

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARCH 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: 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
Sindy Wiseman, Deputy Clerk

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

(03/07/17 - 1 - 9:00 a.m.)
CALL TO ORDER

Dean called the meeting to order.

(03/07/17 - 1 - 9:00 a.m.)
ROLL CALL

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

(03/07/17 - 1 - 9:01 a.m.)
INVOCATION

Pastor Timothy Maynard, Fruit Cove Baptist Church, gave the invocation.

(03/07/17 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Dean led the Pledge of Allegiance.

(03/07/17 - 1 - 9:03 a.m.)
PUBLIC COMMENT

BJ Kalaidi, 8 Newcomb Street, spoke concerning illegally parked vehicles on Douglas Avenue and the lack of enforcement, and noted that the "Story Time" would be held at the Health and Human Services Building, while the Main Branch Library parking lot was under construction, *Exhibit A*.

(9:07 a.m.) Joe Honeycutt, 3001 South Ponte Vedra Boulevard, spoke on the completion of the sea wall in front of his home and voiced concern with the damage and possible future damage to Surf Side Park.

(9:08 a.m.) Linda Chambliss, 3043 South Ponte Vedra Boulevard, spoke on the continuing hurricane disaster recovery issues and the next step.
(03/07/17 - 2 - 9:11 a.m.)

DELETIONS TO CONSENT AGENDA

Wanchick requested Consent Items 9 and 25 be pulled from the agenda.

(03/07/17 - 2 - 9:12 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement
2. Motion to approve the Cordova Palms School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2017-01)
3. Motion to approve Proportionate Fair Share (PFS) AGREE 2016-06; and authorize the county administrator, to execute the Mill Creek Hardware Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09, of the Land Development Code
4. Motion to approve modification of the Bannon Lakes Proportionate Fair Share Agreement (DEVAGRMOD 2016-02); and authorize the county administrator to execute the Amended and Restated Bannon Lakes Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09, of the Land Development Code
5. Motion to adopt **Resolution No. 2017-68**, approving the final plat for Moultrie Woods II

RESOLUTION NO. 2017-68

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR MOULTRIE WOODS II

6. Motion to adopt **Resolution No. 2017-69**, approving the final plat for Julington Lakes, Phase 3

RESOLUTION NO. 2017-69

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR JULINGTON LAKES, PHASE 3

7. Motion to adopt **Resolution No. 2017-70**, approving the final plat for Durbin Crossing Townhomes, Phase III

RESOLUTION NO. 2017-70

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

8. Motion to adopt **Resolution No. 2017-71**, approving the final plat for Shearwater, Phases 1-8 (Replat)

RESOLUTION NO. 2017-71

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SHEARWATER, PHASE 1-8

(Item 9 was pulled from the agenda)

9. Motion to approve the final plat for Preserve at St. Johns
10. Motion to adopt **Resolution No. 2017-72**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the sewer system serving Gander Mountain, located off Outlet Mall Boulevard

RESOLUTION NO. 2017-72

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 SEWER SYSTEM SERVING GANDER MOUNTAIN, LOCATED OFF OUTLET MALL BOULEVARD

11. Motion to adopt **Resolution No. 2017-73**, accepting an Easement for Utilities and a Bill of Sale, conveying all personal property associated with the water system to serve Lion Gate One, LLC, located off International Golf Parkway

RESOLUTION NO. 2017-73

A RESOLUTION OF 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 SYSTEM TO SERVE LION GATE ONE, LLC, LOCATED OFF INTERNATIONAL GOLF PARKWAY

12. Motion to adopt **Resolution No. 2017-74**, accepting an Easement for Utilities and a Bill of Sale, conveying all personal property associated with the reuse water and sewer system to serve Bannon Lakes, Phase 1A-1, located off International Golf Parkway

RESOLUTION NO. 2017-74

A RESOLUTION OF 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 REUSE WATER AND SEWER SYSTEM TO SERVE BANNON LAKES, PHASE 1A-1, LOCATED OFF INTERNATIONAL GOLF PARKWAY

13. Motion to adopt **Resolution No. 2017-75**, accepting a Temporary Construction Easement from The School Board of St. Johns County to St. Johns County, in connection with the Ray Road Improvements Project

RESOLUTION NO. 2017-75

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM THE SCHOOL BOARD OF ST. JOHNS COUNTY TO ST. JOHNS COUNTY, IN CONNECTION WITH THE RAY ROAD IMPROVEMENTS PROJECT

14. Motion to adopt **Resolution No. 2017-76**, accepting a Grant of Easement for offsite drainage, in connection with the roadway right-of-way dedication, of an extension of Crosswater Parkway, in Nocatee

RESOLUTION NO. 2017-76

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR OFFSITE DRAINAGE, IN CONNECTION WITH THE ROADWAY DEDICATION, OF AN EXTENSION OF CROSSWATER PARKWAY, IN NOCATEE

15. Motion to adopt **Resolution No. 2017-77**, authorizing the chair to execute a County Deed for property, identified as Pond Easement 110C, in the Bartram Park Impact Fee Credit Agreement

RESOLUTION NO. 2017-77

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR TO EXECUTE A COUNTY DEED FOR PROPERTY, IDENTIFIED AS POND EASEMENT 110C, PER THE BARTRAM PARK IMPACT FEE CREDIT AGREEMENT

16. Motion to adopt **Resolution No. 2017-78**, approving the terms and authorizing the county administrator, or designee, to execute a Second Amendment to the Communications Tower Agreement, in substantially the same form and format, as attached hereto, with New Cingular Wireless PCS, LLC; and further authorizing the county administrator, or designee, to execute any amendments, thereto, that do not affect the material terms, conditions, or obligation of the agreement

RESOLUTION NO. 2017-78

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE COMMUNICATIONS TOWER LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC / AT&T MOBILITY, LLC, FOR MODIFICATIONS TO THE EQUIPMENT ON THE FLAGLER ESTATES TOWER

17. Motion to adopt **Resolution No. 2017-79**, approving the terms and authorizing the county administrator, or designee, to execute a Seventh Amendment to Tower Attachment Communications Site Agreement, in substantially the same form and format, as attached hereto, with SprintCom, Inc.; and further authorizing the county administrator, or designee, to execute any amendments, thereto, that do not affect the material terms, conditions, or obligation of the agreement

RESOLUTION NO. 2017-79

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE SEVENTH AMENDMENT TO THE TOWER ATTACHMENT COMMUNICATION SITE AGREEMENT WITH SPRINTCOM, INC., AS SUCCESSOR IN INTEREST TO NEXTEL SOUTH CORP., FOR MODIFICATIONS TO THEIR EQUIPMENT ON THE PONTE VEDRA ANNEX TOWER

18. Motion to adopt **Resolution No. 2017-80**, authorizing the county administrator, or his designee, to purchase two 2017 Ford F-450, service body trucks with cranes, 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 \$153,585.78

RESOLUTION NO. 2017-80

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 TWO NEW 2017 FORD F-450, SERVICE BODY TRUCKS, WITH CRANES, 4X2

19. 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
20. Motion to adopt **Resolution No. 2017-81**, authorizing the county administrator, or his designee, to award Bid No. 17-23, Matanzas Bridge Inlet Pipelines Replacement; and execute a contract with J.D. Hinson Company, in substantially the same form and format, as the attached draft, for completion of the specified scope of work, at a lump sum contract price of \$2,395,875.58

RESOLUTION NO. 2017-81

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-23; AND TO EXECUTE AGREEMENTS FOR THE MATANZAS INLET BRIDGE PIPELINES REPLACEMENT

21. Motion to adopt **Resolution No. 2017-82**, authorizing the county administrator, or his designee, to award Bid No. 17-18, US 1 and Ray Road Turn Lane; and to

execute a contract with Kirby Development, in substantially the same form and format, as the attached draft, for completion of the specified scope of work, at a lump sum contract price of \$354,853.60

RESOLUTION NO. 2017-82

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-18; AND TO EXECUTE AGREEMENTS FOR US1 AND RAY ROAD TURN LANE

22. Motion to adopt **Resolution No. 2017-83**, approving the terms, conditions, and requirements of the contract for the Emergency Solutions Grant, between St. Johns County and Home Again St. Johns, CoC Lead Agency; and authorizing the county administrator, or designee, to execute the contract, on behalf of the County

RESOLUTION 2017-83

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANT FUNDS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN EMERGENCY SOLUTIONS GRANT, HOMELESS PREVENTION/RAPID REHOUSING CONTRACT, WITH HOME AGAIN ST. JOHNS, LEAD AGENCY OF THE ST. JOHNS COUNTY CONTINUUM OF CARE, FUNDED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, ON BEHALF OF THE COUNTY; AND APPROPRIATING GRANT FUNDS, WITHIN THE SOCIAL SERVICES DEPARTMENT'S BUDGET, FOR FISCAL YEAR 2017

23. Motion to adopt **Resolution No. 2017-84**, approving the terms, conditions, and requirements of the contract for a Temporary Assistance for Needy Families (TANF) Grant between St. Johns County and Home Again St. Johns, CoC Lead Agency; and authorizing the county administrator, or designee, to execute the contract, substantially in the same form, as attached, on behalf of the County

RESOLUTION 2017-84

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING GRANT FUNDS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) GRANT - HOMELESS PREVENTION CONTRACT WITH HOME AGAIN ST. JOHNS, LEAD AGENCY OF THE ST. JOHNS COUNTY CONTINUUM OF CARE, FUNDED BY THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, ON BEHALF OF THE COUNTY; AND APPROPRIATING GRANT FUNDS, WITHIN THE SOCIAL SERVICES DEPARTMENT'S BUDGET, FOR FISCAL YEAR 2017

24. Motion to adopt **Resolution No. 2017-85**, authorizing the chair to sign and execute Modification Number 4 to the Community Development Block Grant (CDBG) Subgrant Agreement, between the Department of Economic Opportunity and St. Johns County

RESOLUTION 2017-85

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING MODIFICATION NUMBER 4 TO SUBGRANT AGREEMENT, BETWEEN THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ST. JOHNS COUNTY, FOR THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(Consent Item 25 was pulled from the agenda)

25. Motion to approve the transfer of \$55,000 from Parks Zone A Impact Fees Reserves to Parks Zone A Consulting Services, to fund an initial plan for County owned recreation property, located adjacent to Pacetti Bay Middle School
26. Motion to adopt the recommendation of the Northwest Tower Committee for utilizing Tower Funds in the amount of \$1,960.84, to pay Carter Environmental Services, for the capture and relocation of a Gopher Tortoise from Aberdeen Park; and authorizing the transfer of these funds from the Tower Capital Outlay Reserve account to the Contractual Services account, finding that this use of funds is consistent with the intent of St. Johns County Resolution No. 99-117, Section 5. Transfer of \$1,960.84 from NW Recreation Projects Capital Outlay Reserve (1200-59927) to Contractual Services (1200-53120)
27. Motion to adopt **Resolution No. 2017-86**, authorizing the county administrator, or designee, to submit a grant application, on behalf of St. Johns County, to the Florida Inland Navigation District Waterways Assistance Program, for Canopy Shores Park, Phase I, design, engineering, and permitting of a fishing pier and floating dock

RESOLUTION 2017-86

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM GRANT, FOR A PHASE I, DESIGN, ENGINEERING, AND PERMITTING OF A FISHING PIER AND FLOATING DOCK ADDITION, AT CANOPY SHORES PARK

28. Motion to adopt **Resolution No. 2017-87**, authorizing the county administrator, or designee, to submit a grant application, on behalf of St. Johns County, to the Florida Inland Navigation District Waterways Assistance Program Grant for the Palm Valley West Boat Ramp, Phase I, design, engineering, and permitting

RESOLUTION 2017-87

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM GRANT, FOR A PHASE I, DESIGN, ENGINEERING, AND PERMITTING, FOR A BOAT RAMP ADDITION AND ASSOCIATED FLOATING DOCK, UNDER THE WEST SIDE OF THE PALM VALLEY BRIDGE

29. Minutes: February 7, 2017, Regular Meeting

(03/07/17 - 8 - 9:13 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to continue Regular Items 2 and 3, to the April 4, 2017, agenda; and to add an item for Hurricane Matthew Disaster recovery, as Item 8.

(03/07/17 - 8 - 9:13 a.m.)

APPROVAL OF REGULAR AGENDA

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

(03/07/17 - 8 - 9:14 a.m.)

1. PRESENTATION AND CONSIDERATION OF A LETTER OF SUPPORT, FOR GUANA TOLOMATO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE (GTMNERR)

Ellen Leroy-Reed, Executive Director of the Friends of the Guana Tolomato Matanzas (GTM) National Estuarine Research Reserve (NERR), provided some history of the GTM Reserve, with details of the request to support National Oceanic and Atmospheric Administration's (NOAA) operation funding for the NERR system.

(9:17 a.m.) Dr. Mike Shirley, NERR Environmental Administrator, explained that the NERR was a non-regulatory program that was driven by local community, as was part of the Florida Coastal office, which included the Coastal Zone Management Program.

(9:19 a.m.) Smith questioned whether there were any plans for anything local. Shirley responded.

(9:22 a.m.) **Motion by Waldron, seconded by Morris, carried 4/0, with Johns absent, to approve the letters of support for the Guana Tolomato Matanzas National Estuarine Research Reserve.**

(9:22 a.m.) Dean spoke on Dr. Shirley's accomplishments with the Rookery Bay NERR.

(03/07/17 - 8 - 9:13 a.m.) *(Regular Item 2 was continued to the April 4, 2017, agenda.)*

2. PUBLIC HEARING, DRIMOD 2017-01, NORTHEAST INTERCHANGE QUADRANT. REQUEST TO MODIFY THE SAINT JOHNS DRI CONDITION II.A, TO ALLOW CONVERSION OF USES AND ADD A LAND USE EQUIVALENCY TABLE (A/K/A LAND USE CONVERSION TABLE), TO

ALLOW CONVERSION OF USES WITHIN THE INTERCHANGE PARCELS, REVISE DRI/MDP MAP, FOR THE NE INTERCHANGE QUADRANT PARCELS, INCLUDING ALLOWING SINGLE-FAMILY AGE-RESTRICTED (SFAR) AND MULTI-FAMILY (MFAR), ON PARCELS 1-14; AND PROHIBIT INDUSTRIAL, IF ANY RESIDENTIAL OCCURS FIRST; AND A RECIPROCAL PROVISION, IN THE EVENT INDUSTRIAL DEVELOPMENT PRECEDES RESIDENTIAL DEVELOPMENT, ADD COMMERCIAL USE TO PARCELS 9-13, PROVIDE FOR LIMITED COMMERCIAL ON PARCEL 14, FOR AGED RESTRICTED FACILITIES, AND UPDATE BUILD-OUT DATES FOR THE DEVELOPMENT, AS ALLOWED BY LEGISLATIVE EXTENSIONS OF TIME

Proof of publication for the notice of public hearing on DRIMOD 2016-01, Northeast Interchange Quadrant, having been published in *The St. Augustine Record* on December 14, 2016.

(03/07/17 - 9 - 9:13 a.m.)(*Regular Item 3 was continued to the April 4, 2017, agenda.*)

3. PUBLIC HEARING, MAJMOD 2016-13, NORTHEAST INTERCHANGE QUADRANT. MAJOR MODIFICATION 2016-13, MAJOR MODIFICATION TO THE INTERCHANGE PARCELS PUD, LOCATED WITHIN THE SAINT JOHNS DRI, TO ADD TO THE NORTHEAST INTERCHANGE PARCELS 1-14 SINGLE FAMILY AGE RESTRICTED (SFAR) AND MULTI-FAMILY AGE RESTRICTED (MFAR) USES, PROHIBIT INDUSTRIAL USES, IF ANY SFAR OR MFAR OCCURS, AND A RECIPROCAL PROVISION IN THE EVENT INDUSTRIAL DEVELOPMENT PRECEDES RESIDENTIAL DEVELOPMENT, ADDS STANDARD TO ADDRESS INCOMPATIBILITY BETWEEN USES REGARDING BUILDING HEIGHT, PROVIDE HEIGHT LIMITATIONS ON PARCELS 5 & 14, ADD DEVELOPMENT STANDARDS FOR SFAR AND MFAR, REDUCE THE BUILDING SETBACK TO 20' FOR CERTAIN RESIDENTIAL USES IN ALL INTERCHANGE PARCELS, AND INCORPORATE LEGISLATIVE EXTENSIONS OF TIME INTO THE DRI AND PUD. THERE IS ONE WAIVER REQUESTED TO ALLOW A REDUCTION TO PARKING FOR MFAR

Proof of publication for the notice of public hearing on MAJMOD 2016-13, Northeast Interchange Quadrant, having been published in *The St. Augustine Record* on December 14, 2016.

(03/07/17 - 9 - 9:24 a.m.)

4. PUBLIC HEARING, VACPLA 2016-02, SECOND AVENUE, PETITION TO VACATE A PORTION OF HILDEN SUBDIVISION, NEAR THE INTERSECTION OF US 1 NORTH AND DA VINCI BOULEVARD. THE SUBJECT OF THIS REQUEST IS TO APPROVE THE PETITION FOR PLAT VACATION, VACPLA 2016-02, FOR SECOND AVENUE. THIS REQUEST SEEKS TO VACATE LOTS WITHIN BLOCK 16 AND BLOCK 17, AS WELL AS A PORTION OF UNOPENED RIGHT-OF-WAY, PLATTED AS SECOND AVENUE, WITHIN THE SUBDIVISION OF HILDEN PLATTED SUBDIVISION. THE SUBJECT PROPERTY IS LOCATED EAST OF US 1 NORTH AND SOUTH OF DA VINCI BOULEVARD, WITHIN THE HILDEN SUBDIVISION. PROPERTY USES SURROUNDING THIS PROPERTY INCLUDE: RESIDENTIAL SINGLE-FAMILY HOMES TO THE NORTH AND EAST, AND AN AUTO REPAIR SHOP TO THE SOUTH. THE APPLICANT OWNS ALL PROPERTIES SUBJECT TO THIS PLAT VACATION. SHOULD THE PLAT VACATION BE APPROVED, THE APPLICANT PLANS TO BUILD AN ASSISTED LIVING FACILITY ON THE SITE. STAFF HAS NO OBJECTIONS TO THIS PLAT VACATION REQUEST. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST, WITH A 6-0 VOTE, ON ITS FEBRUARY 16, 2017, HEARING

Proof of publication for the notice of public hearing on VACPLA 2016-02, Second Avenue, having been published in *The St. Augustine Record* on January 27, 2017 and February 3, 2017.

Shannon Acevedo, Application Review Supervisor, presented details of the request, which included the concerns of the neighbors regarding the vacation, via PowerPoint.

(9:28 a.m.) David Arnold, 18 Mission Woods Way, spoke on the history of the property, requested approval, and said he was available for questions.

(9:30 a.m.) Morris disclosed he had been to the site.

(9:31 a.m.) Motion by Morris, seconded by Smith, carried 4/0, with Johns absent, to approve Resolution No. 2017-88, petition for plat vacation VACPLA 2016-02, Second Avenue, based on three Findings of Fact, in the staff report.

RESOLUTION NO. 2017-88

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, VACATING A PORTION OF SUBDIVISION OF HILDEN

(03/07/17 - 10 - 9:31 a.m.)

5. PUBLIC HEARING, NZVAR 2017-03, HUFF RESIDENCE. REQUEST FOR A NON-ZONING VARIANCE FROM THE PLATTING REQUIREMENTS OF LAND DEVELOPMENT CODE, SECTION 5.01.01, LOCATED AT 5040 ST. AMBROSE CHURCH ROAD

Proof of publication for the notice of public hearing on NZVAR 2017-03, Huff Residence, having been published in *The St. Augustine Record* on February 16, 2017.

Smith disclosed that he had met with Ms. Huff regarding, her property, and they had both met with Ms. Handy.

(9:32 a.m.) Danielle Handy, AICP, Chief Planner, presented the details of the NZVAR request, via PowerPoint. She said the non-zoning variance was intended to provide plat release, so both of the properties could obtain building permits to rebuild if they wished to do so.

(9:37 a.m.) Melinda Huff, 5040 St. Ambrose Church Road, expressed her appreciation to staff and requested the Board approve the motion.

(9:39 a.m.) Motion by Smith, seconded by Waldron, carried 4/0, with Johns absent, to approve NZVAR 2017-03, Non Zoning Variance to LDC, Section 5.01.01, waiving the platting requirements, subject to six Findings of Fact and three conditions.

(03/07/17 - 10 - 9:39 a.m.)

6. FIRST HEARING FOR LAND DEVELOPMENT REGULATION ORDINANCE, TEMPORARY MORATORIUM FOR UP TO TWELVE MONTHS ON ACCEPTANCE, PROCESSING, OR ISSUANCE OF APPLICATIONS OR PERMITS, FOR MEDICAL MARIJUANA (DISPENSING ORGANIZATIONS FOR LOW-THC CANNABIS AND MEDICAL CANNABIS; AND FOR MEDICAL MARIJUANA TREATMENT CENTERS, FOR MARIJUANA, FOR MEDICAL PURPOSES). ON FEBRUARY 21, 2017, THIS BOARD DIRECTED THIS OFFICE TO IMPLEMENT A TEMPORARY MORATORIUM ON ACCEPTANCE, PROCESSING, OR ISSUANCE OF APPLICATION OR

PERMITS, FOR ALL FORMS OF MEDICAL MARIJUANA (I.E. DISPENSING ORGANIZATIONS FOR LOW-THC CANNABIS AND MEDICAL CANNABIS; AND FOR MEDICAL MARIJUANA TREATMENT CENTERS, FOR MARIJUANA, FOR MEDICAL PURPOSES). A COPY OF THE MORATORIUM IS ATTACHED FOR THE BOARD'S EVENTUAL APPROVAL. THE MORATORIUM IS SET TO RUN FOR UP TO TWELVE MONTHS. HOWEVER, THE MORATORIUM MAY BE EXTENDED BY ORDINANCE, IF JUSTIFIED BY CIRCUMSTANCES. ADDITIONALLY, THE MORATORIUM MAY BE REPEALED BY ORDINANCE, BY RESOLUTION, OR UPON SIMULTANEOUS ENACTMENT OF APPROPRIATE LAND DEVELOPMENT OR OTHER REGULATIONS, PERTAINING TO MEDICAL MARIJUANA TREATMENT CENTERS. ADDITIONALLY, THE BOARD MAY, AT THIS HEARING OR SUBSEQUENT HEARING, SET THE MORATORIUM FOR A PERIOD OF LESS THAN TWELVE MONTHS. THIS IS THE FIRST OF A THREE PART HEARING PROCESS, REQUIRED BY SECTION 125.66, FLORIDA STATUTE, AND 163.3174, FLORIDA STATUTE. THE NEXT HEARING WILL BE A RECOMMENDATION BEFORE THE PLANNING AND ZONING AGENCY, ON MARCH 16, 2017, AND FINAL ADOPTION BY THE BOARD OF COUNTY COMMISSIONERS, ON MARCH 21, 2017. THE SECOND PUBLIC HEARING MUST BE AT A TIME AFTER 5:00 P.M. ON A WEEKDAY, UNLESS A MAJORITY PLUS ONE, OF THE BOARD OF COUNTY COMMISSIONERS VOTES TO HOLD IT AT A TIME OTHER THAN AFTER 5:00 P.M.

Proof of publication for the notice of public hearing on Temporary Moratorium, having been published in *The St. Augustine Record* on February 27, 2017.

Paolo S. Soria, Assistant County Attorney, presented background on the request for a Temporary Moratorium for medical marijuana, via PowerPoint.

(9:42 a.m.) Morris recommended setting the action for the regular meeting rather than after 5:00 p.m.

(9:42 a.m.) *Consensus was given to add the action to the regular meeting.*

(9:42 a.m.) BJ Kalaidi, 8 Newcomb Street, requested the item be first on the agenda to allow more participation.

(9:43 a.m.) Motion by Morris, seconded by Smith, carried 4/0, with Johns absent, to announce hearings for an ordinance for a temporary moratorium of up to twelve months, for retail facilities of dispensing organizations and medical marijuana treatment centers, before the Planning and Zoning Agency on March 16, 2017, and before the Board of County Commissioners on March 21, 2017, as item number one the regular agenda.

(03/07/17 - 11 - 9:44 a.m.)

7. CONSIDER AN APPOINTMENT TO THE NORTH COASTAL DESIGN REVIEW BOARD (DRB). CURRENTLY THERE IS ONE VACANCY ON THE NORTH COASTAL DESIGN REVIEW BOARD, DUE TO AN EXPIRED TERM. THIS VACANCY WAS ADVERTISED OCTOBER 31 THROUGH DECEMBER 1, 2016. ONE APPLICATION WAS RECEIVED. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION, A RECOMMENDATION FROM THE NORTH COASTAL DESIGN REVIEW BOARD, ALONG WITH THE REAPPOINTMENT REQUEST AND APPLICATION FROM RITA CLARE-SALZLER (DISTRICT 5)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented the request for appointment to the North Coastal Design Review Board, via PowerPoint.

(9:46 a.m.) Motion by Smith, seconded by Morris, carried 4/0, with Johns absent, to re-appoint Rita Clare-Salzler, to the North Coastal Design Review Board for a four-year term, scheduled to expire on December 9, 2020.

(03/07/17 - 12 - 9:46 a.m.)

8. HURRICANE MATTHEW DISASTER RECOVERY: PUBLIC BEACH ACCESS

Jesse Dunn, Director, Office of Management and Budget, presented details of the beach access recovery, via PowerPoint. He noted that the damaged beach access points for South Ponte Vedra Park, Pope Road, and Boating Club Road caused safety issues and would be submitted to Federal Emergency Management Agency (FEMA) for up to 75% reimbursement with the County's cost of \$18,125.

Soria left the meeting and Rebecca Lavie, Assistant County Attorney, entered the meeting at 9:47 a.m.

(9:52 a.m.) BJ Kalaidi, 8 Newcomb Street, questioned whether the construction would be completed by the beginning of hurricane season. Dunn said that it would be completed.

(9:53 a.m.) Motion by Morris, seconded by Waldron, carried 4/0, with Johns absent, to adopt Resolution No. 2017-89, recognizing and appropriating a Department of Homeland Security FEMA Hurricane Matthew Grant, in an amount not to exceed \$108,750; and a State of Florida Division of Emergency Management Grant in an amount not to exceed \$18,125, within the Fiscal Year 2017, General fund [Hurricane Matthew Department 0110]; and Motion to approve the transfer of \$18,125, from General Fund Reserves to the Hurricane Matthew Department.

RESOLUTION NO. 2017-89

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING A U.S. 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

(03/07/17 - 12 - 9:54 a.m.)

COMMISSIONERS' REPORTS

Commissioner Smith

Smith reported on concerns, from residents west of A1A, regarding patron safety, crossing in front of the Amphitheater. Additionally, he provided an agriculture update, and mentioned the "Pinwheel Parade against Child Abuse" event, hosted by St. Augustine Youth Services Campus, from 10:00 a.m. to 11:30 a.m.

Commissioner Morris

No comment.

Commissioner Waldron

(9:58 a.m.) Waldron spoke on the Vilano Beach Boat Ramp survey, the need for better access and parking at the Matanzas Inlet, and clearing debris around homes to help with fire prevention.

(9:59 a.m.) Smith commented on how dry the County was and the concern for fires. He also requested an update on the Matanzas Inlet handicap access.

Commissioner Dean

(10:01 a.m.) Dean spoke on the recovery issues from Hurricane Matthew and urged residents from Vilano to South Ponte Vedra to sign the temporary easement, regarding the placement of sand along the shoreline.

(03/07/17 - 13 - 10:03 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke on the issues with crossing at the amphitheater. Smith expressed his appreciation with the proactive approach. Wanchick noted that Johns was in Tallahassee, regarding matters of the County.

(03/07/17 - 13 - 10:06 a.m.)

COUNTY ATTORNEY'S REPORT

McCormack reported on House Bills in Tallahassee, including HB17, preemption of regulation and DB1158, preemption of local regulations. He mentioned the passing of John Hankinson.

(03/07/17 - 13 - 10:09 a.m.)

CLERK OF COURT'S REPORT

No report.

(03/07/17 - 13 - 10:09 a.m.)

ADJOURN

With there being no further business to come before the Board, Dean adjourned the meeting at 10:09 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 542661-542675, totaling \$274,984.07 (2/24/17)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 542676-542867, totaling \$1,485,224.85 and Voucher Register, Voucher Nos. 27782-27828, totaling \$1,026,954.17 (2/28/17)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 542868-542879, totaling \$5,011.60 and Voucher Register, Voucher Nos. 27829-27830, totaling \$639.73 (3/2/17)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 27831-27832, totaling \$9,452.42 (3/2/17)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 542880-542881, totaling \$1,425 (3/2/17)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 542882-543129, totaling \$1,581,014.86 and Voucher Register, Voucher Nos. 27833-27890, totaling \$395,129.27 (3/7/17)

CORRESPONDENCE:

There was none.

Approved _____ May 2 _____, 2017

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James K. Johns, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: Pam Halterman
Deputy Clerk

