

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 21, 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
Natasha McGee, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; and Paolo Soria, Assistant County Attorney

(02/21/17 - 1 - 9:00 a.m.)
CALL TO ORDER

Johns called the meeting to order.

(02/21/17 - 1 - 9:00 a.m.)
ROLL CALL

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

(02/21/17 - 1 - 9:00 a.m.)
INVOCATION

Commissioner Henry Dean gave the invocation.

(02/21/17 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(02/21/17 - 1 - 9:02 a.m.)
PROCLAMATION RECOGNIZING ST. JOHNS COUNTY AGRITOURISM CORRIDOR

Smith presented the proclamation and spoke on the history and importance of agriculture in St. Johns County. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Dr. Herb Hiller, representative of the Agritourism Corridor, spoke about the Corridor.

(02/21/17 - 1 - 9:12 a.m.)
ACCEPTANCE OF PROCLAMATION

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

(02/21/17 - 2 - 9:12 a.m.)

PUBLIC COMMENT

Dr. Michel Pawlowski, 216 10th Street, spoke on the St. Augustine Beach Pier Park Farmers' Market and requested that an item regarding the subject be added to a future agenda.

(9:15 a.m.) Ed Slavin, P.O. Box 3084, spoke on the St. Augustine Beach Pier Park Farmers' Market, including the agreement, and requested that an item regarding the subject be added to a future agenda; antitrust law; the need for an inspector general and body cameras for deputies; and in opposition to expand gun rights.

(9:18 a.m.) Rachael Bennett, 920 Saltwater Circle, board member of the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR), spoke on the GTMNERR; requested Board consideration for the addition of the GTMNERR, as an ecotourism corridor; and requested Board consideration of the draft letters provided with Regular Agenda Item 8, specifying that the County recognized the importance of the GTMNERR, the work accomplished, and encouraged funding. Wanchick noted that the request would be added to the Regular Agenda for formal action.

(9:21 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, requested that an item regarding the St. Augustine Beach Pier Park Farmers' Market be added to a future agenda; spoke on increasing the Bed Tax; and on the Purchase and Sale Agreement between the Anastasia Mosquito Control District and St. Johns County regarding the sale of the vacated property at 500 Old Beach Road.

(9:25 a.m.) Joe Bateman, South Ponte Vedra and Vilano Beach Preservation Association, 220 North Serenata Drive, thanked the Board for the actions taken on February 7, 2017, for Regular Agenda Item 1; and noted that the South Ponte Vedra and Vilano Beach Preservation Association had formed a committee to work with County staff on raising local share funds for beach preservation.

(9:27 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on Consent Agenda Item 23 and suggested that the item be pulled and added to the Regular Agenda for discussion.

(02/21/17 - 2 - 9:30 a.m.)

DELETIONS TO CONSENT AGENDA

McCormack requested to pull Item 4.

(02/21/17 - 2 - 9:30 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2017-47**, approving the final plat for Miller's Place (Replat)

RESOLUTION NO. 2017-47

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A PLAT FOR MILLER'S PLACE**

3. Motion to adopt **Resolution No. 2017-48**, approving the final plat for Lakewood Pointe

RESOLUTION NO. 2017-48

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAKEWOOD POINTE

(The item was pulled.)

4. Motion to approve the final plat for Schofield Acres
5. Motion to adopt **Resolution No. 2017-49**, approving the final plat for Las Calinas, Parcel 3A, Unit 1, Phase 6

RESOLUTION NO. 2017-49

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR LAS CALINAS, PARCEL 3A, UNIT 1, PHASE 6

6. Motion to adopt **Resolution No. 2017-50**, approving the final plat for Shearwater, Phase 1B, West-2 (Replat)

RESOLUTION NO. 2017-50

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

7. Motion to adopt **Resolution No. 2017-51**, authorizing 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

RESOLUTION NO. 2017-51

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH THE AVAIL GROUP, LLC

8. Motion to adopt **Resolution No. 2017-52**, accepting the Deed of Dedication for right-of-way from Durbin Creek National, LLC, for road improvements along Race Track Road

RESOLUTION NO. 2017-52

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE DEED OF DEDICATION FOR RIGHT-OF-WAY FROM DURBIN CREEK NATIONAL, LLC, FOR ROAD IMPROVEMENTS ALONG RACE TRACK ROAD

9. Motion to adopt **Resolution No. 2017-53**, accepting an Easement for Utilities and a Bill of Sale and Schedule of Values, conveying all personal property associated with the water meters serving the Trailmark Amenity Center, in the Trailmark Subdivision (fka Whisper Creek), located off Pacetti Road

RESOLUTION NO. 2017-53

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES AND A BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER METERS SERVING THE TRAILMARK AMENITY CENTER, IN THE TRAILMARK SUBDIVISION (FKA WHISPER CREEK), LOCATED OFF PACETTI ROAD

10. Motion to adopt **Resolution No. 2017-54**, accepting a Special Warranty Deed, conveying a lift station site, and a Bill of Sale, conveying all personal property associated with the water and sewer lines serving Ashby Landing South, located off Dobbs Road Cutoff

RESOLUTION NO. 2017-54

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED, CONVEYING A LIFT STATION SITE, AND A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER LINES SERVING ASHBY LANDING SOUTH, LOCATED OFF DOBBS ROAD CUTOFF

11. Motion to adopt **Resolution No. 2017-55**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines to serve Tadpole Prep, located off State Road 16

RESOLUTION NO. 2017-55

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 TADPOLE PREP, LOCATED OFF STATE ROAD 16

12. Motion to adopt **Resolution No. 2017-56**, accepting an Easement for Utilities and a Bill of Sale, conveying all personal property associated with the water and sewer lines to serve Marshall Creek DRI, Unit EV-3A

RESOLUTION NO. 2017-56

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 LINES TO SERVICE MARSHALL CREEK DRI,
UNIT EV-3A**

13. Motion to adopt **Resolution No. 2017-57**, accepting a Special Warranty Deed, conveying a lift station site, an Easement for Utilities, and a Bill of Sale, conveying all personal property associated with the reuse water and sewer systems to serve Park Place, located off State Road 16

RESOLUTION NO. 2017-57

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED, CONVEYING A LIFT STATION SITE, AN EASEMENT FOR UTILITIES, AND A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE REUSE WATER AND SEWER SYSTEM TO SERVE PARK PLACE, LOCATED OFF STATE ROAD 16

14. Motion to adopt **Resolution No. 2017-58**, accepting two Easements for Utilities to provide water and sewer service to Eagle's Cove, located off Palm Valley Road, and accepting a Bill of Sale, conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2017-58

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO EASEMENTS FOR UTILITIES TO PROVIDE WATER AND SEWER SERVICE TO EAGLE'S COVE, LOCATED OFF PALM VALLEY ROAD, AND ACCEPTING A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

15. Motion to adopt **Resolution No. 2017-59**, accepting an Easement for Utilities and a Bill of Sale and Schedule of Values, conveying all personal property associated with the water meters serving the Markets at Capulet, located at the corner of State Road 16 and Murabella Parkway

RESOLUTION NO. 2017-59

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES AND A BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER METERS SERVING THE MARKETS AT CAPULET, LOCATED AT THE CORNER OF STATE ROAD 16 AND MURABELLA PARKWAY

16. Motion to adopt **Resolution No. 2017-60**, authorizing the county administrator, or designee, to submit the acknowledgement to participate in the Public Assistance Alternative Procedures Pilot Program for Debris Removal, including the accelerated debris removal - increase federal cost share, the one-time

incentive for a FEMA-accepted debris management plan, and for reimbursement of straight time force account labor costs for debris removal

RESOLUTION NO. 2017-60

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND AUTHORIZING PARTICIPATION IN THE FEMA PUBLIC ASSISTANCE ALTERNATIVE PROCEDURES PILOT PROGRAM FOR DEBRIS REMOVAL ACKNOWLEDGEMENT

17. Motion to adopt **Resolution No. 2017-61**, authorizing the county administrator, or his designee, to award Bid No. 17-20, to New Venture of Jacksonville Inc., DBA High Tech Commercial Cleaning and to execute a contract, substantially in the same form and format, as attached, in an amount not to exceed \$57,780, for one year with four available one-year renewals, for Restroom Cleaning Services, for St. Johns County Beaches

RESOLUTION NO. 2017-61

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD AND EXECUTE AN AGREEMENT FOR BID NO. 17-20, RESTROOM CLEANING SERVICES FOR ST. JOHNS COUNTY BEACHES

18. Motion to adopt **Resolution No. 2017-62**, authorizing the county administrator, or his designee, to purchase four 2017 Ford F-250 Pickup Trucks 4X4 from Duval Ford, in accordance with the terms and conditions contained in the Florida Fire Chief's Association, Florida Sheriff's Association, and Florida Association of Counties Contract No. FSA16-VEL24.0, at a total price of \$169,336

RESOLUTION NO. 2017-62

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO PURCHASE AND TO EXECUTE A PURCHASE ORDER FOR FOUR NEW 2017 FORD F-250 PICKUP TRUCKS 4X4

19. Motion to adopt **Resolution No. 2017-63**, authorizing the county administrator, or his designee, to purchase three 2017 Ford F-150 Pickup Trucks 4X2 from Duval Ford, in accordance with the terms and conditions contained in the Florida State Contract No. 25100000-16-1, for a total price of \$110,469

RESOLUTION NO. 2017-63

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE AND TO EXECUTE A PURCHASE ORDER FOR THREE NEW 2017 FORD F-150 PICKUP TRUCKS 4X2

20. Motion to adopt **Resolution No. 2017-64**, authorizing the county administrator, or his designee, to purchase six 2017 Ford F-150 Extended Cab Pickup Trucks 4X4 from Duval Ford, in accordance with the terms and conditions contained in the Florida State Contract No. 25100000-16-1, for a total price of \$245,961.50

RESOLUTION NO. 2017-64

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE AND TO EXECUTE A PURCHASE ORDER FOR SIX NEW 2017 FORD F-150 EXTENDED CAB PICKUP TRUCKS 4X4

21. 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
22. Motion to adopt **Resolution No. 2017-65**, authorizing the county administrator, or his designee, to award Bid No. 17-11, to New Venture of Jacksonville Inc., DBA High Tech Commercial Cleaning and Boro Building and Property Maintenance, Inc., and to execute contracts, substantially in the same form and format, as attached, for a total combined cost not to exceed \$182,011.70, for one year with four available one-year renewals, for Janitorial Services for the specified facilities throughout St. Johns County

RESOLUTION NO. 2017-65

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD BID NO. 17-11, AND TO EXECUTE AGREEMENTS FOR JANITORIAL SERVICES FOR VARIOUS ST. JOHNS COUNTY FACILITIES

23. Motion to approve the addition of one new position, fully funded by the Housing and Urban Development (HUD) Community Development Block Grant funds, and will have no additional financial cost to the County Health and Human Services, Housing and Community Development Department
24. Motion authorizing the county administrator, or designee, to execute the attached amendment to the Permission and Hold Harmless Agreement, providing that Contractor A. J. Johns pay \$21,000, to the County, to restore the Property
25. Motion to adopt **Resolution No. 2017-66**, recognizing and appropriating insurance proceeds, in the amount of \$101,428, within the Fiscal Year 2017 Fire District Fund Budget

RESOLUTION NO. 2017-66

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING FUNDS, IN THE FORM OF INSURANCE PROCEEDS, WITHIN THE FISCAL YEAR 2017 FIRE DISTRICT FUND

26. Motion to adopt **Resolution No. 2017-67**, recognizing and appropriating insurance proceeds, in an amount not to exceed \$13,500, within the Fiscal Year 2017 General Fund Budget [Ponte Vedra Annex Dept.0033]

RESOLUTION NO. 2017-67

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING FUNDS IN THE FORM OF INSURANCE PROCEEDS WITHIN THE FISCAL YEAR 2017 GENERAL FUND PONTE VEDRA ANNEX DEPARTMENT

27. Motion to ratify the terms of the Industrial Development Authority as stated in the November 14, 2016, Minutes of the Industrial Development Authority
28. Approval of Minutes: December 20, 2016, Regular Meeting
29. Proofs:
- a) Proof: Notice of Meeting, Notice of Cancelled Meetings of the Intergovernmental Committee, published January 11, 2017, in *The St. Augustine Record*
 - b) Proof: Request for Bids, Bid No. 17-02, Moultrie Crossing Lift Station Improvements, published January 11, 2017, and January 18, 2017, in *The St. Augustine Record*
 - c) Proof: Notice of Meeting, Legislative Delegation Public Meeting and Public Forum, published on January 14, 2017, in *The St. Augustine Record*
 - d) Proof: Notice of Meeting, 2/7 BCC Private Meeting, published February 1, 2017, in *The St. Augustine Record*
 - e) Proof: Request for Bids, Bid No. 17-27, Treasure Beach Canal System Dredging, published January 27, 2017, and February 3, 2017, in *The St. Augustine Record*
 - f) Proof: Notice of Hearings, Land Use Regulations, published January 24, 2017, in *The St. Augustine Record*
 - g) Proof: Request for Bids, Bid No. 17-28, Butler Park Boat Ramp Dredging, published February 1, 2017, and February 8, 2017, in *The St. Augustine Record*

(02/21/17 - 8 - 9:31 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick noted that during agenda briefings, discussion had ensued regarding the removal of Item 1. He stated that the removal had been contingent on the State agreeing to fund the lifeguard positions. He noted that the County had not received formal communication regarding the funding and recommended that the Board hear Item 1. He also requested that the Board consider the addition of the following item: letters of support regarding the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR), as Regular Agenda Item 8.

(02/21/17 - 8 - 9:32 a.m.)

APPROVAL OF REGULAR AGENDA

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

(9:32 a.m.) Rebecca Lavie, Assistant County Attorney, entered the meeting.

(02/21/17 - 9 - 9:32 a.m.)

1. NON-RENEWAL OF ST. JOHNS COUNTY LIFEGUARD SERVICES FOR ANASTASIA STATE PARK. SINCE 1998, ST. JOHNS COUNTY HAS PROVIDED LIFEGUARD SERVICES THROUGH ANNUAL CONTRACT TO ANASTASIA STATE PARK. ST. JOHNS COUNTY FIRE RESCUE (SJCFR), WHO IS RESPONSIBLE FOR THIS CONTRACT AND RESPONSE, WAS NOTIFIED LATE 2016 THAT THE STATE DOES NOT INTEND TO RENEW THIS CONTRACT FOR LIFEGUARD SERVICES, NOR IS THERE INTENT TO PROVIDE OTHER LIFEGUARD SERVICES, LEAVING THIS 3.5 MILE BEACH UNPROTECTED EXCEPT FOR PARK RANGERS FROM MEMORIAL DAY TO LABOR DAY. SJCFR THROUGH THIS CONTRACT WOULD PROVIDE COVERAGE FOR TWO LIFEGUARD TOWERS IN THE BUSIEST SECTION OF ANASTASIA STATE PARK BEACH. NOT PROVIDING LIFEGUARD COVERAGE TO THIS AREA IS A POTENTIAL THREAT TO THE PUBLIC SAFETY ON THIS BEACH

Carl Shank, Fire Rescue Chief, summarized the details of the request. He noted that the State had contacted SJCFR and indicated that the contract renewal would be reconsidered. He noted that SJCFR had not received formal communication and that the purpose of the requested action was to register the concerns of SJCFR contingent on the State's response. Wanchick noted that the cost for lifeguard services, for Anastasia State Park, was \$42,600.

(9:35 a.m.) Ed Slavin, P.O. Box 3084, spoke in support of the contract renewal, the need for a national park and seashores study provision, funding for state parks, lifeguard recruitment, and mangroves.

(9:38 a.m.) Shank noted the working relationship between SJCFR and Anastasia State Park staff; and that the contract renewal decision was from the Florida Division of Recreation and Parks.

(9:39 a.m.) Motion by Waldron, seconded by Morris, carried 5/0, for approval of the Board Chair to respond, by letter, to the Director of the Florida Division of Recreation and Parks, detailing St. Johns County's concern for the health, safety, and welfare of residents and visitors to the beach of Anastasia State Park, through the contractual non-renewal of lifeguard services.

(9:40 a.m.) Lavie left the meeting.

(02/21/17 - 9 - 9:40 a.m.)

2. PUBLIC HEARING, NZVAR 2016-11 (MILLER). REQUEST FOR A NON-ZONING VARIANCE FROM LAND DEVELOPMENT CODE (LDC) SECTIONS 5.01.01.C.1, 6.02.01.B.3, 6.04.07.B.2.A, AND 6.04.07.B.2.B, TO ALLOW FOR SUBDIVISION OF AN EXISTING PLATTED LOT WITHOUT A REPLAT AND FOR A HOME TO BE CONSTRUCTED, WITH AN EXISTING FIFTEEN FOOT WIDE EASEMENT PROVIDING INGRESS/EGRESS TO THE SITE, IN LIEU OF THE THIRTY FOOT WIDE EASEMENT REQUIREMENT, AND TO UTILIZE AN EXISTING STABILIZED SECTION FOR ACCESS WITHIN A PLATTED SUBDIVISION

Proof of publication of the notice of public hearing on NZVAR-2016-11, Miller, was received, having been published in *The St. Augustine Record* on January 26, 2017.

Smith disclosed ex parte communication with the applicant, Brandon Miller, regarding the details and history of the property.

(9:41 a.m.) Shannon Acevedo, Planning Application Review Supervisor, and Eric Clark, Engineer, Growth Management Services, presented details of the request, via PowerPoint.

(9:47 a.m.) Brandon and Krystal Miller, applicants, 193 North Churchill Drive, stated they were available for questions. Johns questioned the purchase date of the property and the prior building on the parcel.

(9:49 a.m.) Terry and Paul Fries, 2425 Water Plant Road, referenced a map and requested clarification on the easement location.

(9:51 a.m.) BJ Kaildi, 8 Newcomb Street, spoke on the importance of due diligence for a prospective property buyer.

(9:54 a.m.) Discussion ensued between Johns, Acevedo, and Soria on the lot division.

(9:56 a.m.) Motion by Smith, seconded by Waldron, carried 5/0, to approve NZVAR 2016-11, request for a Non-Zoning Variance to the LDC, Section 5.01.01.C.3, allowing for the dividing of a platted parcel without a replat, Section 6.02.01.B.3, to allow an access easement within a platted subdivision, Section 6.04.07.B.2.a and 6.04.07.B.2.b, to allow relief from easement requirements, subject to six Findings of Fact and four conditions.

(02/21/17 - 10 - 9:56 a.m.)

3. PUBLIC HEARING, NZVAR 2017-01, ABDULGHANI. NZVAR 2017-01, ABDULGHANI, A REQUEST FOR A NON-ZONING VARIANCE FROM THE LAND DEVELOPMENT CODE (LDC), SECTION 6.04.07.B.1, TO ALLOW FOR AN ADDITIONAL UNIT TO TAKE ACCESS FROM AN EASEMENT THAT ALREADY ALLOWS ACCESS FOR TWO OR MORE UNITS

Proof of publication of the notice of public hearing on NZVAR-2017-01, Abdulghani, was received, having been published in *The St. Augustine Record* on February 1, 2017.

Eric Clark, Engineer, presented details of the request, via PowerPoint.

(10:01 a.m.) Kassie Abdulghani, applicant, 1917 East Lymington Way, stated she was available for questions.

(10:02 a.m.) Motion by Smith, seconded by Morris, carried 5/0, to approve NZVAR 2017-01, Abdulghani, a request for a non-zoning variance from the LDC, Section 6.04.07.B.1, to allow for an additional unit to take access from an easement that already allows access for two or more units, subject to six Findings of Fact and four conditions.

(02/21/17 - 10 - 10:03 a.m.)

4. DISCUSSION OF POTENTIAL LAND DEVELOPMENT CODE (LDC) AMENDMENTS. THIS IS A DISCUSSION ITEM ON SEVERAL POSSIBLE CHANGES TO THE LAND DEVELOPMENT CODE. STAFF WILL BE SEEKING GENERAL DIRECTION FROM THE BOARD OF COUNTY COMMISSIONERS REGARDING THE FOLLOWING TOPICS: 1) DISCUSSION OF MEASUREMENT OF FENCE HEIGHT WHEN ON OR NEAR A GRADE CHANGE OR ERECTED ATOP A RETAINING WALL. 2) ALLOWING STORMWATER PONDS TO ACCOUNT FOR A SPECIFIED PERCENTAGE OF OPEN SPACE REQUIREMENTS WITHIN PLANNED UNIT DEVELOPMENTS

Joseph Cearley, Special Projects Manager, presented details of the fence height and measurement request, via PowerPoint. He outlined staff's proposal for three options that would provide clarity when measuring the height of a fence located adjacent to or upon grade changes in elevation, and a line-of-site fence measurement illustration for maximum screening and privacy to adjacent neighbors. Discussion ensued between Morris and Cearley on the line-of-site fence measurement illustration. Cearley noted that staff received a letter of support for option three: eight foot fence with a grade change within twenty feet of the property line, constructed at the lowest elevation of the grade change, and with a grade change of more than two feet.

(10:08 a.m.) Cearley also presented details of the utilization of stormwater ponds for open space, via PowerPoint. He outlined staff's proposal for refined provisions on stormwater pond improvements that would be required for a pond to account for open space.

(10:13 a.m.) Dean and Waldron spoke in support of the current Land Development Code in relation to open space.

(10:17 a.m.) Beth Breeding, Chairman of the Northeast Florida Builders Association Governmental Affairs Subcommittee, on behalf of the Northeast Florida Builder's Association, 103 Century 21 Drive, Suite 100, Jacksonville, Florida, spoke in support of 100 percent utilization of stormwater ponds with respect to a developer's requirement to provide open space.

(10:19 a.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of counting stormwater ponds with respect to a developer's requirement to provide open space.

(10:22 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of counting stormwater ponds with respect to a developer's requirement to provide open space; and in opposition of the staff's fence height measurement proposal.

(10:25 a.m.) Jessie Spradley, Northeast Florida Builder's Association, on behalf of members, 103 Century 21 Drive, Suite 100, Jacksonville, Florida, spoke in support of 100 percent utilization of stormwater ponds with respect to a developer's requirement to provide open space.

(10:26 a.m.) William Schaefer, Dominion Engineering Group, 4348 Southpoint Boulevard, Suite 204, Jacksonville, Florida, spoke in support of staff's proposed provisions on stormwater pond improvements that would be required for a pond to account for open space. He disagreed with the stormwater pond 15 foot perimeter buffer, landscaped with native grasses and shrubs, proposed improvement.

(10:31 a.m.) Discussion ensued between Smith and Susan Konchan, Director of Growth Management, on the retroactive reconciliation on previously approved developments; discussion ensued on amenitizing stormwater ponds, non-residential development, open space requirements, and the 4:1 slope ratio of stormwater ponds. Additionally, Board members expressed their positions on the proposed LDC amendment regarding the open space requirement. *Waldron requested that the Board be provided additional data regarding the cost, to developers, of losing lands for stormwater ponds.* He also requested that tree inches be coherent with the stormwater pond sizes, not just reduced to 40 tree inches, with regard to County regulations.

(10:49 a.m.) McCormack explained the due process for the LDC amendments.

(10:51 a.m.) The Board directed staff to proceed with a public hearing on section 2.02.04.B.12 of the LDC for fence height; and to continue discussion, to include additional data regarding amenitized stormwater ponds, on section 5.03.03 of the LDC for open space.

(02/21/17 - 12 - 10:52 a.m.)

5. CONSIDER AN APPOINTMENT TO THE PLANNING AND ZONING AGENCY. CURRENTLY THERE IS ONE VACANCY ON THE PLANNING AND ZONING AGENCY (PZA) DUE TO AN EXPIRED TERM. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION FIFTEEN APPLICATIONS (SEE 4TH PAGE OF THE AGENDA PACKET FOR LISTINGS) AND A RECOMMENDATION FROM THE PLANNING AND ZONING AGENCY (PZA) TO REAPPOINT MIKE KOPPENHAFER

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the vacancy. She noted that the PZA recommended Mike Koppenhafer and that Robert Olson had been appointed to the Cultural Resource Review Board. She reviewed Koppenhafer's records of attendance and recusals, noting 12 absences and 4 recusals within a 4 year time period.

(10:55 a.m.) Ed Slavin, P.O. Box 3084, spoke in opposition to reappoint Mike Koppenhafer. He stated concerns on absenteeism and the lack of diversity of the Planning and Zoning Agency.

(10:58 a.m.) Morris spoke on the applicants' qualifications and in support of the reappointment of Mike Koppenhafer.

(11:00 a.m.) Motion by Morris, seconded by Dean, carried 5/0, to (re)appoint Mike Koppenhafer to the Planning and Zoning Agency for a full four-year term, scheduled to expire February 21, 2021.

(11:01 a.m.) McCormack addressed the Board on the medical marijuana presentation. He stated that medical marijuana was part of Florida law and that a local moratorium, temporary bans on permitting and zoning for dispensaries, would be requested, while waiting on the Legislature to produce legislation to regulate the sale.

(02/21/17 - 12 - 11:03 a.m.)

6. DISCUSSION ON MEDICAL MARIJUANA. AMENDMENT 2, WHICH LEGALIZED MEDICAL MARIJUANA, WAS APPROVED BY 71 PERCENT OF THE VOTERS, IN THE STATE OF FLORIDA, AND 72.33 PERCENT OF ST. JOHNS COUNTY VOTERS DURING THE NOVEMBER 8, 2016, GENERAL ELECTION. ON-GOING DISCUSSIONS ON A STATE-WIDE LEVEL HAVE EVOLVED OVER LOCAL GOVERNMENT RESPONSE. ADDITIONALLY, INQUIRIES HAVE BEEN MADE TO STAFF AND VARIOUS PROPOSALS HAVE BEEN DISCUSSED. AMENDMENT 2 REQUIRES THE DEPARTMENT OF HEALTH (DOH) TO PROMULGATE RULES SIX MONTHS AFTER THE EFFECTIVE DATE OF THE AMENDMENT AND TO ISSUE IDENTIFICATION CARDS NINE MONTHS AFTER APPROVAL. ST. JOHNS COUNTY MAY RESPONSE IMMEDIATELY THROUGH FOUR GENERAL METHODS: 1) TEMPORARY MORATORIUM ON ALL PERMITS RELATED TO MEDICAL MARIJUANA TREATMENT CENTERS; 2) IMPLEMENTATION OF A LICENSING REGULATORY SCHEME LIMITING THE NUMBER OF DISPENSING ENTITIES; 3) IMPLEMENTATION OF ZONING REGULATIONS FOR LOCATION AND DEVELOPMENT STANDARDS; AND 4) RELY ON THE STATE FOR ANY FURTHER REGULATION. ADDITIONALLY, THE BOARD MAY DIRECT STAFF TO IMPLEMENT A COMBINATION OF THE ABOVE. ALL OPTIONS, EXCEPT FOR RELYING ON EXISTING LOCAL AND STATE

REGULATIONS, WILL REQUIRE AN ORDINANCE AND OFFICIAL ACTION BY THE BOARD OF COUNTY COMMISSIONERS. STAFF IS PREPARED TO MAKE A PRESENTATION AND SEEKS DIRECTION FROM THE BOARD OF COUNTY COMMISSIONERS TO EMBARK ON ONE OF THESE ACTIONS

Paolo Soria, Assistant County Attorney, presented details of the item, via PowerPoint.

(11:30 a.m.) Discussion ensued on dispensing facilities, issuance of DOH identification prescription cards, the effects of a moratorium regarding municipalities and the delivery of medical marijuana for qualifying debilitating medical conditions, monopolistic competition, pricing and price control, and tax implications. Additionally, Board members expressed their positions on the moratorium.

(11:46 a.m.) Tom Griffin, 311 Park Avenue, Tallahassee, Florida, representative of San Felasco Nursery, addressed questions on dispensing facilities, the placement of a temporary moratorium, and legislative action regarding moratoriums.

(11:50 a.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of a moratorium.

(11:53 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the following ordinances passed by the City of St. Augustine regarding the sale of marijuana, adult entertainment, and gambling: 2014-24, 2014-25, 2014-26, 2014-27, and 2007-11.

(11:56 a.m.) Isaiah Abenchuchan, 114 ½ Bridge Street, spoke on product pricing and the voter's intent with the passing of Amendment 2. He suggested that the County establish zoning and signage restrictions, while allowing the State to construct a detailed regulatory structure.

(12:00 p.m.) Marc Ressler, 176 Crossroad Lakes Drive, spoke on voter's intent regarding Amendment 2, shared citizen testimony from DOH workshop attendees, and addressed concern with monopolistic competition.

(12:05 p.m.) **Motion by Dean, seconded by Waldron, carried 5/0, to direct staff to prepare a temporary moratorium for a period to be determined.**

(12:07 p.m.) Discussion ensued on holding community workshops, zoning and licensing concerns with regard to the financial responsibility to the County; commencement of community workshops; and on the hearing process of the temporary moratorium.

(12:12 p.m.) **Motion by Waldron, seconded by Dean, carried 5/0, to direct staff to research and prepare zoning regulations, licensing regulatory costs to St. Johns County, and to organize community workshops, to include staff sponsored workshops.**

Soria left the meeting at 12:15 p.m.

(02/21/17 - 13 - 12:15 p.m.)

7. FISCAL YEAR (FY) 2018 BOARD OF COUNTY COMMISSIONERS BUDGET WORKSHOP: OVERALL COUNTY BUDGET AND THE GENERAL FUND. THIS BOARD OF COUNTY COMMISSIONERS (BCC) BUDGET WORKSHOP IS DESIGNED TO BOTH INFORM AND ESTABLISH INITIAL BUDGET GUIDELINES FOR THE UPCOMING FY 2018 COUNTY BUDGET PROCESS. THE PROJECTED FY 2018 TOTAL COUNTY BUDGET LARGELY OUTLINING THE GENERAL FUND WILL BE DISCUSSED. A SUBSEQUENT AGENDA ITEM WILL DISCUSS BOTH THE TRANSPORTATION TRUST AND FIRE DISTRICT FUND. IN ADDITION, THE FIVE-YEAR PERIOD THROUGH FY

2022 WILL BE PROJECTED. INITIAL FY 2018 BUDGET GUIDELINES WILL BE DISCUSSED

Jesse Dunn, Director of Office of Management and Budget (OMB), presented details of the FY 2018 budget process: General Fund, via PowerPoint. He reviewed property tax reform; the FY 2017 County budget; and the recurring budget challenges. Discussion ensued on property tax reform and total ad valorem tax collection.

(12:50 p.m.) McGee left the meeting and Deputy Clerk Bonnie A. Putman entered the meeting.

(12:50 p.m.)Dunn reviewed the proposed budget guidelines.

(1:18 p.m.) Smith spoke on an 18 percent increase in healthcare and suggested looking at capping the types of benefits offered to the County employees. Dunn responded stating that healthcare, retirement and workman's compensation were State mandated rates. Discussion ensued on a Request for Proposal (RFP) for the County's healthcare provider; the broker; the services the County delivers; an audit completed on all County employees and their families, regarding healthcare; and costs being placed on the employees.

(1:22 p.m.) Dunn continued his presentation, including fire services, transportation, the Tourist Development Council (TDC), gas tax, beach parking, and capital projects.

(1:24 p.m.) Johns questioned how other growing counties were handling the budget concerns. Dunn responded that St. Johns County had different decisions to make than Clay or Putnam, but all were coming up against the same issues, including property tax reform.

(1:25 p.m.) All the Board members requested a copy of the presentation.

(1:25 p.m.) Wanchick spoke on the historical trend of the ad valorem mileages, where as a result most communities were raising other revenue sources, with very few raising property taxes. He stated that St. Johns County did not charge near what it could in taxes. Johns restated the need for polling the community.

(1:27 p.m.) Ed Slavin, P.O. Box 3084, stated the need for body cameras on deputies, televising the budget meetings, and an inspector general.

(02/21/17 - 14 - 1:31 p.m.)

8. LETTERS OF SUPPORT REGARDING THE GUANA TOLOMOTO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE (GTMNERR)

Smith requested time to read the letter and Johns asked whether staff had more details, including funding amounts and the Board's position on letters of support.

(1:32 p.m.) Dean spoke in support of the request, provided information regarding the three National Estuarine Research Reserves (NERR), in Florida, and stated his primary reason for running for the Board was to maintain the County's resources, particularly the estuaries.

(1:34 p.m.) Smith questioned the current funding for Guana Tolomoto Matanzas (GTM) NERR Plant Hunt/ Project Noah. Discussion ensued on the distribution of funding to the NERR.

(1:36 p.m.) Waldron stated that the pamphlet, *Exhibit A*, listed the funding requests.

(1:38 p.m.) Ed Slavin, P.O. Box 3084, supported the request.

(1:39 p.m.) Dean stated that the timing was not critical and suggested revisiting the request at the first Board of County Commissioners (BCC) meeting in March.

(1:41 p.m.) Waldron agreed to wait until the first BCC meeting in March.

(1:41 p.m.) *Consensus by the Board was given to revisit the request at the first Board of County Commissioners meeting in March 2017.*

(02/21/17 - 15 - 1:41 p.m.)
COMMISSIONERS' REPORTS

Commissioner Waldron

Waldron spoke on the public concerns regarding the damages from Hurricane Matthew to the Vilano Boat Ramp and the Riverdale Boat Ramp. He stated the need for dredging and suggested the Board consider the repairs. Discussion ensued on funding for City relief fund, capital projects, cost of the repairs, and whether the organizations hosting tournaments, etc. would be willing to contribute.

(1:44 p.m.) Discussion ensued on the Port and Waterway Authority and whether the Parks and Recreation Department was able to add the Vilano Boat Ramp to their list of potential projects.

(1:45 p.m.) Waldron thanked the advisory boards and volunteer boards for all their time, effort, passion and insight.

Commissioner Morris

Morris had no report.

Commissioner Dean

(1:45 p.m.) Dean based on the earlier discussion regarding the retention ponds, requested that staff look at surrounding counties and see whether non-residential areas were recognizing ponds as open space, stating he did not want to be at a competitive disadvantage when trying to recruit strong commercial business development.

(1:47 p.m.) Smith agreed with Dean, stating his concern, as well.

Commissioner Smith

(1:47 p.m.) Smith spoke on the lack of precipitation and wild fires; condolences to the family of Clyde Barnes, Barnes Fertilizers, Inc., Hastings, Florida, who passed away; and that the St. Johns County Chamber of Commerce, Economic Development Council (EDC) scheduled its quarterly breakfast for February 24, 2017, at Blue Sky Farms in Elkton, Florida.

Commissioner Johns

(1:50 p.m.) Johns thanked the staff; all departments; the public, private, and non-profit agencies that work together to create and modify policies, as requested by the Board, as well as the budget.

(02/21/17 - 15 - 1:51 p.m.)
COUNTY ADMINISTRATOR'S REPORT

(1:51 p.m.) Wanchick spoke on a business item, which included twelve beach walkovers that were damaged during Hurricane Matthew, FEMA eligibility; and to transfer the approximate cost of \$36,500 from reserves, with all but \$4,700 reimbursable to the County.

(1:53 p.m.) McCormack spoke on the liability to the County. Discussion ensued on the loss of the dunes and concerns with driving on the beach.

(1:54 p.m.) **Motion by Dean, seconded by Waldron, carried 5/0, to authorize a transfer of \$36,500 from the General Funds Reserves, to repair or replace the twelve beach walkovers, with all but \$4,700 reimbursable to the County.**

(1:54 p.m.) Wanchick mentioned he, Commissioner Dean, Neil Shinkre, Public Works Director, and Darrell Lockler would be traveling to Jacksonville to meet with the Army Corp of Engineers and Representative Rutherford, in an attempt to increase the cost-share percentage to lower the cost to the County residents, from damages suffered during Hurricane Matthew.

(02/21/17 - 16 - 1:55 p.m.)

COUNTY ATTORNEY'S REPORT

(1:55 p.m.) McCormack commented on the need to update the St. Johns County Tourist Development Tax ordinance and requested authorization to consolidate the amendments, revise the language in accordance to statute, for the purpose of keeping it legally complaint. Additionally, he expressed some concern with drones, particularly flying them over crowds, and requested authorization to provide, for the Board's consideration, some basic regulation for drones. He stated that the County had a Hazardous Materials Cost Recovery Ordinance and that an update was needed, to include cost recovery for technical rescue incidents, requesting authorization to do so; and the County had a fifteen year old Contractor Review Board Ordinance, which Building Services requested an update to bring it in line with statutory changes and other efficiency changes requested by staff. He requested authorization to update and present the proposed ordinances.

(1:59 p.m.) Morris stated that the Players Club was concerned about the drones with the upcoming THE PLAYERS Championship (TPC).

(1:59 p.m.) Smith questioned whether drones were being addressed at the State or Federal level. McCormack responded.

(2:00 p.m.) *Consensus was given by the Board to authorize staff to update and present proposed ordinances for the TDC tax ordinance, drone regulation, the Hazardous Materials Cost Recovery Ordinance, and the Contractor Review Board Ordinance.*

(02/21/17 - 16 - 2:00 p.m.)

CLERK OF COURT'S REPORT

No report.

(02/21/17 - 16 - 2:00 p.m.)

ADJOURN

With there being no further business to come before the Board, Johns adjourned the meeting at 2:00 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 27543-27544, totaling \$9,739.50 (2/2/17)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 541967-542136, totaling \$977,244.07 and Voucher Register, Voucher Nos. 27545-27584, totaling \$417,805.21 (2/7/17)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 542137-542140, totaling \$2,521 and Voucher Register, Voucher Nos. 27585-27596, totaling \$6,360.86 (2/8/17)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 542141-542143, totaling \$130,473.06 (2/10/17)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 542144-542360, totaling \$12,132,059.45 and Voucher Register, Voucher Nos. 27597-27641, totaling \$1,676,797.70 (2/14/17)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 542361-542438, totaling \$49,629.61 and Voucher Register, Voucher Nos. 27642-27728, totaling \$56,361.86 (2/15/17)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 542439-542460, totaling \$43,971.22 and Voucher Register, Voucher Nos. 27729-27730, totaling \$639.73 (2/16/17)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 27731-27732, totaling \$9,739.50 (2/16/17)
9. St. Johns County Board of County Commissioners Check Register, Check No. 542461, totaling \$1,107.46 (2/20/17)

CORRESPONDENCE:

There was none.

Approved _____ April 18 _____, 2017

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: *Pam Waltherman*
Deputy Clerk

