Agenda.

(02/07/17 - 4 -10:20 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2017-31**, approving the terms and conditions of Joint Participation Agreement, Financial Project 418441-1-84-17, for receiving a State of Florida Public Transit Block Grant, for \$395,000, to recognize the revenues for the St. Johns County Transit Revenue and Expenditure budget, for FY 2018; and to authorize the county administrator, or his authorized designee, to execute any other documents or Supplemental Joint Participation Agreements, for the purpose of Scope Changes and/or funding adjustments; and all other documents as may be required

RESOLUTION NO. 2017-31

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, DESIGNATING ST. JOHNS COUNTY AS THE RECIPIENT OF A PUBLIC TRANSIT BLOCK GRANT, FINANCIAL PROJECT 41844-1-84-17, IN THE AMOUNT OF \$395,000 AND TO RECOGNIZE THESE REVENUES IN THE TRANSIT REVENUE AND EXPENDITURE BUDGET, FOR FISCAL YEAR 2018 AND TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE JOINT PARTICIPATION AGREEMENT, ON BEHALF OF THE COUNTY; AND AUTHORIZE THEIR EXPENDITURE BY ST. JOHNS COUNTY

Consent Agenda Item No. 3 was pulled.

3. Motion to approve the final plat for Moultrie Woods II

4. Motion to adopt **Resolution No. 2017-32**, approving the final plat for Las Calinas, Parcel 3A, Unit 1, Phase 5

RESOLUTION NO. 2017-32

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS, PARCEL 3A, UNIT 1, PHASE 5

5. Motion to adopt **Resolution No. 2017-33**, approving the final plat for Twenty Mile at Nocatee, Phase 4C

RESOLUTION NO. 2017-33

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR TWENTY MILE AT NOCATEE, PHASE 4C

6. Motion to adopt **Resolution No. 2017-34**, approving the final plat for Celestina, Phase 4B

RESOLUTION NO. 2017-34

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR CELESTINA, PHASE 4B

7. Motion to adopt **Resolution No. 2017-35**, granting Ad Valorem tax exemption for historic property, located at 34 Cordova Street, St. Augustine; and to enter into a covenant with the property owner, establishing the parameters of the Exemption Agreement

RESOLUTION NO. 2017-35

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR IMPROVEMENTS TO HISTORIC PROPERTY, LOCATED AT 34 CORDOVA STREET, ST. AUGUSTINE, FLORIDA, IN ACCORDANCE WITH ST. JOHNS COUNTY ORDINANCE 97-61 AND SECTION 196.1997, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE

Consent Agenda Item No. 8 was pulled.

8. Motion to authorize the county administrator to execute the Impact Fee Credit Agreement with The Avail Group, LLC (IFA 2016-03), with a total road impact fee credit of \$6,500
9. Motion to adopt **Resolution No. 2017-36**, 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, Cintas Corporation, for Fire Sprinkler Systems Maintenance, Inspection, and Repair, under RFP No: 17-14

RESOLUTION NO. 2017-36

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 17-14; AND TO EXECUTE AGREEMENTS FOR FIRE SPRINKLER SYSTEMS MAINTENANCE, INSPECTION, AND REPAIR

10. Motion to adopt **Resolution No. 2017-37**, authorizing the county administrator, or designee, to award Bid No 17-01, Six Mile 1 Master Lift Station Improvements, to G&H Underground Construction, 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 \$304,857

RESOLUTION NO. 2017-37

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-01; AND TO EXECUTE AGREEMENTS FOR SIX MILE 1 MASTER LIFT STATION IMPROVEMENTS

11. 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
12. Motion to adopt **Resolution No. 2017-38**, authorizing the county administrator, or his designee, to execute an Agreement extension, for a term of five years, with Pierce Manufacturing, Inc., under RFP No: 07-53

RESOLUTION NO. 2017-38

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AUTHORIZE AN ADDITIONAL, FIVE YEAR RENEWAL, FOR THE CONTRACT WITH PIERCE MANUFACTURING, INC., UNDER RFP #07-53

13. Motion to adopt **Resolution No. 2017-39**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful, enter into contracts substantially in the same form and format, as attached, with the forty-six firms identified in the resolution, for the Countywide Continuing Professional Services Contracts, under RFQ 17-17

RESOLUTION NO. 2017-39

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 17-17 TO THE FIRMS REFERENCED HEREIN; AND TO EXECUTE AGREEMENTS WITH SAID FIRMS FOR THE COUNTY'S PROFESSIONAL SERVICES LIBRARY

14. Motion to adopt **Resolution No. 2017-40**, authorizing the county administrator, or designee, to award Bid No. 17-16, Hazardous Tree Removal Services to TFR Enterprises, Inc.; and to execute a contract in substantially the same form and format, as the attached hereto, for providing countywide Hazardous Tree Removal Services

RESOLUTION NO. 2017-40

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-16; AND TO EXECUTE AGREEMENTS FOR HAZARDOUS TREE REMOVAL SERVICES

15. Motion to adopt **Resolution No. 2017-41**, authorizing the county administrator, or his designee, to award and execute a contract, in substantially the same form and format, as the attached, to Petticoat-Schmitt Civil Contractors, Inc., for the widening of Race Track Road, from St. Johns Parkway to Durbin Creek Bridge under Misc. 17-62

RESOLUTION NO. 2017-41

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD MISC. 17-62 CONTRACT TO PETTICOAT-SCHMITT CIVIL CONTRACTORS, INC., FOR RACE TRACK ROAD WIDENING FROM ST. JOHNS PARKWAY TO DURBIN CREEK BRIDGE

16. Motion to approve the adjustment for \$4,000 from the Beach Fund petty cash account
17. Motion to adopt **Resolution No. 2017-42**, approving the terms, conditions, and requirements of a grant agreement with the Florida Division of Emergency Management (Agreement No. 17-DS-V4-04-65-01-___) in the amount of \$15,707; and authorizing the county administrator, or designee, to execute the grant agreement, on behalf of the County, Funding Source: SHSGP Grant, appropriated within the Fiscal Year 2017 Budget, Revenue: 0001-33120 Public Safety Federal Grant, and Expense: 0046-55304 Federal Grant Expenditure

RESOLUTION NO. 2017-42

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF A FEDERALLY FUNDED STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP); 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

18. Motion to authorize the Chairman of the Board of County Commissioners to execute a letter designating Victoria Ogaga as the St. Johns County 911 Coordinator, in accordance with the State E911 Plan, Rule 60FF-6.004(3)(a), of the Florida Administrative Code and Section 365.171(10), Florida Statutes.

(02/07/17 - 8 - 10:20 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested for an item to be added to the regular agenda regarding sponsorship agreements for the St. Augustine Amphitheatre. Johns stated the item would be added to the agenda as Regular Agenda Item No. 9.

(10:21 a.m.) Smith requested an item be added to the Regular Agenda, regarding the Mickler's Landing parking lot contract. Wanchick stated that Board direction was needed. Johns stated this would be added as Regular Agenda Item No. 10.

(02/07/17 - 8 - 10:23 a.m.)

APPROVAL OF REGULAR AGENDA

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

(02/07/17 - 8 - 10:23 a.m.)

1. UPDATE ON FEMA AND STATE FUNDING ON POST MATTHEW BEACH RESTORATION EFFORTS. STAFF WILL PROVIDE THE BOARD OF COUNTY COMMISSIONERS AN UPDATE ON THE PROGRESS OF COUNTY EFFORTS, RELATED TO RESTORATION OF SAND DUNES AND EMERGENCY SAND BERMS ELIGIBLE, VIA FEMA AND STATE PROGRAMS, ALONG THE IMPACTED COUNTY COASTLINE. SOURCES OF FUNDING AND LOCAL FINANCING MECHANISMS WILL BE DISCUSSED. PRESENTATION WILL ALSO INCLUDE AN UPDATE ON PRE-STORM SHORE PROTECTION PROJECTS AT ST. AUGUSTINE BEACH AND THE RECOMMENDED PLAN FOR THE SOUTH PONTE VEDRA AND VILANO BEACH FEASIBILITY STUDY, COMPLETED BY THE US ARMY CORPS OF ENGINEERS

Neal Shinkre, P.E., Director of Public Works, presented an update on Federal Emergency Management Agency (FEMA) and State funding on post-Matthew beach restoration efforts, including the ICW Dredge, Beach Nourishment, Emergency Dune Replacement, State Hurricane Recovery Plan, and the State Advance Payment Funding Opportunity, via PowerPoint.

(10:32 a.m.) McCormack spoke on the petition that had been filed and requested authorization to intervene in the litigation. Shinkre stated the potential for a delay in the project.

(10:43 a.m.) Damon Douglas, Land Management, spoke on the two local share assessment options: Municipal Service Benefit Unit (MSBU) and Municipal Service Taxing Unit (MSTU); and the local share funding estimates.

(10:49 a.m.) Shinkre continued with the presentation and requested BCC direction and approval on the County taking ownership of the St. Augustine Port Waterway and the Beach District Joint Coastal permit application, for the restoration of 6.5 miles of beach in South Ponte Vedra and Vilano Beaches; the use of general fund reserves in the amount of \$163,236, for the sand volume calculations study, including sand source identification; accept the \$3.75 million allocation from Emergency Funds released by Governor; and to approve the use of General Fund Reserves, in the amount of \$100,000, to pursue the CDBG-DR funding for St. Johns County, with an anticipation of 100%

reimbursement through the CDBG-DR funding program. Discussion ensued on the requested action from the Board.

(10:55 a.m.) Jesse Dunn, Director of Office of Management and Budget (OMB), spoke on the emergency berm project and the state project, stating that if direction was given to move forward by the Board, he suggested utilizing debt leverage and not reserves. Discussion ensued on the MSTU versus the MSBU.

(11:06 a.m.) McCormack described the MSBU, including community buy-in; and responded to the question concerning the County's liability. Discussion ensued on associated future costs.

(11:11 a.m.) Wanchick presented the details of the Community Development Block Grant Disaster Recovery Funding.

(11:21 a.m.) Dunn presented the details of the Hurricane Matthew Funding Matrix, as of February 2017.

(11:31 a.m.) Smith questioned whether the CDBG was a part of the Funding Matrix. Dunn stated it was not; however, that would be a longer process. Wanchick commented on the CDBG funding potential for projects.

(11:36 a.m.) Linda Chambliss, South Ponte Vedra Beach, suggested a workshop be held on MSBU and MSTU, spoke on permitting, the sea turtle season, a new federal block grant, the pending petition, the opportunity to accept and absorb matching funds, the need for protection from future storms, and the unencumbered money for the Coastal Highway.

(11:39 a.m.) Joe Bateman, South Ponte Vedra Beach Association, spoke on time constraints to get sand to protect homes, in case of additional storms and mentioned a survey that was distributed to beach front homeowners. He commented on letters sent to government agencies, in regards to the 75% match and legalities with MSTU and MSBU

(11:42 a.m.) Bill McClure, spoke on the funding matrix and acceptance of the 50% match. He questioned the 52% requirement by homeowners to institute an MSBU, the total cost to the County, and a requirement of sand by homeowners.

(11:46 a.m.) BJ Kalaidi, 8 Newcomb Street, questioned whether the monies from the CDBG-DR, would be distributed for projects in the City of St. Augustine, St. Augustine Beach, and Hastings.

(11:48 a.m.) James Snyder, 206 Third Street, spoke on the effects of Hurricane Matthew for those homes west of A1A, including beach access for all residents.

(11:49 a.m.) Wanchick stated that the City of St. Augustine was part of the County and funding was for the County as a whole; and a call for projects would be requested.

(11:50 a.m.) Waldron questioned the acceptance of the \$3.75 million and the County's liability. Shinkre responded that there was a 50% match and the monies would be distributed prior to the July budget.

(11:53 a.m.) Smith questioned the length of time it would take to form a MSBU and/or MSTU. Douglas responded with details on forming a MSBU and/or a MSTU. McCormack also commented, regarding the tax roll and estimated the length of time to be the following tax year. Locklear spoke on the different funding mechanisms and the

fact that many may not be finalized by the Federal and State entities. Smith requested the results of the survey and a summary of the results.

Johns recessed the regular meeting at 12:00 p.m. and opened the Special Meeting.

(12:00) McCormack informed the need for advice concerning K.G. Development, LLC/ Cumberland Street, LLC versus St. Johns County, Case Nos. CA15-1181 and CA 15-1184. He stated that Florida Statute Section 286.011 allowed the Board to hold a private meeting to provide that advice. Johns provided specific details of the special meeting, including time, location, and who would be in attendance.

Johns recessed the special meeting and reconvened the regular meeting at 12:01 p.m.

(12:02 p.m.) **Motion by Johns, seconded by Morris, carried 5/0, to approve the County taking ownership of St. Augustine Port Waterway and Beach District Joint Coastal Permit Application for the restoration of 6.5 miles of beach in South Ponte Vedra and Vilano Beaches.**

(12:03 p.m.) **Motion by Dean, seconded by Smith, carried 5/0, to approve use of General Fund Reserves, in the amount of \$163,236, for the sand volume calculations study, including sand source identification.**

(12:03 p.m.) **Motion by Johns, seconded by Dean, carried 5/0 to accept the \$3.75 million allocation from Emergency Funds, released by Governor.**

(12:05 p.m.) **Motion by Dean, seconded by Smith, carried 5/0, to approve the use of General Fund Reserves, in the amount of \$100,000, to pursue the CDBG-DR funding for St. Johns County, with the anticipation of 100% reimbursement through the CDBG-DR funding program.**

(12:05 a.m.) Wanchick noted details regarding the motion, including it being one in a series of change orders.

(12:06 p.m.) **Motion by Dean, seconded by Waldron, carried 5/0, to authorize the County to intervene in the State of Florida Division of Administrative hearing case South Ponte Vedra, LLC and Al G. and Betty, versus the Army Corps of Engineers and the Florida Department of Environmental Protection, consolidated Cases No. 17-0664 and 16-1358, with the request that the City of St. Augustine Beach, to participate in the matter, either by intervening or by making a financial contribution, not to exceed \$25,000, pro-rated, as determined by the County Attorney.**

(12:08 p.m.) Dean commented on the recovery efforts by County staff and expressed his appreciation.

The meeting moved to Regular Agenda Item No. 9.

(02/07/17 - 10 - 1:57 p.m.)

2. UPDATE REGARDING BID NO. 17-09, COMBINED FIRE STATIONS 5 AND 11 AND THE SHERIFF'S SOUTH REGIONAL COMMAND CENTER

Jesse Dunn, Director of Office of Management and Budget, noted the Board's discussion held on January 17, 2017, on Regular Agenda Item No. 13, which was a consideration to award a Construction Bid related to the combined Fire Station and Sheriff Command Center. He restated the approved Board's directive and presented an update on Bid No. 17-09, via PowerPoint. Discussion ensued on cost savings.

Rebecca Lavie, Assistant County Attorney; and Paolo Soria, Assistant County Attorney; entered the meeting at 2:00 p.m.

(2:15 p.m.) Motion by Johns, seconded by Smith, carried 5/0, to authorize the county administrator, or his designee, to reject all bids for Construction Bid Solicitation No. 17-09 [Combined Fire Station 5/11 & Sheriff's South Regional Training Facility.]

Lavie left the meeting at 2:15 p.m.

(02/07/17 - 11 - 2:15 p.m.)

3. PUBLIC HEARING, LAND DEVELOPMENT CODE AMENDMENTS, ARTICLES II, IV, AND VI. THIS IS THE FIRST PUBLIC HEARING, IN A THREE-PART SERIES, FOR AMENDMENTS TO ARTICLE II AND ARTICLE VI, OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE (LDC). THESE AMENDMENTS WOULD UPDATE CURRENT PROVISIONS REGULATING MINI-WAREHOUSES TO REFLECT CURRENT TRENDS AND TECHNOLOGICAL ADVANCEMENTS. THIS AMENDMENT WOULD ALSO REVISE EXISTING PROVISIONS FOR UPLAND BUFFER SETBACKS, TO PROVIDE DESIGN FLEXIBILITY. THESE AMENDMENTS WERE BROUGHT BEFORE THE BOARD OF COUNTY COMMISSIONERS AS A "DISCUSSION ITEM" ON JULY 19, 2016, SO THAT STAFF COULD RECEIVE DIRECTION FROM THE BOARD TO MOVE FORWARD WITH AMENDMENTS TO ARTICLES II AND VI. THE BOARD OF COUNTY COMMISSIONERS DIRECTED STAFF TO PROCEED WITH THE REVISIONS

Proof of publication for the notice of public hearing on Land Use Regulations, was received, having been published in *The St. Augustine Record* on January 24, 2017.

Joseph Cearley, Special Projects Manager, presented details of the amendments to Article II and VI of the Land Development Code (LDC), via PowerPoint.

(2:19 p.m.) Motion by Smith, seconded by Waldron, carried 5/0, to announce public hearings before the Planning and Zoning Agency March 02, 2017, at 1:30 p.m. and the Board of County Commissioners April 04, 2017, at the regularly scheduled time.

(02/07/17 - 11 - 2:20 p.m.)

4. CONSIDER APPOINTMENTS TO THE SOUTH ANASTASIA DESIGN REVIEW BOARD (DRB). CURRENTLY THERE ARE THREE VACANCIES ON THE SOUTH ANASTASIA DESIGN REVIEW BOARD, ONE DUE TO AN EXPIRED TERM AND TWO ARE NEW ALTERNATE POSITIONS. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION, A RECOMMENDATION FROM THE SOUTH ANASTASIA DESIGN REVIEW BOARD. THE THIRD VACANCY WILL BE RE-ADVERTISED AND BROUGHT BEFORE THE BOARD OF COUNTY COMMISSIONER, AT A LATER DATE

Melissa Lundquist, Assistant to the Board of County Commissioners, presented on the advertising and the appointments to the three vacancies, for the South Anastasia Design Review Board (DRB).

(2:21 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to appoint Olga Vera to the South Anastasia Design Review Board, for a four-year term, scheduled to expire February 7, 2021.

(2:22 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to appoint Charles Delony to the South Anastasia Design Review Board, for a four-year term, scheduled to expire February 7, 2021.

(02/07/17 - 12 - 2:23 p.m.)

5. CONSIDER APPOINTMENTS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC). THE PURPOSE OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC) IS TO REVIEW ESTABLISHED POLICIES AND PROCEDURES, ORDINANCES, LAND DEVELOPMENT REGULATIONS, ADOPTED LOCAL GOVERNMENT COMPREHENSIVE PLAN, AND RECOMMEND SPECIFIC ACTION OR INITIATIVES TO ENCOURAGE OR FACILITATE AFFORDABLE HOUSING, WHILE PROTECTING THE ABILITY OF THE PROPERTY TO APPRECIATE IN VALUE. CURRENTLY THERE ARE THREE VACANCIES ON THE AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC), DUE TO EXPIRED TERMS. PLEASE NOTE THAT DURING THE PROCESS OF THE CURRENT THREE VACANCIES, AN ADDITIONAL VACANCY HAS OCCURRED DUE TO A RESIGNATION. THE AHAC REQUESTED AT THEIR JANUARY 18, 2017, MEETING TO HAVE THIS ADDITIONAL VACANCY AND A PRIOR ONE RE-ADVERTISED

Melissa Lundquist, Assistant to the Board of County Commissioners, presented on the advertising and appointments for the four vacancies, including the specific requirements, for the Affordable Housing Advisory Committee (AHAC).

(2:24 p.m.) Motion by Morris, seconded by Smith, carried 5/0, to reappoint Bill Lazar, to the Affordable Housing Advisory Committee for a four-year term, scheduled to expire February 7, 2021.

(2:25 p.m.) Motion by Morris, seconded by Smith, carried 5/0, to reappoint Harry Maxwell, to the Affordable Housing Advisory Committee for a four-year term, scheduled to expire February 7, 2021.

Lavie entered the meeting at 2:25 p.m.

(02/07/17 - 12 - 2:25 p.m.)

6. CONSIDER APPOINTMENTS TO THE CULTURAL RESOURCE REVIEW BOARD. CURRENTLY THERE ARE FIVE VACANCIES ON THE CULTURAL RESOURCE REVIEW BOARD. THREE VACANCIES ARE DUE TO EXPIRED TERMS AND TWO VACANCIES ARE DUE TO RESIGNATIONS. THE FIFTH VACANCY IS CURRENTLY BEING ADVERTISED FOR A DISTRICT 2 REPRESENTATIVE, AS REQUESTED BY THE CRRB, AND WILL BE BROUGHT BEFORE THE BOARD OF COUNTY COMMISSIONERS AT A LATER DATE. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION A RECOMMENDATION LETTER FROM THE CULTURAL RESOURCE REVIEW BOARD, ALONG WITH SEVEN APPLICATIONS. PLEASE NOTE THAT SECTION 3.01.02 OF THE LAND DEVELOPMENT CODE REQUIRES APPOINTMENTS TO THE CULTURAL RESOURCE REVIEW BOARD TO BE FOUR-YEAR TERMS

Melissa Lundquist, Assistant to the Board of County Commissioners, presented on the appointments for the five vacancies on the Cultural Resource Review Board (CRRB).

(2:27 p.m.) Smith questioned the difference in the applications. Lundquist described the differences in the types of applications.

(2:29 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to appoint Emily Jane Murray, to the Cultural Resource Review Board for a full four-year term, scheduled to expire February 7, 2021.

(2:29 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to appoint Robert Olson, to the Cultural Resource Review Board for a full four-year term, scheduled to expire February 7, 2021.

(2:29 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to appoint Angelica Goldman, to the Cultural Resource Review Board for a full four-year term, scheduled to expire February 7, 2021.

(2:30 p.m.) Motion by Smith, seconded by Morris, carried 5/0, to appoint Jay Kalter, to the Cultural Resource Review Board for a full four-year term, scheduled to expire February 7, 2021.

The meeting moved to Regular Agenda Item No. 8.

SPECIAL MEETING

(02/07/17 - 13 - 12:30 p.m.)

7. 12:30 - CLOSED SESSION - THE BOARD OF COUNTY COMMISSIONERS WILL HOLD A SPECIAL PUBLIC MEETING ON TUESDAY, FEBRUARY 7, 2017, BEGINNING AT 12:00 NOON, IN THE COUNTY ADMINISTRATION COMPLEX, LOCATED AT 500 SAN SEBASTIAN VIEW, ST. AUGUSTINE, FLORIDA. THE MEETING WILL BE HELD IN THE COUNTY AUDITORIUM. THE PURPOSE OF THE SPECIAL PUBLIC MEETING WILL BE TO ANNOUNCE AND TO HOLD A PRIVATE ATTORNEY-CLIENT MEETING. THE SPECIAL PRIVATE ATTORNEY-CLIENT MEETING WILL BE HELD IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES, AND WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY, PERTAINING TO THE PENDING LAWSUITS BETWEEN KG DEVELOPMENT, LLC/CUMBERLAND STREET, LLC VERSUS ST. JOHNS COUNTY, CASE NOS. CA15-1181 AND CA15-1184. ST. JOHNS COUNTY IS A PARTY TO THOSE LAWSUITS. THE SPECIAL PRIVATE ATTORNEY-CLIENT MEETING WILL BE HELD IN THE BCC EXECUTIVE CONFERENCE ROOM, ADJACENT TO THE AUDITORIUM

Proof of publication for the notice of a private meeting of the Board of County Commissioners was received, having been published in *The St. Augustine Record* on February 1, 2017.

- A. Call to order of special meeting by chair
- B. County attorney requests a private attorney/client meeting to commence at 12:00 pm (noon)
- C. Chair announces the closed client/attorney meeting in the Board's Executive Conference Room and the estimated length of the closed client/attorney meeting and specific names of persons attending the meeting
- D. At conclusion of meeting the chair will reconvene the special meeting and announce termination of the closed attorney/client settlement meeting
- E. Attorney comments and board discussion
- F. Public comment
- G. Board direction

End of Special Agenda

(1:46 p.m.) Subsequently, the chair announced the conclusion of the closed special meeting and McCormack summarized the details of the discussion of the Kings Grant Development and the Board's options.

(1:48 p.m.) Bill McCormick, 9224 July Lane, questioned the special meeting process and those that were present during the meeting. McCormack responded.

(1:50 p.m.) Charlie Williams, 2836 North Sixth Street, questioned the current St. Johns County Land Development Policies and spoke in opposition to the proposed Kings Grant Development. McCormack explained the zoning for a Planned Unit Development (PUD) versus Open Rural (OR) and stated that he could not state much more, due to the ongoing litigation.

(1:53 p.m.) Neil Armingeon, Matanzas Riverkeeper, 291 Cubbedge Road, opposed the proposed Kings Grant Development, due to the potential impact to Pellicer Creek and the proximity to the Matanzas River. He supported the County in continuing to be a part of the litigation against the proposed Kings Grant Development.

(1:56 p.m.) **Motion by Smith, seconded by Morris, carried 5/0, to continue litigation.**

The meeting moved to Regular Agenda Item No. 2.

(02/07/17 - 14 - 2:30 p.m.)

8. RESOLUTION URGING THE FLORIDA LEGISLATURE AND CABINET TO DEDICATE CONSERVATION FUNDS, FOR WATER CONSERVATION PROJECTS. THE FLORIDA WATER AND LAND CONSERVATION AMENDMENT WAS PASSED IN 2014, PROVIDING A GUARANTEED REVENUE SOURCE OF CONSERVATION FUNDS, FOR THE PURPOSE OF PROTECTING ALL OF FLORIDA'S VITAL WATER RESOURCES. 40% OF FLORIDA'S ACREAGE IS COVERED BY WATER, INCLUDING MORE THAN 1,000 NATURAL SPRINGS, 27,561 MILES OF RIVERS AND STREAMS, AND 1.6 MILLION ACRES OF LAKES, RESERVOIRS, AND PONDS. THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION HAS FOUND THAT 80% OF FLORIDA'S LAKES AND 70% OF FLORIDA'S SPRINGS ARE CONSIDERED IMPAIRED, BY EXCESSIVE LEVELS OF NUTRIENTS SUCH AS NITROGEN AND PHOSPHORUS. NORTH AND CENTRAL FLORIDA ARE HOME TO 70% OF FLORIDA'S RIVER WATERSHEDS, THE MAJORITY OF FLORIDA'S SPRINGS, AND PROVIDE NEARLY ALL OF THE RECHARGE TO THE FLORIDA AQUIFER. THE ATTACHED RESOLUTION URGES THE FLORIDA LEGISLATURE AND CABINET TO FUND AND FINISH EXISTING WATER IMPROVEMENT PROGRAMS ACROSS FLORIDA, TO PREVENT DELAYS, THAT WOULD UNNECESSARILY JEOPARDIZE NUTRIENT REDUCTION PROGRAMS, BEST MANAGEMENT PRACTICES, AND OTHER RESTORATIVE EFFORTS THAT ARE WORKING

Jeb S. Smith, County Commissioner, provided background information and details of the proposed resolution. He referenced nineteen correspondences, regarding opposition to Senator Negrón's proposal, *Exhibit A*.

(2:34 p.m.) Dean stated his opposition to Senator Negrón's proposed 60,000 acre reservoir. He stated he was available to discuss the details as to why he believed the proposal would be unsuccessful.

(2:37 p.m.) **Motion by Smith, seconded by Morris, carried 5/0, to adopt Resolution No. 2017-46, urging the Florida Legislature and Cabinet to dedicate substantial and water management district-size proportional conservation funds, allocated through the Land Acquisition Trust Fund each year, for water conservation projects, in environmentally sensitive areas of North and Central Florida; and to provide fair and equal funding statewide, from the Land Acquisition Trust Fund, to improve water quality, habitat, natural resources, and economic benefits.**

RESOLUTION NO. 2017-46

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE AND CABINET TO DEDICATE CONSERVATION FUNDS, FOR WATER CONSERVATION PROJECTS IN THE ENVIRONMENTALLY SENSITIVE AREAS OF NORTH AND CENTRAL FLORIDA; AND TO PROVIDE FAIR AND EQUAL FUNDING STATEWIDE FROM THE LAND ACQUISITION TRUST FUND, FOR IMPORTANT WATER PROTECTION PROJECTS

The meeting moved to Regular Agenda Item No. 10.

(02/07/17 - 15 - 12:11 p.m.)

9. THE ST. JOHNS COUNTY CULTURAL EVENTS DIVISION IS SEEKING APPROVAL TO EXECUTE SPONSORSHIP AGREEMENTS FOR THE ST. AUGUSTINE AMPHITHEATRE

Ryan Murphy, Director of the St. Johns County Cultural Events, presented details of the sponsorships with Advanced Disposal, Beaver Toyota, and *Money Pages* magazine.

(12:12 p.m.) Morris stated that this would be an additional \$70,000 in funds.

(12:13 p.m.) Motion by Waldron, seconded by Smith, carried 5/0, to adopt Resolution No. 2017-43, authorizing the county administrator, or his designee, to execute a sponsorship agreement with Advanced Disposal in the same form and format as attached, and to recognize and appropriate \$25,000, within the FY 2017 Cultural Events Fund.

(12:13 p.m.) Motion by Morris, seconded by Smith, carried 5/0, to adopt Resolution No. 2017-44, authorizing the county administrator, or his designee, to execute a sponsorship agreement with Beaver Toyota in the same form and format, as attached, and to recognize and appropriate \$25,000, within the FY 2017 Cultural Events Fund.

(12:14 p.m.) Motion by Smith, seconded by Waldron, carried 5/0, to adopt Resolution No. 2017-45, authorizing the county administrator, or his designee, to execute a sponsorship agreement with *Money Pages* magazine in the same form and format, as attached, and to recognize and appropriate \$20,000, within the FY 2017 Cultural Events Fund.

Johns recessed the meeting at 12:15 p.m. and continued to the special meeting, Regular Agenda Item No. 7.

The special meeting was closed at 1:46 p.m. and the public meeting reconvened with all Commissioners present, as well as Wanchick, Lockler, and Deputy Clerk Sindy Wiseman in attendance.

The meeting moved to Regular Agenda No. 7.

(02/07/17 - 15 - 2:38 p.m.)

10. MICKLER'S LANDING PARKING LOT RESTORATION CONTRACT

Wanchick requested the latitude to work with Beach Services on a fair and equitable solution to the contract. Discussion ensued on the damage to the parking lot, contractors, and costs, including those by the County.

(2:40 p.m.) McCormack read from the contract, noting the language and the estimate attached.

(02/07/17 - 16 - 2:44 p.m.)
COMMISSIONERS' REPORTS

Commissioner Smith

Smith commented on the interaction between the Board and the administration. He spoke on the Joy of Tennis Academy of St. Johns County, providing a flyer, *Exhibit A. Florida Agriculture Commissioner, Adam Putnam, nominated Eugene Badger, born in Hastings, Florida, to be inducted into the Florida Agricultural Hall of Fame.* He spoke on the upcoming St. Johns County Chamber of Commerce, Economic Development Council's Breakfast, provided an agricultural update, including broccoli, cabbage, potatoes, cauliflower, and citrus, which were returning to St. Johns County.

Commissioner Dean

Dean had no report.

Commissioner Waldron

(2:52 p.m.) Waldron reported that the beaches and the ramps would be open on time and encouraged residents to participate in community events.

Commissioner Morris

Morris had no report.

Commissioner Johns

(2:52 p.m.) Johns requested the Board prioritize their top items to focus on, for the remainder of the year and reviewed the proposed meeting, by Putnam County, to include surrounding counties, regarding a meeting time and a location.

(02/07/17 - 16 - 2:57 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Wanchick provided an update on the dis-incorporation of the Town of Hastings; and stated that the gas tax was for information only and there was no plan to implement, at this time. He mentioned a meeting with Fire Rescue, per a resident's concerns and the six month extension on the Farmers' Market.

(02/07/17 - 16 - 3:00 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack commented on the Farmers' Market extension, the repealed ordinances, and requested authority to begin work on an ordinance, pertaining to medical marijuana, including zoning and *Charlotte's Web*.

(3:05 p.m.) Motion by Johns, seconded by Waldron, carried 5/0, to authorize and direct the County Attorney's Office to work with staff, to develop a medical marijuana ordinance; and to invoke the pending zoning ordinance at this time.

(3:05 p.m.) Johns questioned direction needed, in regards to Cyndi Stevenson's request for funding. Wanchick responded that administration would contact her office.

(02/07/17 - 17 - 3:06 p.m.)
CLERK OF COURT'S REPORT

No report.

(02/07/17 - 17 - 3:06 p.m.)
ADJOURN

With there being no further business to come before the Board, Johns adjourned the meeting at 3:06 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 541227-541235, totaling \$4,526.78 and Voucher Register, Voucher Nos. 27277-27289, totaling \$10,115.60 (1/11/17)
2. St. Johns County Board of County Commissioners Check Register, Check No. 541236, totaling \$28,925.36 (1/12/17)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 541237-541458, totaling \$2,052,569.97 and Voucher Register, Voucher Nos. 27290-27347, totaling \$422,122.66 (1/17/17)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 541459-541532, totaling \$46,007.80 and Voucher Register, Voucher Nos. 27348-27433, totaling \$55,935.89 (1/19/17)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 541541-541562, totaling \$42,274.96 and Voucher Register, Voucher No. 27434, totaling \$184.62 (1/19/17)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 27435-27436, totaling \$10,199.86 (1/19/17)
7. St. Johns County Board of County Commissioners Check Register, Check No. 541563, totaling \$37.11 (1/23/17)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 541564-541721, totaling \$666,296.19 and Voucher Register, Voucher Nos. 27437-27480, totaling \$623,070.27 (1/24/17)
9. St. Johns County Board of County Commissioners Check Register, Check No. 541722, totaling \$900 (1/24/17)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 541723-541725, totaling \$130,840.27 (1/25/17)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 541726-541739, totaling \$221,164.97 (1/25/17)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 541740-541926, totaling \$2,807,526.44 and Voucher Register, Voucher Nos. 27481-27526, totaling \$1,940,326.30 (1/31/17)
13. St. Johns County Board of County Commissioners Check Register, Check Nos. 541927-541950, totaling \$37,448.90 and Voucher Register, Voucher Nos. 27527-27541, totaling \$22,762.82 (2/1/17)
14. St. Johns County Board of County Commissioners Check Register, Check No. 541951, totaling \$180 (2/1/17)
15. St. Johns County Board of County Commissioners Check Register, Check Nos. 541952-541964, totaling \$5,466.71 and Voucher Register, Voucher No. 27542, totaling \$184.62 (2/2/17)
16. St. Johns County Board of County Commissioners Check Register, Check Nos. 541965-541966, totaling \$230.00 (2/2/17)

CORRESPONDENCE:

There was none.

Approved _____ March 7 _____, 2017

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: Pam Watterman
Deputy Clerk

