

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 20, 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; Joy Andrews, Assistant County Administrator; Paolo Soria, Assistant County Attorney; Regina Ross, Deputy County Attorney

(06/20/17 - 1 - 9:00 a.m.)
CALL TO ORDER

Johns called the meeting to order.

(06/20/17 - 1 - 9:00 a.m.)
ROLL CALL

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

(06/20/17 - 1 - 9:00 a.m.)
INVOCATION

Reverend Ken Wilcox, Center for Spiritual Living, gave the invocation.

(06/20/17 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(06/20/17 - 1 - 9:01 a.m.)
PUBLIC COMMENT

Dean spoke on the County's public comment policy and stated he had requested the County Attorney research the matter.

(9:04 a.m.) Tom Turnage, 2809 South Ponte Vedra Boulevard, Ponte Vedra Beach, South Ponte Vedra/Vilano Beach Preservation Association, noted the large number of homeowners in the audience who planned to comment on Regular Agenda Item 12. He requested the item be moved forward on the agenda.

(9:04 a.m.) Deb Chapin, 531 North Wilderness Trail, Ponte Vedra Beach, Florida, PV Greenway/County Greenway Coalition, spoke on the Florida Trails Master Plan

revision deadline of June 30th. She requested the County approve of the plan as a priority corridor; noted additional funding sources; and distributed supporting documents on the PV Greenway Initiative, *Exhibit A*.

(9:07 a.m.) Mark Atkins, 733 Blue Seas Court, Ponte Vedra Beach, President of the North Florida Bicycle Club, spoke on the need for paved trails in the northeast part of the county, beginning at the PV Greenway; presented via PowerPoint, *Exhibit B*.

(9:10 a.m.) Marilyn Jacobs, 250 A1A N, Ponte Vedra Beach, introduced a YouTube video supporting the PV Greenway, *Exhibit C*.

(9:14 a.m.) Andrea Conover, 105 Rivers Edge Drive, East Palatka, North Florida Land Trust, allowed the video to continue as part of her public comment time and spoke in support of the PV Greenway.

(9:16 a.m.) Mary Farr, 1385 Scott Road, St. Johns County Horse and Trails Coalition, provided details of the process of developing a trail system and spoke in support of the PV Greenway.

(9:20 a.m.) Dave Doroshov, 4159 Arikaree Court, Jacksonville, Amphitheatre vendor, spoke on the Request for Proposal (RFP) 17-33 and the percentage of vendors in the proposed contract for the Farmers' Market at the Amphitheatre.

(9:24 a.m.) Pam Linder, 11 Pine Street, spoke on the costs and the process involved in the misdemeanor charge of marijuana and/or paraphernalia, and suggested implementing a fine via a civil ticket.

(9:27 a.m.) Kevin Holton, 360 Ponce Harbor Drive, spoke in support of administering fines for the misdemeanor charge of marijuana and read the names of residents who were also in support of this measure.

(9:30 a.m.) Traci Wertz, 929 Ervin Street, vendor at the Farmers' Market, spoke in opposition to the relocation of the market at the pier, due to proposed parking meters, and provided alternative suggestions.

(9:33 a.m.) Mary Carrozza, 120 Marsh Island Circle, noted an issue she had with a plumber and requested assistance.

(9:33 a.m.) Toni DeWitt, 1431 North Whitney Street, spoke in opposition to the potential changes to the Farmers' Market and the RFP; and suggested an annual calendar and signage.

(9:36 a.m.) Carey Del Rey, 22 Lee Drive, former co-manager of the Old City Farmers' Market, spoke on the history of the farmers' market and in opposition to the RFP, including the percentage change to vendors.

(9:39 a.m.) Brian Del Rey, 22 Lee Drive, former co-manager of the Old City Farmers' Market, spoke on the importance of the Farmers' Market and in opposition to the RFP.

(9:42 a.m.) Mark Jordana, 5384 Riverview Drive, spoke on the Farmers' Market and his concerns with the RFP, including the proposed vendor ratios. He voiced that existing vendors should receive fair consideration to remain in the market and opposed the Farmers' Market including multiple food trucks.

(9:45 a.m.) Phil King, 880 A1A Beach Boulevard, vendor, spoke in support of the Farmers' Market and in opposition to the proposed ratio changes.

(9:48 a.m.) Ed Slavin, P.O. Box 3084, spoke on *The New York Times* article, regarding Sheriff Shoar.

(9:52 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of a Farmers' Market in St. Augustine and looked forward to new management. He disagreed with the county attorney representing the County's medical examiner.

(9:55 a.m.) Lisa Carl, 114 South 2nd Street, Satsuma, vendor, spoke on her business at the Farmers' Market and in opposition to the changes proposed in the RFP.

(9:59 a.m.) Susan Muskro, 101 North Matanzas Boulevard, vendor, spoke in support of the Farmers' Market, noting her success in the fudge business.

(10:01 a.m.) Bill McClure, 6905 Richards Place, stated that he would be involved in a four-week study regarding taxable holdings, and that he would provide the findings to the Board.

(10:04 a.m.) Rod Crawford, 21175 NW 43rd Avenue, Lawtey, vendor, spoke in support of the Farmers' Market, noting his longevity at the market selling strawberries.

(10:08 a.m.) BJ Kalaidi, 8 Newcomb Street, requested that Consent Agenda Item 30 be pulled; questioned waivers for developers; and was opposed to an increase in sales tax or gas tax, illegal parking at the Amphitheatre and a civil ticket (fines imposed) for a marijuana misdemeanor charge.

(10:11 a.m.) Ken Barrett, 1676 Castile Street, spoke on art at the Farmers' Market and noted several famous artists who had visited St. Augustine. He requested the proposed changes be reviewed by the Board.

(10:13 a.m.) Merrill Roland, 6281 Old Dixie Drive, spoke in support of a Farmers' Market in St. Augustine and in opposition to current vendors parking in the handicapped parking spots.

(06/20/17 - 3 - 10:17 a.m.)
DELETIONS TO CONSENT AGENDA

Wanchick requested that Consent Agenda Item 11 be pulled.

(06/20/17 - 3 - 10:18 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 approve the transfer of \$101,809 from E-911 Communications Capital Outlay Reserve to Transfer to Officers to upgrade the 911 mapping system, for the Public System Answering Point
3. Motion to adopt **Resolution No. 2017-193**, approving the final plat for Beachwalk Boulevard at Twin Creeks North, Phase 1

RESOLUTION NO. 2017-193

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR BEACHWALK BOULEVARD AT TWIN CREEKS NORTH, PHASE 1

4. Motion to adopt **Resolution No. 2017-194**, approving the final plat for Bennett's Acres (Replat)

RESOLUTION NO. 2017-194

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR BENNETT'S ACRES

5. Motion to adopt **Resolution No. 2017-195**, approving the final plat for Durbin Creek Estates (Replat)

RESOLUTION NO. 2017-195

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CREEK ESTATES

6. Motion to adopt **Resolution No. 2017-196**, approving the final plat for Crosswater Parkway Extension

RESOLUTION NO. 2017-196

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR CROSSWATER PARKWAY EXTENSION

7. Motion to adopt **Resolution No. 2017-197**, approving the final plat for Windward Ranch, Phase Six

RESOLUTION NO. 2017-197

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WINDWARD RANCH, PHASE SIX

8. Motion to adopt **Resolution No. 2017-198**, approving the final plat for Windward Ranch, Phases Three and Four

RESOLUTION NO. 2017-198

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WINDWARD RANCH, PHASE THREE AND FOUR

9. Motion to adopt **Resolution No. 2017-199**, approving the final plat for Windward Ranch, Phase Seven

RESOLUTION NO. 2017-199

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WINDWARD RANCH, PHASE SEVEN

10. Motion to adopt **Resolution No. 2017-200**, approving the final plat for Palm Valley Gardens, Unit 3 - Tract 7 Replat

RESOLUTION NO. 2017-200

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR PALM VALLEY GARDENS, UNIT 3 - TRACT 7 REPLAT

Consent Agenda Item 11 was pulled.

11. Motion to authorize the county administrator to execute the Impact Fee Credit Agreement (IFA 2017-01) with Palm Valley Holdings of Florida, LLC, with a total road impact fee credit of \$42,000
12. Motion to approve the Release of School Concurrency Proportionate Share Mitigation Agreement for Durbin Creek Estates
13. Motion to adopt **Resolution No. 2017-201**, accepting an Easement for Utilities associated with the future reuse pump, to serve Bannon Lakes, located off International Golf Parkway

RESOLUTION NO. 2017-201

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES ASSOCIATED WITH THE FUTURE REUSE PUMP, TO SERVE BANNON LAKES, LOCATED OFF INTERNATIONAL GOLF PARKWAY

14. Motion to adopt **Resolution No. 2017-202**, accepting the Declaration of Joint Use Pond Easements, together with Drainage Easements, in connection with the Bannon Lakes Development; and authorizing the chair to execute the documentation, on behalf of the County

RESOLUTION NO. 2017-202

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING DECLARATION OF JOINT USE POND EASEMENTS, TOGETHER WITH DRAINAGE EASEMENTS, IN CONNECTION WITH THE BANNON LAKES DEVELOPMENT; AND AUTHORIZING THE CHAIR TO JOIN THE EXECUTION OF THE EASEMENTS, ON BEHALF OF THE COUNTY

15. Motion to adopt **Resolution No. 2017-203**, accepting a Bill of Sale and Schedule of Values, conveying all personal property associated with the water, sewer, and reuse lines, to serve Windward Ranch, Phase Five, off State Road 16

RESOLUTION NO. 2017-203

A RESOLUTION OF 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, SEWER, AND REUSE LINES, TO SERVE WINWARD RANCH, PHASE FIVE, OFF STATE ROAD 16

16. Motion to adopt **Resolution No. 2017-204**, approving the terms, provisions, conditions, and requirements of FDEP Grant Agreement Number 16SJ2, for the South Ponte Vedra/Vilano Beach/Summer Haven Beach Restoration Project; and authorizing the county administrator, or designee, to execute the Grant Agreement, along with any supplemental documentation, on behalf of the County

RESOLUTION NO. 2017-204

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT AGREEMENT, BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM AND ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND SUPPLEMENTAL DOCUMENTATION; PROVIDING FOR CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

17. Motion to adopt **Resolution No. 2017-205**, authorizing the county administrator, or designee, to enter into an agreement with the St. Johns County Sheriff's Office and the Plantation Estates Home Owners Association, for the Sheriff's Office to provide traffic control, over the private roads owned and maintained by the Association

RESOLUTION NO. 2017-205

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN AGREEMENT, WITH THE PLANTATION ESTATES HOME OWNERS ASSOCIATION AND THE ST. JOHNS COUNTY SHERIFF'S OFFICE, FOR TRAFFIC CONTROL, UPON ROADS OWNED AND MAINTAINED BY THE PLANTATION ESTATES HOME OWNERS ASSOCIATION

18. Motion to adopt **Resolution No. 2017-206**, authorizing the county administrator, or his designee, to purchase four Glaval Cutaway Transit Vehicles (Buses), in

accordance with FDOT Public Transit Office's Contract #TRIPS-17-CA-GB, from Getaway Bus, Inc., at a total purchase price of \$392,872

RESOLUTION NO. 2017-206

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE FOUR GLAVAL CUTAWAY TRANSIT VEHICLES (BUSES), FOR ST. JOHNS COUNTY COUNCIL ON AGING

19. Motion to adopt **Resolution No. 2017-207**, authorizing the county administrator, or his designee, to purchase two Mobility Transportation Mini Buses, with ADA Options, in accordance with FDOT Public Transit Office's Contract #TRIPS-15-MB-NB, from Nations Bus Sales, at a total purchase price of \$147,962

RESOLUTION NO. 2017-207

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE TWO TRANSPORTATION MINI BUSES, WITH ADA OPTIONS, FOR ST. JOHNS COUNTY COUNCIL ON AGING

20. 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
21. Motion to adopt **Resolution No. 2017-208**, authorizing the county administrator, or designee, to purchase one new Challenger MT525 Tractor, at a price of \$116,114, from Ring Power Corporation, subject to the terms and conditions of the Florida Sheriff's Association & Florida Association of Counties Contract #FSA16-VEH14.0

RESOLUTION NO. 2017-208

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 ONE CHALLENGER MT525 TRACTOR

22. Motion to adopt **Resolution No. 2017-209**, authorizing the county administrator, or his designee, to award Bid No. 17-32, Anastasia Island Treatment Plant Filter Replacement Project; and execute a contract with Sawcross, Inc., 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 \$901,000

RESOLUTION NO. 2017-209

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-32, AND TO

**EXECUTE AGREEMENTS FOR ANASTASIA ISLAND
WASTEWATER TREATMENT PLANT FILTER
REPLACEMENT PROJECT**

23. Motion to adopt **Resolution No. 2017-210**, authorizing the county administrator, or his designee, to award Bid No. 17-37, Ocean Village Club, Saltwater Cowboys, and Sea Place Lift Station Upgrades; and execute a contract with G&H Underground Construction, Inc., 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 \$530,240

RESOLUTION NO. 2017-210

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD BID NO. 17-37, AND TO
EXECUTE AGREEMENTS FOR OCEAN VILLAGE CLUB,
SALT WATER COWBOYS, AND SEA PLACE LIFT
STATION UPGRADES**

24. Motion to adopt **Resolution No. 2017-211**, authorizing the county administrator, or his designee, to award Bid No. 17-38, Ponce De Leon Villas, Raintree, and Anastasia Oaks Lift Station Upgrades; and execute a contract with G&H Underground Construction, Inc., 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 \$476,360

RESOLUTION NO. 2017-211

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD BID NO. 17-38 AND TO
EXECUTE AGREEMENTS, FOR PONCE DE LEON
VILLAS, RAINTREE, AND ANASTASIA OAKS LIFT
STATION UPGRADES**

25. Motion to adopt **Resolution No. 2017-212**, authorizing the county administrator, or his designee, to enter into negotiations, and if negotiations are successful, award a contract to Kathryn H. Provow, LLC, in substantially the same form and format as attached, for management of the St. Johns County Amphitheatre Farmers' Market, in accordance with RFP 17-33

RESOLUTION NO. 2017-212

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD RFP NO. 17-33, AND TO
EXECUTE AGREEMENTS, FOR ST. JOHNS COUNTY
AMPHITHEATRE FARMERS' MARKET
MANAGEMENT**

26. Motion to adopt **Resolution No. 2017-213**, approving the terms and conditions of the Non-Exclusive Franchise Agreements for Commercial/Industrial Solid Waste, between St. Johns County, Florida, and twelve independent contractors;

and authorizing the county administrator, or designee, to execute each one of the Non-Exclusive Franchise Agreements, on behalf of the County

RESOLUTION NO. 2017-213

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT, FOR COMMERCIAL/INDUSTRIAL SOLID WASTE, BETWEEN ST. JOHNS COUNTY, FLORIDA, AND TWELVE NON-EXCLUSIVE FRANCHISE HAULERS; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE EACH NON-EXCLUSIVE FRANCHISE AGREEMENT, FOR COMMERCIAL/INDUSTRIAL SOLID WASTE, ON BEHALF OF ST. JOHNS COUNTY

27. Motion to adopt **Resolution No. 2017-214**, approving the terms, provisions, conditions, and requirements of a Memorandum of Understanding Agreement, between St. Johns County, Florida, and Strates Properties, LTD, to recognize the developer's required Utility Transmission Contributions; and authorizing the county administrator to execute the agreement, substantially in the same form as attached, on behalf of St. Johns County

RESOLUTION NO. 2017-214

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF UNDERSTANDING, BETWEEN ST. JOHNS COUNTY, FLORIDA, AND STRATES PROPERTIES, LTD, TO DEFINE REQUIRED UTILITY TRANSMISSION COMMITMENTS; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING, ON BEHALF OF ST. JOHNS COUNTY

28. Motion to adopt **Resolution No. 2017-215**, to approve the St. Johns County Five Year Transportation Plan, for years 2017-2022, and to proceed with submission to the Florida Department of Children and Families, for final approval by the Secretary of the Florida Department of Children and Families

RESOLUTION NO. 2017-215

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ST. JOHNS COUNTY FIVE YEAR TRANSPORTATION PLAN, YEARS 2017 THROUGH 2022, IN ACCORDANCE WITH FLORIDA STATUTE 394, BAKER ACT AND FLORIDA STATUTE 397, HAL S. MARCHMAN ALCOHOL, AND OTHER DRUG SERVICES ACT

29. Motion to adopt **Resolution No. 2017-216**, approving the terms, conditions, and requirements to Amendment No. 9 to Community Based Care Contract NJ206, between St. Johns County, Florida, and the State of Florida, Department of Children and Families; and authorizing the county administrator, or designee, to execute Contract Amendment No. 9, on behalf of the County; and recognize unanticipated revenue of \$3,011

RESOLUTION NO. 2017-216

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE NINTH AMENDMENT TO CONTRACT NJ206, BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE DEPARTMENT OF CHILDREN AND FAMILIES

30. Motion to adopt **Resolution No. 2017-217**, authorizing the county administrator, or designee, to execute an amended Economic Development Grant Agreement, substantially in the same form as attached, with iDeal Deals, LLC, on behalf of St. Johns County

RESOLUTION NO. 2017-217

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN AMENDED ECONOMIC DEVELOPMENT GRANT AGREEMENT, WITH IDEAL DEALS, LLC, ON BEHALF OF ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

31. Motion to adopt **Resolution No. 2017-218**, approving the terms of a Release of Lien in exchange for full proceeds of the sale of two parcels of real property; authorizing the county administrator, or designee, to execute the same on behalf of St. Johns County; and directing the Clerk to record the Release of Lien

RESOLUTION NO. 2017-218

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF THE RELEASE OF A CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS LIEN; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE RELEASE OF LIEN, ON BEHALF OF ST. JOHNS COUNTY (COUNTY); AND INSTRUCTING THE CLERK OF THE CIRCUIT COURT TO FILE THE RELEASE OF LIEN, IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY

32. Motion to adopt **Resolution No. 2017-219**, creating and adopting Bylaws of the Northwest Communications Tower Citizens Advisory Board

RESOLUTION 2017-219

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, CREATING AND ADOPTING BYLAWS FOR THE NORTHWEST COMMUNICATIONS TOWER CITIZENS ADVISORY BOARD

33. Motion to approve minutes:

- May 16, 2017 BCC Regular Meeting
- May 23, 2017 BCC/City of St. Augustine Joint Meeting

34. Proofs:

- a) Proof: Notice of Meeting, Joint BCC and St. Augustine City Commission, published May 9, 2017, in *The St. Augustine Record*
- b) Proof: Request for Qualification, RFQ No. 17-57, Old Moultrie Road (CR 5A), from Lewis Point Road to SR 312, Professional Engineering Services, published May 17, 2017, and May 24, 2017, in *The St. Augustine Record*
- c) Proof: Request for Bids, Bid No. 17-51, 16th Street Reclaimed Water Main and Force Main Project, published on May 8, 2017, and May 15, 2017, in *The St. Augustine Record*
- d) Proof: Request for Bids, Bid No. 17-04R, St. Johns County COA Transit Center Storage Buildings, published May 3, 2017, and May 10, 2017, in *The St. Augustine Record*
- e) Proof: Request for Qualifications, Bid No. 17-44, Woodlawn Road, Phase 2, Improvements, published May 20, 2017, and May 27, 2017, in *The St. Augustine Record*
- f) Proof: Request for Qualifications, Bid No. 17-54, Construction of Nocatee Preserve Landing, published May 22, 2017, and May 29, 2017, in *The St. Augustine Record*
- g) Proof: Request for Qualifications, Bid No. 17-49, Northwest Wells, NW-6 Construction Project, published May 23, 2017, and May 30, 2017, in *The St. Augustine Record*

(06/20/17 - 11 - 10:18 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested the addition of an item regarding the Amphitheatre's contract with Ticketmaster. Johns added the item to the agenda, as Item No. 15.

(10:18 a.m.) McCormack announced that Items 8 and 10 were proposed to be continued to the July 18th meeting.

(10:19 a.m.) Johns suggested hearing Item 12 after Item 5, per public comment request.

(06/20/17 - 11 - 10:20 a.m.)

APPROVAL OF REGULAR AGENDA

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

Andrews left the meeting at 10:20 a.m.

(06/20/17 - 11 - 10:20 a.m.)

1. SHERIFF'S FISCAL YEAR 2018 BUDGET PRESENTATION. SHERIFF DAVID B. SHOAR WILL PRESENT HIS TENTATIVE BUDGET FOR FISCAL YEAR 2018. UNDER F.S. 129.03(2), ON OR BEFORE JUNE 1 OF EACH YEAR,

CONSTITUTIONAL OFFICERS SHALL SUBMIT TO THE BOARD OF COUNTY COMMISSIONERS (BCC) A TENTATIVE BUDGET FOR THEIR RESPECTIVE OFFICES FOR THE ENSUING FISCAL YEAR. SINCE THE TAX COLLECTOR AND PROPERTY APPRAISER ARE FEE-BASED, IT IS NOT REQUIRED FOR THEIR BUDGETS TO BE SUBMITTED TO THE BCC AT THIS TIME. THE SUPERVISOR OF ELECTIONS, VICKY OAKES, AND CLERK OF COURT, HUNTER S. CONRAD, MADE THEIR BUDGET PRESENTATIONS TO THE BOARD ON JUNE 6, 2017

Jesse Dunn, Director of the Office of Management and Budget (OMB), introduced the item and spoke on the details of the budget process.

(10:23 a.m.) David Shoar, Sheriff of St. Johns County, presented details of his budget request for Fiscal Year 2018, including a 24-page Executive Summary.

Soria left the meeting and Rebecca Lavie, Assistant County Attorney, entered the meeting at 10:26 a.m.

(10:41 a.m.) Smith questioned other sources of funding from the Sheriff's Office; requested clarification of the law enforcement officers' ratio in all unincorporated areas and the cost per household of law enforcement. Additionally, he questioned the differences in St. Johns and Clay counties Sheriff Offices' budgets and asked whether the Sheriff would be interested in the Sheriff's Office having its own millage rate. He spoke on the budget report provided by Marion County. Discussion ensued on the questions.

(10:57 a.m.) Morris commented on the Sheriff's Operating Plan, county growth and the small increase in personnel, including road deputies. He stated his support for the Sheriff's budget. Discussion ensued on the safety, health, and welfare and the need of a funding source for St. Johns County.

(11:11 a.m.) Waldron questioned a separate millage rate, contractual services, and outside consultants. Discussion ensued on collaboration with administration, funding, leveraging resources through technology, decreased response times, the impacts with the addition of 9B, and the overall increase in the requested budget.

(11:25 a.m.) Smith questioned whether the twelve new positions from last year were paid out of reserves. Dunn stated he would research the matter.

(11:28 a.m.) Ed Slavin, P.O. Box 3084, spoke on his concerns with the Sheriff's Office budget and suggested a special meeting for questions and answers.

(11:31 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, stated the budget addendum had not been provided to the public and noted his concerns with the budget.

(11:35 a.m.) Bill McClure, 6905 Richards Place, spoke on the widening gap between the county's rapid growth and taxable holdings (revenue). He stated his opposition to relaying responsibility to the residents for the increase in property taxes, homestead exemption, unfunded mandates, and additional sales tax holidays by the State. He noted his previous vote in favor of additional road deputies in FY 2017 and admitted had he known the funding was from reserves, he would not have voted in favor of the positions.

(11:37 a.m.) BJ Kalaidi, 8 Newcomb Street, appreciated the questions asked by the Commissioners. She spoke on the differences between government and a private company, the rapid growth of the county, and the continued approval of developments.

(11:41 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, appreciated the discussion, reiterated the importance of every decision that comes before the Board and the future implications. She spoke on growth in the Northwest part of the county.

(06/20/17 - 13 - 11:43 a.m.)

2. PUBLIC HEARING, FIRST READING OF REVISIONS TO THE COUNTY'S INVESTMENT POLICY ORDINANCE. AS AUTHORIZED BY SECTION 218.415, FLORIDA STATUTES, THE BOARD OF COUNTY COMMISSIONERS HAS ADOPTED A WRITTEN INVESTMENT POLICY FOR SURPLUS FUNDS PURSUANT TO ST. JOHNS COUNTY RESOLUTION 2001-58, AS SUBSEQUENTLY AMENDED. SECTION 218.415(16) (H), FLORIDA STATUTES, AUTHORIZES COUNTIES TO ENACT, BY ORDINANCE, A LIST OF PUBLIC INVESTMENTS FOR SURPLUS PUBLIC FUNDS, CONSISTENT WITH THE ADOPTED INVESTMENT POLICY. THE CLERK OF COURT IS CURRENTLY IN THE PROCESS OF REVISING THE COUNTY'S INVESTMENT POLICY. THE REVISIONS TO THE ORDINANCE ARE FOR THE PURPOSE OF CONSISTENCY WITH THE PROPOSED CHANGES TO THE INVESTMENT POLICY

Rebecca Lavie, Assistant County Attorney, presented details of the revisions to the County's investment policy.

(11:45 a.m.) Allen MacDonald, Chief Financial Officer, clarified the policy changes to the surplus funds and Other Post-Employment Benefits (OPEB) Trust Fund.

Soria and Andrews entered the meeting at 11:45 a.m.

(06/20/17 - 13 - 11:48 a.m.)

3. ACCOUNTING ADJUSTMENT TO HEALTH INSURANCE FUND AND OPEB TRUST FUND REGARDING RETIREE HEALTHCARE COSTS. OFFICE OF MANAGEMENT AND BUDGET (OMB) REQUESTS, IN LINE WITH ACTUARIAL PROCESSES FOR FUNDING RETIREE HEALTH CARE, TO DIRECTLY APPLY RETIREE PREMIUMS TOWARD RETIREE HEALTH INSURANCE COSTS. SPECIFICALLY, THE COMMISSION WOULD APPLY THE ACTUAL FISCAL YEAR 2016 RECEIPTS (TOTALING \$1,390,015) AND THE FISCAL YEAR 2017 RECEIPTS INTO THE HEALTH INSURANCE FUND

Jesse Dunn, Director of OMB, presented details of the County's Health Insurance Fund and the Other Post-Employment Benefits (OPEB) costs, including redirecting the retiree contributions to retiree expenses. He stated a public workshop regarding healthcare was scheduled for June 22, 2017.

(11:59 a.m.) Smith questioned the benefits included in OPEB. MacDonald responded that benefits offered to current employees must be offered to retirees, including healthcare and death benefits. Discussion ensued on the increase/decrease in costs to the employer and employee; and said he would lower the 18 percent increase in the County's healthcare.

(12:08 p.m.) MacDonald provided clarification of the policy change and the current year's adjustment. He provided details on the public workshop scheduled for June 22, 2017. Discussion ensued on the stability of the OPEB fund.

(12:16 p.m.) Waldron asked for the number of retirees covered under the county's insurance plan. Dunn stated he would research the matter. Discussion ensued on the

increase to employees, details of the staff workshop, and Johns requested a comparison in overhead versus the claims filed.

(12:23 p.m.) Bill McClure, 6905 Richard Place, spoke on the OPEB funds and the cost of insurance claims.

(12:26 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the costs of claims and questioned whether the County had promised new employees retirement benefits.

(12:27 p.m.) Ed Slavin, P.O. Box 3084, questioned the number of ineligible recipients covered under the county's healthcare plan and the findings of the audit. Wanchick responded.

(12:31 p.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to approve the transfer of retiree premiums from the OPEB Trust Fund to the Health Insurance Fund for Fiscal Year 2016, totaling \$1,390,015 and Fiscal Year 2017 receipts, to reflect actuarial processes for addressing retiree health insurance costs.**

The meeting moved to Regular Agenda Item 12.

(Regular Item Nos. 4 and 5 were presented together.)

(06/20/17 - 14 - 2:00 p.m.)

4. PUBLIC HEARING, VACPLA 2017-01, MOULTRIE HEIGHTS, PETITION TO VACATE A PORTION OF MOULTRIE HEIGHTS, RECORDED IN PLAT MAP BOOK 4, PAGE 51, NORTH OF WATSON ROAD AND EAST OF US 1 HWY SOUTH. THE SUBJECT OF THIS REQUEST IS TO APPROVE THE PETITION FOR PLAT VACATION, VACPLA 2017-01, FOR MOULTRIE HEIGHTS. THIS REQUEST SEEKS TO VACATE LOTS WITHIN BLOCK 10, AS WELL AS PORTIONS OF UNOPENED RIGHTS-OF-WAY, PLATTED AS ERWIN AVENUE, SECOND STREET, AND VOSMUS AVENUE, WITHIN THE MOULTRIE HEIGHTS PLATTED SUBDIVISION. THE SUBJECT PROPERTY IS LOCATED EAST OF US 1 SOUTH AND NORTH OF WATSON ROAD, WITHIN THE MOULTRIE HEIGHTS SUBDIVISION PLAT. PROPERTY USES SURROUNDING THIS PROPERTY INCLUDE COMMERCIAL DEVELOPMENT TO THE WEST, TOWNHOMES TO THE EAST, SINGLE FAMILY DEVELOPMENT TO THE SOUTH, AND MULTI-FAMILY DEVELOPMENT TO THE NORTH. THE APPLICANT, ST. AUGUSTINE LAND HOLDINGS, LLC AND JONES EDMUNDS & ASSOCIATES, INC., OWN ALL PROPERTY SUBJECT TO THIS PLAT VACATION. SHOULD THE PLAT VACATION BE APPROVED, THE APPLICANT PLANS TO BUILD 200 UNITS OF SINGLE FAMILY RESIDENTIAL DEVELOPMENT ON THE SITE, AS NOTED ON COMPANION APPLICATION, MAJMOD 2016-17, THE ARBORS AT VALENCIA PUD. STAFF HAS NO OBJECTIONS TO THIS PLAT VACATION REQUEST. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REQUEST, WITH A 7-0 VOTE, ON ITS MAY 18, 2017, HEARING

Proof of publication of the notice of public hearing on VACPLA, Moultrie Heights, was received, having been published in *The St. Augustine Record* on May 1, 2017, and May 8, 2017.

Ex parte communication: Waldron, Morris, and Dean disclosed that he met with Susan Bloodworth. Smith disclosed that he met with Bloodworth regarding land acquisition, a previous plan for multi-family housing, school concurrency exemption, neighbor concerns and input, alterations to the recreation areas, and setbacks. Johns disclosed he had a conversation, similar to Smith, with Bloodworth and a phone call with Matthews Design Group regarding like items.

(2:01 p.m.) Shannon Acevedo, Application Review Supervisor, presented details of the vacation, via PowerPoint, and noted that the center of the property was previously vacated in 2013. She gave an overview of the plat vacation regulations. She stated she had received three phone calls inquiring on the intention of the property.

(2:06 p.m.) Zachary Moore, Planner, presented details of the modification, via PowerPoint. He presented background on the application, including a density breakdown of the property, and a development summary. Additionally, he noted that the applicant had provided a slightly revised Master Development Plan (MDP) text, conserving an undisturbed, 10-foot perimeter buffer, along the eastern boundary and that the vegetation, which was removed by the surveyor, would be replanted. He provided a compatibility table of the surrounding area and noted the comparison to the subject property. He stated that after the Planning and Zoning heard the application, the applicant, to avoid impacts to the recreation site, provided an additional 50-foot wide natural preservation area to the north, east, and south of the eastern most recreation area, and modifications to the proposed walking trail, decreasing the active recreation from 3.9 acres to 2.78 acres, which was still .33 acres more than the requirement of the Land Development Code (LDC).

(2:14 p.m.) Waldron questioned the phasing dates and whether there would be a turn lane on Watson Road. Moore responded that development would be a single, 10-year phase. Jan Trantham, Transportation Development, responded that the turn lanes were being evaluated and, at this point, did not appear that a turn lane would be required on Watson Road.

(2:15 p.m.) Susan Bloodworth stated she was available for questions.

(2:16 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the possible denial of the boardwalk and walking trail and the cost of homes. Additionally, she reminded the Board that there was another item being considered for a conditional rezoning of REZ 2017-01, Moultrie Heights Complex, which would also increase the traffic. She inquired whether the tortoise burrows had been considered.

(2:17 p.m.) Ed Neal, 215 Balearics Drive, expressed his approval of the 50-foot buffer near the recreational area, requested more information regarding the plans for the boardwalk, questioned a parcel of land that was not owned by the applicant, and requested the status of the property.

(2:19 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on staff recommending approval of the development. He suggested that staff take a neutral position by presenting the information, and allow developers, applicants, and opposition to speak, following Board decision.

(2:20 p.m.) Ed Slavin, P O Box 3084, agreed with Reynolds, noting the need for a County Ethics Commission, Inspector General, Ombudsman, and lobbyist disclosure.

(2:21 p.m.) Bloodworth commented on the walking trail, the location of the boardwalk, the property ownership, and the cost of the homes.

(2:24 p.m.) Motion by Waldron, seconded by Morris, carried 5/0, to approve Resolution 2017-221, petition for plat vacation VACPLA 2017-01, Moultrie Heights, based on the three Findings of Fact in the Staff Report.

RESOLUTION NO. 2017-221

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

(06/20/17 - 16 - 2:00 p.m.)

5. PUBLIC HEARING, MAJMOD 2016-17, THE ARBORS AT VALENCIA. REQUEST FOR A MAJOR MODIFICATION TO THE VALENCIA APARTMENTS PUD, TO REZONE AND ADD OPEN RURAL AND RESIDENTIAL MOBILE HOME LAND TO THE PUD; CHANGE THE NAME TO "THE ARBORS AT VALENCIA PUD;" AND TO MODIFY THE APPROVED DEVELOPMENT PLAN FROM 288 MULTI-FAMILY APARTMENTS TO 200 SINGLE FAMILY DWELLING UNITS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 7-0 VOTE, AT THE HEARING HELD ON MAY 18, 2017

Proof of publication of the notice of public hearing on MAJMOD 2016-17, Valencia Apartments PUD, was received, having been published in *The St. Augustine Record* on April 28, 2017.

(2:25 p.m.) **Motion by Waldron, seconded by Morris, carried 5/0, to enact Ordinance 2017-28, MAJMOD 2016-17, The Arbors at Valencia PUD, a request for a Major Modification to the Valencia Apartments PUD, based upon six Findings of Fact.**

ORDINANCE NO. 2017-28

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE VALENCIA APARTMENTS, PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 2014-33, AS AMENDED; REZONING AND INCORPORATING LAND FROM OPEN RURAL (OR) AND RESIDENTIAL MOBILE HOME SINGLE FAMILY (RMD(S)), INTO THE ARBORS AT VALENCIA PUD; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/20/17 - 16 - 2:26 p.m.)

6. PUBLIC HEARING, PUD 2016-16, WINDING OAKS (FKA STRATES CROSSING). PUD 2016-16, WINDING OAKS (FKA STRATES CROSSING), IS A REQUEST TO REZONE APPROXIMATELY 219 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW FOR THE DEVELOPMENT OF A 252 UNIT, SINGLE FAMILY DEVELOPMENT. ON MAY 18, 2017, THE PLANNING AND ZONING AGENCY HELD A PUBLIC HEARING, ON THE SUBJECT APPLICATION, AND VOTED 7-0, TO RECOMMEND APPROVAL

Proof of publication of the notice of public hearing on PUD 2016-16 Strates Crossing, was received, having been published in *The St. Augustine Record* on April 28, 2017.

Ex parte communication: Smith disclosed that he met with Matt Lahti and Michael Danhour, regarding project overview, boundaries, and wetlands. He spoke with Susan Bloodworth on the project. Dean disclosed that he met with Bloodworth. Morris disclosed that he met with Bloodworth on the item. Waldron disclosed that he met with

Bloodworth regarding a new School Concurrency letter and the title issue brought up by the McKinney family, regarding drainage, *Exhibit A*. Johns disclosed that he spoke with Bloodworth and Lahti, regarding the overall development of the project, the location of the development relative to Rails-to-Trails, and public access.

(2:28 p.m.) Cynthia A May, Senior Planner, presented details of the rezoning, via PowerPoint, which included a letter from the Fire Chief, regarding fire services, maximum lot coverage by buildings, and the seven requested waivers.

(2:43 p.m.) Soria clarified that the tenth Finding of Fact had to do with the density bonus provision and was included as a separate finding for approval or denial.

(2:44 p.m.) Matthew Lahti, Gulfstream Design Group, provided the history of the application and said he was available for questions.

(2:45 p.m.) Waldron questioned the traffic count and the location of the turn-around. Lahti stated that he would get the data for the commissioners.

(2:46 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke on including the secondary access during the first phase. She voiced concern with the developers requesting to rezoning prior to the purchase of the property and agreed with Waldron's concerns with the traffic and right-in and out turns.

(2:49 p.m.) Ed Slavin, PO Box 3084, voiced his concern with the disclosure of ex parte communication discussion. Additionally, he requested a list of owners for Straights Property Unlimited, for purposes of conflict of interest; and requested a moratorium on development.

(2:53 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the staff making recommendations for approvals. He spoke in opposition of the project due to over building.

(2:54 p.m.) Johns questioned whether the public dedication property, adjacent to the Rails-to-Trails, would be dedicated or developed to benefit the Rails-to-Trails. Lahti responded there would be twelve parking spaces, installation of a sidewalk and Americans with Disabilities Act (ADA) compliant connections to the Rails-to-Trails. He provided a conceptual plan map, *Exhibit B*. Discussion ensued on whether the section would be included as an official trailhead.

(2:57 p.m.) Smith disclosed an additional ex parte email communication with a resident at the corner of Allen Nease and SR 207, regarding concerns with traffic. Smith questioned the current entitled density of the property. Lahti responded that under OR zoning, it would be 100 units. Additionally, Smith spoke on the distance to the nearest fire station and questioned Fire Rescue Chief Houston, regarding the cost to construct a fire station. Houston spoke on the construction cost of a facility. Discussion ensued on the cost, maintenance, recurring cost, and the area with the greatest need for the next facility. Houston stated that the evaluation for the greatest need was in the northwest corridor of the County; however, Growth Management staff was monitoring the growth and current needs within the SR 207 corridor.

(3:01 p.m.) Waldron questioned the validity of the McKinney property. Lahti responded that the boundary lines to the McKinney property were outside of the proposed PUD. Additionally, Lahti responded to questions from the public regarding boundary overlap, construction traffic, and property ownership.

(3:05 p.m.) Andy Ames, Lassiter Transportation Group, 1450 West Granada, Ormond Beach, FL, spoke on the traffic count concerns.

(3:07 p.m.) Morris commented on the letter from Chief Shank provided in agenda packet regarding the response time for an emergency event and voiced his concern with the first responder deficiency.

(3:08 p.m.) Susan Bloodworth, 219 23rd Street, spoke on the concern with the lag time of the first responders and the requirement for fire station mitigation.

(3:13 p.m.) Johns questioned how many homes could be serviced by a single fire station. Deputy Chief Edward Houston, Fire Rescue, responded that he would get the numbers and provide the information to the Commissioners. Discussion ensued on adequate fire safety and funding for additional facilities.

(3:25 p.m.) McCormack advised that the Board could vote on the item or allow the applicant to continue the item, to address the concerns of the Board.

(3:27 p.m.) Dean suggested the applicant withdraw the item and reset to a date certain to address the concerns of the Board. Soria clarified that the proper procedure would be to continue to a date certain, in lieu of withdrawing. Lahti requested a continuation with a date certain of August 1, 2017.

(3:30 p.m.) Motion by Smith, seconded by Waldron, carried 5/0, to continue 2017-29, PUD 2016-16, Winding Oaks, to the August 1, 2017, meeting.

(3:31 p.m.) McCormack clarified that continuing to the August meeting did not guarantee an approval of the item.

(06/20/17 - 18 - 3:31 p.m.)

7. PUBLIC HEARING, PUD 2016-23, CYPRESS ESTATES PUD. REQUEST TO REZONE APPROXIMATELY 19 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW FOR THE DEVELOPMENT OF TWENTY-EIGHT SINGLE FAMILY DWELLING UNITS, SPECIFICALLY LOCATED AT 6521 US HIGHWAY 1 SOUTH. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 7-0 VOTE, ON MAY 18, 2017, BASED ON NINE FINDINGS OF FACT AND SUBJECT TO THE INCLUSION OF A RIGHT TURN LANE AND THE WIDENING OF LOTS ALONG THE NORTHERN PORTION OF THE DEVELOPMENT

Proof of publication of the notice of public hearing on PUD 2016-23, Cypress Estates, was received, having been published in *The St. Augustine Record* on April 28, 2017.

Patrick Doty, Planner, presented details of the rezoning, via PowerPoint, including the compatibility with the surrounding land uses.

(3:36 p.m.) Waldron questioned whether the lane being built was a left-turn lane or a deceleration lane. Doty responded that it was a deceleration lane.

(3:36 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, confirmed that the lane was a deceleration lane and said he was available for questions.

(3:37 p.m.) BJ Kalaidi, 8 Newcomb Street, quoted the density bonus' applicability of the wetlands meeting the definition of contiguous.

(3:40 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, recommended denial due to the wetlands.

(3:41 p.m.) Burnett spoke on the contiguous wetlands.

(3:42 p.m.) Smith voiced his concern with the compatibility with adjacent lots.

(3:43 p.m.) Burnett spoke on the compatibility of the adjacent lots.

(3:45 p.m.) Waldron questioned the 5' sidewalk proposed on US 1. Burnett said it was a code requirement.

(3:45 p.m.) Motion by Waldron, seconded by Dean, carried 4/1, with Smith dissenting, to enact Ordinance No. 2017-29, approving PUD 2016-23 Cypress Estates, a request to rezone approximately 19 acres from Open Rural (OR) to Planned Unit Development (PUD), specifically located at 6521 US Highway South, based upon nine Findings of Fact.

(3:46 p.m.) Soria added a caveat that the sidewalk was a state road and staff would need to research how the code interacted with the state road requirements.

ORDINANCE NO. 2017-29

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

(06/20/17 - 19 - 3:47 p.m.)

8. PUBLIC HEARING, MAJMOD 2017-03, ASHBY LANDING PUD. MAJMOD 2017-03, ASHBY LANDING PUD, A REQUEST FOR A MAJOR MODIFICATION TO THE ASHBY LANDING PLANNED UNIT DEVELOPMENT; TO REDUCE THE MINIMUM REQUIRED FRONT YARD, FROM 20 FEET TO 15 FEET, WITH THE MINIMUM SETBACKS OF THE FACE OF THE GARAGE TO REMAIN AT 20 FEET. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL WITH A 5-0 VOTE ON MAY 4, 2017

Proof of publication of the notice of public hearing on MAJMOD 2017-03, Ashby Landing PUD, was received, having been published in *The St. Augustine Record* on April 12, 2017.

Soria stated that the proposal by the applicant was to continue the item until the July 18, 2017, Board of County Commissioner's meeting.

(3:47 p.m.) Motion by Smith, seconded by Waldron, carried 5/0, to continue MAJMOD 2017-03, Ashby Landing PUD, to a date certain of July 18, 2017, at the regularly scheduled Board of County Commissioner's meeting.

(3:48 p.m.) BJ Kalaidi, 8 Newcomb Street, questioned the reason for the continuance.

(3:48 p.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, requested a continuance to the July 18, 2017, meeting.

(06/20/17 - 20 - 3:49 p.m.)

9. PUBLIC HEARING, MAJMOD 2017-05, SEA VIEW PUD. MAJMOD 2017-05 SEA VIEW PUD, A REQUEST FOR A MAJOR MODIFICATION TO THE PEPPERTREE PLANNED UNIT DEVELOPMENT, TO RENAME THE DEVELOPMENT TO SEA VIEW PLANNED UNIT DEVELOPMENT; AND TO INCREASE THE MAXIMUM LOT COVERAGE, BY BUILDINGS, FOR INDIVIDUAL LOTS TO 65 PERCENT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 5-0 VOTE, ON MAY 4, 2017

Proof of publication of the notice of public hearing on MAJMOD, 2017-05, Sea View, was received, having been published in *The St. Augustine Record* on April 12, 2017.

Valerie Stukes, Planner, presented details of the name modification and maximum lot coverage, via PowerPoint, including phone calls regarding project details, the intent of the increase in lot coverage, and traffic concerns; and one letter of opposition.

(3:53 p.m.) Dean questioned how the existing homes applied to the request. Stukes stated that the homes, being constructed or already constructed, were approved at the 45% lot coverage; however, would have the option to change to the 65% lot coverage.

(3:54 p.m.) Waldron questioned the number of homes projected to be single-story. Avery-Smith responded that two would be single-story.

(3:55 p.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, noted that the change in the Comprehensive Plan was to allow for single-story homes.

(3:56 p.m.) BJ Kalaidi, 8 Newcomb Street, questioned whether the homes would be affordable housing, whether the remainder of the 21 homes would be single-story, spoke on the changes to the Comprehensive Plan in 2015, and was opposed to the change.

(3:38 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, noted that Generation Homes was the builder in the controversial setbacks, with Rich O'Brien.

(3:59 p.m.) Ed Slavin, PO Box 3084, commented on the approved setback that was 2.9 feet over the required length.

(4:00 p.m.) Avery-Smith responded that they were not seeking to add density, just to increase the maximum lot coverage, by buildings, to allow more one-story homes. She also noted that with respect to the setbacks, the public record reflected what was issued on the permit.

(4:01 p.m.) Motion by Waldron, seconded by Dean, carried 5/0, to enact Ordinance No. 2017-30, MAJMOD 2017-05, Sea View PUD, adopting Findings of Fact 1-6, to support the motion.

ORDINANCE NO. 2017-30

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE SEA VIEW PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 2015-29, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(06/20/17 - 21 - 4:01 p.m.)

10. PUBLIC HEARING, CDD 2017-01, DP1 COMMUNITY DEVELOPMENT DISTRICT (CDD), (DURBIN PARK PAVILION). REQUEST FOR THE ESTABLISHMENT OF THE DP1 COMMUNITY DEVELOPMENT DISTRICT (CDD), CONSISTING OF 261.36 ACRES OF LAND, GENERALLY LOCATED NORTH OF RUSSELL SAMPSON ROAD, WEST OF I-95, EAST OF ST. JOHNS PARKWAY, AND SOUTH OF RACE TRACK ROAD. THE SUBJECT PROPERTY IS ZONED DURBIN PARK PUD (DURBIN PARK PAVILION), WHICH WAS APPROVED IN DECEMBER 2016, BY THE ENACTMENT OF ORDINANCE NO. 2016-64. THE PUD ALLOWS UP TO 700,000 SQUARE FEET OF COMMERCIAL AND OFFICE USES. THE CDD PROPOSES TO FUND THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF STORM WATER, WATER REUSE, AND SEWER FACILITIES; STREET LIGHTING; AND OTHER APPLICABLE ELECTRIC FACILITIES; ENTRY MONUMENTS, COMMON FEATURES, PARKING, LANDSCAPING, RECREATION; AND ON AND OFF-SITE ROADWAYS. THE PETITIONER ESTIMATES APPROXIMATELY \$39,590,931 IN COSTS. THE ESTABLISHMENT OF THE CDD DOES NOT OBLIGATE THE COUNTY TO OWNERSHIP, OPERATION, OR MAINTENANCE OF ANY INFRASTRUCTURE

Proof of publication of the notice of public hearing on June 6, 2017, was received, having been published in *The St. Augustine Record* on May 9, 2017, May 16, 2017, May 23, 2017, and May 30, 2017; and continued to June 20, 2017.

Motion by Johns, seconded by Dean, carried 5/0, to continue CDD 2017-01, DP1 Community Development District (CDD), to a date certain of July 18, 2017, at the regularly scheduled Board of County Commissioner's meeting.

(06/20/17 - 21 - 4:02 p.m.)

11. PUBLIC HEARING, LAND DEVELOPMENT CODE AMENDMENTS, ARTICLES II AND VI. THIS IS THE FINAL HEARING FOR AMENDMENTS TO ARTICLES II, IV, AND VI OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE (LDC). THIS REVISION WOULD CLARIFY AND MODIFY SECTION 2.02.04.B.12, WITH REGARD TO HOW THE HEIGHT OF FENCES, WALLS, OR HEDGES IS MEASURED WHEN THERE IS A SIGNIFICANT CHANGE OF GRADE. BASED ON THE LOCATION OF THE FENCE AT THE LOWEST OR HIGHEST POINT OF THE GRADE CHANGE, THE HEIGHT OF A FENCE, WALL, OR HEDGE IS DETERMINED BY THE HEIGHT OF THE GRADE CHANGE, WHEN BELOW OR ABOVE TWO FEET. THIS OPTION WOULD ALLOW FOR MAXIMUM SCREENING FROM NEIGHBORING PARCELS, WHEN THERE ARE SIGNIFICANT CHANGES IN GRADING. ADDITIONALLY, STAFF IS PROPOSING TO AMEND ARTICLE 6.07.02, "HEIGHT REGULATION", TO CLARIFY LANGUAGE REGARDING EXCLUDED PORTIONS OF STRUCTURES, FROM THE EXISTING HEIGHT PROVISIONS

Proof of publication of the notice of public hearing on LDC Fence Ordinance Two Hearings, was received, having been published in *The St. Augustine Record* on May 11, 2017, and June 6, 2017.

Joseph Cearley, Special Projects Manager, presented details of the amendments to the LDC, via PowerPoint.

(4:05 p.m.) Soria clarified number 3, regarding a *grade change of more than two feet within 20 feet of the boundary of adjoining properties.*

(4:06 p.m.) Motion by Morris, seconded by Dean, carried 5/0, to enact Ordinance No. 2017-31, revisions to Articles III and VI of the Land Development Code, as presented, as consistent with Florida Law and the St. Johns County Comprehensive Plan.

ORDINANCE NO. 2017-31

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, RELATING TO THE MEASUREMENT OF HEIGHT FOR FENCES, WALLS, AND STRUCTURES; AMENDING THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE 99-51, AS AMENDED; AMENDING ARTICLE II, PART 2.02.00, USES WITHIN ZONING DISTRICTS, SECTION 2.02.04.b.12, ACCESSORY USES REVISING THE MEASUREMENT OF FENCE HEIGHT; AMENDING ARTICLE VI, PART 6.07.00, HEIGHT REGULATION, SECTION 6.07.02, REVISING THE EXCLUDED PORTIONS OF STRUCTURES, FOR THE MEASUREMENT OF HEIGHT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INCLUSION AND CODIFICATION AND SCRIVENERS ERRORS INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting moved to Regular Agenda Item 13.

(06/20/17 - 22 - 12:32 p.m.)

12. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) GRANT AGREEMENT FOR ST. JOHNS COUNTY HURRICANE MATHEW RECOVERY. FOLLOWING GOVERNOR SCOTT'S RELEASE OF \$15.8 MILLION IN EMERGENCY FUNDING FOR DUNE AND BEACH REPAIRS TO ST. JOHNS, FLAGLER, VOLUSIA AND BREVARD COUNTIES AS A RESULT OF HURRICANE MATTHEW, ON FEBRUARY 7, 2017, THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS VOTED UNANIMOUSLY TO ACCEPT A \$3.75 MILLION ALLOCATION FROM THESE EMERGENCY FUNDS RELEASED BY THE GOVERNOR. THE ATTACHED AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) WILL ALLOW THE COUNTY TO UTILIZE THESE FUNDS TO ADDRESS BEACH EROSION VIA SAND PLACEMENT AND DUNE VEGETATION NEEDED AS A RESULT OF HURRICANE MATTHEW. THE AGREEMENT REQUIRES A 50% COST SHARE BY ST. JOHNS COUNTY. LOCATION OF THE PROJECTS WITHIN THE COUNTY WILL HAVE TO BE CONSISTENT WITH THE STATE'S HURRICANE RECOVERY PLAN, WHICH PRIMARILY LISTS CRITICALLY ERODED AREAS BETWEEN FDEP REFERENCE (R) MONUMENTS, R67 THROUGH R117. FUNDS WILL HAVE TO BE DISBURSED PRIOR TO JULY 2020. STAFF RECOMMENDS EXECUTION OF THIS AGREEMENT

Neal Shinkre, Public Works Director, presented details of the Florida Department of Environmental Protection (FDEP) Grant Agreement for hurricane recovery, including the funding mechanism for the 50% cost share by St. Johns County.

(12:42 p.m.) Damon Douglas, Special Projects Coordinator, spoke on the local share funding considerations and local share assessment options, including a Municipal

Service Taxing Union (MSTU) and a Municipal Service Benefit Unit (MSBU); and provided the funding mechanism schedule.

(12:45 p.m.) Shinke spoke on the availability of funds and an overall consensus by the residents and stated the initial funding for the benefits analysis and development of the MSBU/MSTU would be \$100,000, with the possibility of tourist development funds for beach re-nourishment. Discussion ensued on the cost, funding source, and timeline for reimbursement funds.

(12:49 p.m.) Wanchick announced he had received word of FEMA authorization for a \$500,000 reimbursement for solid waste debris collection.

(12:51 p.m.) Linda Chambliss, 3043 South Ponte Vedra Boulevard, Ponte Vedra Beach, requested the Board approve the FDEP Grant Agreement and the sand replenishment project.

(12:54 p.m.) Tom Turnage, South Ponte Vedra Boulevard, spoke on the current recovery process, displaying photos, *Exhibit A*.

(12:57 p.m.) Ed Slavin, P.O. Box 3084, spoke on the need for a National Historical Park and National Seashore, including funding for a National Park Service Study.

(1:00 p.m.) Bill McClure, President of the Friends of Scenic A1A, mentioned previous conversation on funding for FEMA studies; and questioned the MSBU being handled internally.

(1:02 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, congratulated the County for the teamwork in receiving the FEMA funding.

(1:03 p.m.) Johns spoke on County collaboration, costs of future storms and the restoration process.

(1:05 p.m.) Motion by Dean, seconded by Morris, to authorize the use of up to \$100,000 from the General Fund reserves to prepare a benefits analysis, in support of the development of a funding mechanism for replacement of sand at South Ponte Vedra/Vilano Beaches. It is anticipated that these funds would be reimbursed after the creation of the MSBU/MSTU.

(1:06 p.m.) Discussion ensued on the approval of the MSTU/MSBU, level of public support, the benefits analysis, population/land area of the MSTU/MSBU, including the commissioners' concerns with those not wanting to be included.

(1:13 p.m.) Turnage provided his opinion on the community's favorability to a MSTU/MSBU. Discussion ensued on reimbursement of funds, the implementation of an internal analysis for MSTU/MSBU, and the implications of another catastrophic event, including the responsibility of the MSTU/MSBU.

(1:18 p.m.) Subsequently, the motion carried 5/0.

(1:18 p.m.) Motion by Dean, seconded by Morris, carried 5/0, to adopt Resolution No. 2017-220, approving the terms, provisions, conditions, and requirements of FDEP Agreement 17SJ1, authorizing the chair, or designee, to execute the Grant Agreement; and authorizing the county administrator, or designee, to execute any supplemental documentation, on behalf of the County.

RESOLUTION NO. 2017-220

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM AND ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND SUPPLEMENTAL DOCUMENTATION; PROVIDING FOR CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 1:19 p.m. and reconvened at 2:00 p.m., with Item 4.

(06/20/17 - 24 - 4:07 p.m.)

13. FIRST READING OF AMENDMENTS TO THE ST. JOHNS COUNTY ANIMAL CODE. THE BOARD OF COUNTY COMMISSIONERS HAS AUTHORIZED THE OFFICE OF THE COUNTY ATTORNEY TO PREPARE UPDATES TO THE ST. JOHNS COUNTY ANIMAL CODE, ORD. NO. 2015-68, TO REFLECT RECENT STATUTORY CHANGES REGARDING DANGEROUS DOG PROCEEDINGS AND DAMAGE BY DOGS. RELATEDLY, IN 2016, THE BOARD CONSIDERED, BUT DECLINED TO ACT ON, A PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE, TO ALLOW FERAL CAT COLONIES AS A SPECIAL USE. ADDITIONALLY, A RELATED TWELVE-MONTH PILOT PROGRAM, REGARDING FERAL CATS, ALREADY ADOPTED INTO THE ANIMAL CODE EXPIRED IN NOVEMBER 2016. THIS PROPOSED ORDINANCE, IF ADOPTED, WOULD BRING THE ANIMAL CODE PROVISIONS ON AGGRESSIVE AND DANGEROUS ANIMALS IN LINE WITH THE STATUTORY CHANGES AND WOULD REMOVE LANGUAGE REGARDING, THE NOW-EXPIRED, FERAL CAT PILOT PROGRAM. ADDITIONALLY, THE ORDINANCE PROPOSES TO ADDRESS CERTAIN OTHER STAFF-REQUESTED CHANGES, TO CLARIFY THE PROCEDURES, FOR ISSUING WARNINGS AND CITATIONS AND FOR CONTESTING AND APPEALING CITATIONS. THE ORDINANCE WOULD ALSO MAKE CERTAIN FORMATTING AND STRUCTURAL CHANGES, FOR CLARITY AND CONSISTENCY. THE ORDINANCE IS PROPOSED AS A REPEAL-AND-REPLACE OF THE EXISTING ANIMAL CODE, FOR EASE OF REFERENCE FOR STAFF AND THE PUBLIC

Bradley Bulthuis, Assistant County Attorney, presented details of the changes to the Animal Control Ordinance, via PowerPoint. He said the proposed changes were to the procedures for declaring an animal dangerous or aggressive; regarding attacks or bites by dangerous animals, that cause fear, injury, or death to a person; to remove the pilot program from the ordinance, regarding feral cats; practical changes, requested by staff, regarding the issuance of warnings and citations and procedures for protesting citations; and formatting and structural changes to provide clarity. Bulthuis noted a phone call and follow-up correspondence from Best Friends Animal Society, in opposition of removing the pilot program from the ordinance.

(4:15 p.m.) Smith referred to the language in section 21a2, an animal may be declared aggressive if it causes minor injury to a person or domestic animal, without provocation twice in a one-year period. He questioned whether there were protective measures for working dogs. Bulthuis said there were no specific provisions for working dogs.

Smith voiced his concern. Bulthuis responded that Animal Control would assess in certain situations.

(4:20 p.m.) McCormack questioned Bulthuis whether there could be a lesser category. Bulthuis said the State Delegation may determine or decide whether the Statute needed to be changed, to allow for a working dog and he would research to determine whether an exemption for the aggressive proceedings was available, and report at the second reading.

(4:24 p.m.) Smith questioned, regarding Section 22c, whether a person would be responsible for boarding costs if found innocent. Bulthuis responded that the costs would remain, regardless of the outcome.

(4:24 p.m.) Additionally, Smith questioned whether the sentence, "a securely enclosed and locked pin or structure suitable to prevent the entry of young children, and designed to prevent the animal from escaping" was excessive and unnecessary.

(4:28 p.m.) Ed Slavin, PO Box 3084, commented on the poorly drafted legislation and the conflict of interest with the case of Sirius in 2010, regarding the appointment of Jerry Cameron as Special Magistrate, due to the unavailability of an appointed Special Magistrate.

(4:31 p.m.) McCormack noted that the appointed Special Magistrate, in the Sirius case, had a conflict with the lawyer representing the owner/caretaker of the dog, and was reassigned, due to the time constraint.

(4:33 p.m.) Discussion ensued on reporting dog bites and the Statute of Limitations to report a dog bite.

(06/20/17 - 25 - 4:31 p.m.)

14. CONSIDER APPOINTMENTS TO THE TOURIST DEVELOPMENT COUNCIL. CURRENTLY THERE ARE FOUR VACANCIES ON THE TOURIST DEVELOPMENT COUNCIL DUE TO EXPIRED TERMS. TWO OF THESE SEATS ARE FOR ELECTED OFFICIALS, ONE REPRESENTATIVE FROM THE CITY OF ST. AUGUSTINE AND THE OTHER A REPRESENTATIVE FROM THE CITY OF ST. AUGUSTINE BEACH. THE REMAINING TWO VACANCIES ARE FOR AN OWNER/OPERATOR OF A TOURIST ACCOMMODATION SUBJECT TO BED TAX, AND FOR A NON-ACCOMMODATION MEMBER INVOLVED IN THE TOURIST INDUSTRY. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION, A RECOMMENDATION LETTER FROM THE CITY OF ST. AUGUSTINE, RECOMMENDING MAYOR NANCY SHAVER AS THEIR REPRESENTATIVE, AND A RECOMMENDATION LETTER FROM THE CITY OF ST. AUGUSTINE BEACH, RECOMMENDING MAYOR RICH O'BRIEN AS THEIR REPRESENTATIVE. ADDITIONALLY, PLEASE FIND A LETTER FROM TERA MEEKS, DIRECTOR OF TOURISM AND CULTURAL DEVELOPMENT, WHICH STATES THE TOURIST DEVELOPMENT COUNCIL'S RECOMMENDATION TO HONOR THE CITY OF ST. AUGUSTINE AND THE CITY OF ST. AUGUSTINE BEACHES' NOMINATIONS, AS WELL AS THE NOMINATION TO REAPPOINT MR. TODD HICKEY TO THE ACCOMMODATION SEAT. PLEASE NOTE THAT AN ADDITIONAL RECOMMENDATION LETTER IS TO BE DISTRIBUTED, VIA RED FOLDER, FOR THE FOURTH SEAT (NON-ACCOMMODATION MEMBER), FOLLOWING THE JUNE 19, 2017, MEETING OF THE TOURIST DEVELOPMENT COUNCIL. INCLUDED FOR YOUR REVIEW AND CONSIDERATION ARE NINE APPLICATIONS: GLENN BEAUBIEN (DISTRICT 3), ANN E. COLBY (DISTRICT 5), KEVIN GEDDINGS (DISTRICT 5),

TODD HICKEY (DISTRICT 4), JANICE DUSSEAU JONES (DISTRICT 3), DIANE MATARAZA (DISTRICT 4), CONRAD MATT (DISTRICT 3), ROBERT WILLIAM STEWART (DISTRICT 1) AND ALBERT SYELES (DISTRICT 5)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the appointment to the Tourist Development Council (TDC). She noted the letter from Tera Meeks, Director of Tourism and Cultural Development, stating the TDC recommendations, *Exhibit A*.

(4:38 p.m.) Morris updated the Board on the discussion, pertaining to accusations regarding Rich O'Brien, during yesterday's TDC meeting.

(4:40 p.m.) Johns voiced his concern with O'Brien, and preferred vetting the accusations before voting for that position. Discussion ensued on waiting to vote on the City of St. Augustine Beach Representative.

(4:43 p.m.) McCormack clarified that the Board of County Commissioners would not be a fact finder on the issues; however, could hold that vote until the issues were disposed.

(4:45 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, noted that the Mayor of St. Augustine Beach position was a non-elected position so any commissioner could fill the spot. He spoke on an article in *The St. Augustine Record*, regarding O'Brien consenting to pay a fine to the Florida Election Commission; a pending Federal election violation, for using police cars in an advertising flyer; sending a flyer stating he was the Republican Party choice; however, was not; commented on being a victim in a public participation lawsuit; and stated that there were other incidents involving O'Brien.

(4:48 p.m.) Ed Slavin, PO Box 3084, spoke on the false police report O'Brien had against Reynolds and setback violations on property owned by O'Brien.

(4:51 p.m.) Merrill Roland, 6281 Old Dixie Drive, spoke regarding a lawsuit against O'Brien.

(4:55 p.m.) Motion by Morris, seconded by Waldron, carried 5/0, to appoint Mayor Nancy Shaver to the Tourist Development Council, as the City of St. Augustine Representative, for a four-year term, scheduled to expire June 20, 2021.

(4:55 p.m.) Motion by Morris, seconded by Waldron, carried 5/0, to reappoint Todd Hickey, as owner/operator of a tourist accommodation subject to bed tax, to the Tourist Development Council, for a four year term, scheduled to expire June 20, 2021.

(4:55 p.m.) Motion by Morris, seconded by Waldron, carried 5/0m to appoint Dian Mataraza, as a non-accommodation member to the Tourist Development Council, for a four year term, scheduled to expire June 20, 2021.

(4:56 p.m.) Wanchick requested clarification as to whether the Board wanted a recommendation from the TDC, prior to the Board hearing the request for appointment for the City of St. Augustine Beach representative.

Deputy Clerk Wiseman left the meeting and Deputy Clerk Putman re-entered the meeting at 4:56 p.m.

(06/20/17 - 26 - 4:57 p.m.)

15. PROPOSED AMENDMENT TO THE COUNTY'S AGREEMENT WITH TICKETMASTER

Ryan Murphy, General Manager of the Amphitheater, presented the details of the amendment to the County's agreement with Ticketmaster.

(4:58 p.m.) Gabe Pellicer, St. Augustine Amphitheatre Assistant Director, spoke on the benefits to the digital program and the changes to the existing contract to one, three-year contract. Discussion ensued on the current contract, changes to that contract, and the proposed extensions. Wanchick reiterated that there was no cost to the County.

(5:02 p.m.) Johns suggested that future contract extensions come back to the Board for consensus. Discussion ensued on the parking issue and impacts from the Daily's venue in Jacksonville.

(5:06 p.m.) Motion by Morris, seconded by Waldron, to authorize the county administrator, or designee, to execute an amendment to the County's existing agreement with Ticketmaster, in substantially the same form and format as attached hereto; providing for implementation of the Ticketmaster Archtics upgrades, at no cost to the County; and extending the initial term of the agreement through December 31, 2019, with the option to renew up to five additional years.

Soria entered the meeting at 5:07 p.m.

(5:07 p.m.) BJ Kalaidi, 8 Newcomb Street, commented on the parking issue.

(5:08 p.m.) **Subsequently, the motion carried 5/0.**

(06/20/17 - 27 - 5:08 p.m.)
COMMISSIONERS' REPORTS

Commissioner Smith

Smith reported on the St. Johns River Water Management District's upcoming meetings scheduled for July 2 and July 27; attendance of the 4H Awards banquet and he thanked the Boyd's for their contribution; and noted the Town of Hastings' Town Council would move a draft of dissolution. Wanchick provided information on the dissolution process and the future of Hastings' staff.

(5:14 p.m.) McCormack spoke on the draft ordinance of dissolution for two public hearings with a date of referendum. He suggested the Board agree to the date of Tuesday, November 7, 2017. Smith added there would be a regular election, with three open seats, plus the possible referendum.

(5:17 p.m.) Smith questioned the public comments regarding the PV Greenway. Andrews clarified the requests from the PV Greenway Initiative, as looking for further support. She stated she would research the exact date that the previous letter was sent and would reach out to the group as to the group members' request. Discussion ensued on the trails, funding and maintenance.

Commissioner Dean

(5:25 p.m.) Dean commented on Smith's report regarding the meeting on water use.

Commissioner Morris

(5:26 p.m.) Morris wished his wife a happy 53rd wedding anniversary.

Commissioner Waldron

(5:27 p.m.) Waldron wished everyone a happy 4th of July.

Commissioner Johns

(5:27 p.m.) Johns requested the necessary information for the Board's consensus on contract extensions; and questioned the scheduled date for the impact fee discussion. Locklear responded with an August or September time frame.

(06/20/17 - 28 - 5:29 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick reported on the St. Augustine Amphitheatre's Farmers' Market contract, adding that the couple who operated it did not apply for the RFP. He clarified the scope and the percentages that they would like to see for the vendors. He spoke on the letter that had been sent over a month ago to the City of St. Augustine regarding taking over the parking lot at the Farmers' Market at the pier and that the City had not responded.

(06/20/17 - 28 - 5:33 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack requested authorization to amend the resolution for consent agenda item 31 to read \$41,081.53. He stated he had received a packet pertaining to the dock in Palencia and believed there were no misrepresentations, that dock was displaced during the storm and replaced and some of the structure improved. He requested authorization to send a letter stating that there were no misrepresentations. Discussion ensued and a request was made for discussion at a future meeting regarding dock accessibility and the lack of public parking.

(5:40 p.m.) *Consensus was given authorizing the county attorney to send a letter stating there were no misrepresentations.*

(5:40 p.m.) Discussion continued on the conveyance of the easement with or without the dock and reconsideration of previous approval that authorized the acceptance of both the easement and bill of sale for the dock.

(5:41 p.m.) **Motion by Dean, seconded by Smith, carried 5/0, to reconsider the previous approval that authorized the acceptance of both the easement and bill of sale for the dock.**

(5:43 p.m.) **Motion by Dean, seconded by Johns, carried 5/0, to bring forward a revised resolution that would relinquish the County's possession of an easement on Pine Island dock, but allow the fish camp to proceed with final development plan approval.**

(06/20/17 - 28 - 5:43 p.m.)

CLERK OF COURT'S REPORT

No report.

(06/20/17 - 28 - 5:43 p.m.)

ADJOURN

With there being no further business to come before the Board, Johns adjourned the meeting at 5:43 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 546259-546445, totaling \$948,439.96 and Voucher Register, Voucher Nos. 28988-29049, totaling \$290,907.18 (6/06/17)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 546446-546477, totaling \$65,954.78 and Voucher Register, Voucher Nos. 29050-29065, totaling \$21,292.49 (6/07/17)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 546478-546482, totaling \$3,291 and Voucher Register, Voucher Nos. 29066-29072, totaling \$4,688 (6/07/17)
4. St. Johns County Board of County Commissioners Check Register, Check No. 546483, totaling \$2,225 (6/07/17)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 546484-546494, totaling \$4,527.70 and Voucher Register, Voucher Nos. 29073-29074, totaling \$639.73 (6/08/17)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 29075-29076, totaling \$9,407.52 (6/08/17)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 546495-546706, totaling \$663,944.57 and Voucher Register, Voucher Nos. 29077-29148, totaling \$930,367.85 (6/13/17)

CORRESPONDENCE:

There was none.

Approved _____ August 1 _____, 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

