

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
SEPTEMBER 5, 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  
Sindy Wiseman, Deputy Clerk

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

(09/05/17 - 1 - 9:00 a.m.)  
CALL TO ORDER

Johns called the meeting to order.

(09/05/17 - 1 - 9:00 a.m.)  
ROLL CALL

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

(09/05/17 - 1 - 9:00 a.m.)  
INVOCATION

Reverend Earl Glisson, Anchor Faith Church, gave the invocation.

(09/05/17 - 1 - 9:02 a.m.)  
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(09/05/17 - 1 - 9:03 a.m.)  
PROCLAMATION RECOGNIZING SEPTEMBER 17-23, 2017, AS CONSTITUTION WEEK

Morris noted that the Daughters of the American Revolution, Bells Across America, were unable to attend the meeting, and that Johns and Waldron would deliver the Proclamation at the Daughters of the American Revolutions event scheduled for September 17, 2017, in St. Augustine.

(09/05/17 - 1 - 9:05 a.m.)  
PROCLAMATION RECOGNIZING SEPTEMBER 16-23, 2017, AS NATIONAL ESTUARIES WEEK

Waldron invited members of the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR), and St. Johns County Environmental Services to the podium to accept the proclamation for National Estuaries Week.

(9:06 a.m.) Tina Gordon, Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) expressed her appreciation for the Board's support of the estuaries' resources. She extended an invitation to the Family Friendly Estuary Fest event scheduled for September 23, 2017.

(09/05/17 - 2 - 9:09 a.m.)

PROCLAMATION RECOGNIZING SEPTEMBER 2017, AS THE 40TH ANNIVERSARY OF THE ST. JOHNS COUNTY LIBRARY SYSTEM

Dean invited members of the St. Johns County Library System to the podium to accept the Library Proclamation.

(9:11 a.m.) Debra Rhodes Gibson, Director of the St. Johns County Library System, expressed her appreciation to the Board for their support regarding the Library System and spoke on the changes in the library, services, and community. She recognized Dr. Patricia Laurencell for her participation with the original Library Board.

(09/05/17 - 2 - 9:15 a.m.)

ACCEPTANCE OF PROCLAMATIONS

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

(09/05/17 - 2 - 9:15 a.m.)

PUBLIC COMMENT

McCormack spoke on the potential continuance of Item No. 9 and recommended that constituents speak on the item during public comment.

(9:16 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on an article in the *St. Augustine Record* on August 24, 2017, regarding the Southern Villas Rehab Project, and affordable housing for seniors in St. Johns County.

(9:20 a.m.) John Delaney, 240 Treasure Beach Road, spoke on the public services in St. Johns County, *Exhibit A*.

(9:22 a.m.) Charlie Novak, 243 Pizarro Road, spoke regarding the Treasure Beach Canal project and the accountability of the authoritative parties for the project.

(9:25 a.m.) Tom Vanosdol, 1 Sure Cliff Way, President/CEO of St. Vincent's Health Care, spoke on the new health care facility.

(9:28 a.m.) Art Niederhofer, 239 Majorca Road, spoke regarding code violations with his motorhome in the Treasure Beach Subdivision. He explained that on August 1, 2017, he was given three violations, including one for the motorhome; however, was told not to worry about the motorhome since it had been there for over ten years; on August 3, 2017, he received a violation for the motorhome, stating that there were no exceptions given by zoning and that it had to be moved, even though he was previously told the motorhome was okay in its' present location. He commented that in reference to the "no exceptions given by zoning", he questioned the fence at 235 [Majorca Road], the garage at 215 Treasure Beach Road, and the well to septic distance at the homes located at 254-260 Basque Road. He stated the costs to relocate propane tanks, main power line to the home, and the fence were over \$3,000; offsite storage would cost thousands of dollars per year and was unavailable, in St. Johns County, with 24 hour access and water and electric

hook-up. He requested the Board stop any further action from zoning and code enforcement. He noted that north of Treasure Beach there were over 100 code violations pertaining to trailers, motorhomes, fences, which did not include drainage, driveways, unauthorized obstructions, parking areas of stone, etc.

(9:31 a.m.) Morris requested that staff review Niederhofer's complaints.

(9:31 a.m.) Bob Samuels, 110 Mickler Boulevard, Vice President of the St. Augustine Beach Civic Association, spoke regarding a contract extension for the Farmer's Market at the Pier.

(9:35 a.m.) Scott Boutwell, 1371 Kings Estate Road, spoke on construction issues with the Sawmill Landing project.

(9:38 a.m.) Anthony Godby, 2935 Hill Top Road, spoke on traffic issues related to the Sawmill Landing project.

(9:40 a.m.) Steve Abbott, 211 Majorca Road, spoke regarding the Treasure Beach Canal dredging project.

(9:43 a.m.) Kenneth McClain, 701 East Street, spoke in opposition of the dissolution of the Town of Hastings.

(9:47 a.m.) Douglas Martin, 253 Treasure Beach Road, spoke regarding the Treasure Beach Canal project and the mismanagement of the project.

(9:50 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of extending the Economic Development Grant, Consent 17; approving the Non-Ad Valorem Assessment Rolls and Solid Waste MSBU Assessment Rates, Consent 2; and continuing the Sawmill Landing PUD MAJMOD, Regular Item No. 9, noting the inconvenience for people that took off work to speak on the items.

(9:54 a.m.) Vicki Hudnall, 237 Pueblo Road, spoke regarding the Treasure Beach Canal dredging project.

(09/05/17 - 3 - 9:56 a.m.)  
DELETIONS TO CONSENT AGENDA

Wanchick requested to modify Consent Item 6, regarding the unit count for C. H. Arnold Road.

(09/05/17 - 3 - 9:56 a.m.)  
APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2017-274**, approving the 2017-2018 Solid Waste Cost Assessment Rates and Non-Ad Valorem Assessment Roll for the Solid Waste MSBUs; and authorizing the Chairman to certify and deliver the 2017-2018 Assessment Roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2017-274**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ADOPTING THE ANNUAL ASSESSMENT RESOLUTION, FOR FISCAL YEAR 2017-2018, PURSUANT TO THE SOLID WASTE ORDINANCE; ESTABLISHING THE SOLID WASTE COST TO BE ASSESSED AND APPORTIONED; ESTABLISHING THE RATE OF EACH SOLID WASTE SPECIAL NON-AD VALOREM ASSESSMENT; APPROVING THE NON-AD VALOREM ASSESSMENT ROLL FOR THE SOLID WASTE MUNICIPAL SERVICE BENEFIT UNITS; AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLL TO THE ST. JOHNS COUNTY TAX COLLECTOR, BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA; DETERMINING THE METHOD OF COLLECTION OF THE SOLID WASTE SPECIAL NON-AD VALOREM ASSESSMENTS; PROVIDING FOR THE EFFECT OF ADOPTION OF THE RESOLUTION; AND PROVIDING AN EFFECTIVE DATE**

3. Motion to adopt **Resolution No. 2017-275**, approving the final plat for Julington Lakes, Phase 4, Unit 1 (Replat)

**RESOLUTION NO. 2017-275**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR JULINGTON LAKES, PHASE 4, UNIT 1**

4. Motion to adopt **Resolution No. 2017-276**, approving the final plat for Woodlawn Acres

**RESOLUTION NO. 2017-276**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WOODLAWN ACRES**

5. Motion to adopt **Resolution No. 2017-277**, approving the county administrator, or his designee, to submit and execute a Federal Transit Administration (FTA), Section 5307 Grant, to receive \$250,000 in Surface Transportation Program (STP) funding; and to recognize and appropriate within the Fiscal Year 2018 Transit System Fund

**RESOLUTION NO. 2017-277**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO SUBMIT AND EXECUTE A FEDERAL TRANSIT ADMINISTRATION (FTA), SECTION 5307 GRANT, TO RECEIVE \$250,000 IN SURFACE TRANSPORTATION PROGRAM (STP) FUNDING; AND TO RECOGNIZE THE REVENUE IN THE 2018 FISCAL**

**YEAR BUDGET, FOR THE PURCHASE OF VEHICLES TO  
BE USED IN THE ST. JOHNS COUNTY PUBLIC  
TRANSPORTATION SYSTEM**

6. Motion to adopt **Resolution No. 2017-278**, approving the addition of assessments; approving the 2017-2018 Non-ad Valorem Assessment Rolls, for Private Road Grading, MSBUs, and Right-of-Way MSBUs; and authorizing the Chair, or designee, to certify and deliver the 2017-2018 assessment roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2017-278**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2017-2018 NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL ASSESSMENT RATES, FOR PRIVATE ROAD GRADING, MUNICIPAL SERVICE BENEFIT UNITS, AND RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNITS; AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLLS TO THE ST. JOHNS COUNTY TAX COLLECTOR, BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**

7. Motion to adopt **Resolution No. 2017-279**, approving the 2017-2018 Non-ad Valorem Assessment Roll, for the Treasure Beach Canals MSBU; and to authorize the Chair, or designee, to certify and deliver the 2017-2018 assessment roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2017-279**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2017-2018 NON-AD VALOREM ASSESSMENT ROLL AND ANNUAL ASSESSMENT RATE, FOR THE TREASURE BEACH CANALS MUNICIPAL SERVICE BENEFIT UNIT; AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLL TO THE ST. JOHNS COUNTY TAX COLLECTOR, BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**

8. Motion to adopt **Resolution No. 2017-280**, adopting and approving the 2017-2018 Non-ad Valorem assessment roll for the Ponte Vedra Wastewater Vacuum Sewer Project, pursuant to Resolution 2002-245; and authorizing the Chair, or designee, to certify and deliver the 2017-2018 assessment roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2017-280**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING ASSESSMENT ROLLS FOR VARIOUS ASSESSMENT AREAS ESTABLISHED, PURSUANT TO ORDINANCE NO. 2002-55; ESTABLISHING THE LIEN ASSOCIATED THEREWITH; DIRECTING THAT THE**

**ASSESSMENT ROLL BE CERTIFIED TO THE ST. JOHNS COUNTY TAX COLLECTOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

9. Motion to adopt **Resolution No. 2017-281**, approving the 2017-2018 Non-ad Valorem Assessment Roll for the Moultrie Crossing Lift Station MSBU; and to authorize the Chair, or designee, to certify and deliver the 2017-2018 assessment roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2017-281**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2017-2018 NON-AD VALOREM ASSESSMENT ROLL AND ANNUAL ASSESSMENT RATE, FOR THE MOULTRIE CROSSING LIFT STATION MUNICIPAL SERVICE BENEFIT UNIT; AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLL TO THE ST. JOHNS COUNTY TAX COLLECTOR, BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA**

10. Motion to adopt **Resolution No. 2017-282**, accepting a Grant of Easement for offsite drainage, in connection with the Nocatee Landing Trail Roadway project

**RESOLUTION NO. 2017-282**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR OFFSITE DRAINAGE, IN CONNECTION WITH THE NOCATEE LANDING TRAIL ROADWAY PROJECT**

11. Motion to adopt **Resolution No. 2017-283**, approving the terms, provisions, conditions, and requirements of the grant request from the Board of County Commissioners of St. Johns County, Florida, to the State of Florida Department of Environmental Protection; and authorizing the county administrator to budget for the Joint Participation Funds required for Beach Management Funding Assistance

**RESOLUTION NO. 2017-283**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A LONG RANGE BEACH EROSION CONTROL BUDGET PLAN, WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS**

12. Motion to adopt **Resolution No. 2017-284**, approving the terms and conditions of the Non-Exclusive Franchise Agreement for Construction and Demolition Debris between St. Johns County, Florida, and North Florida Waste Management, LLC; and authorizing the county administrator, or designee, to execute the Non-Exclusive Franchise Agreement, on behalf of the County

RESOLUTION NO. 2017-284

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 CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND NORTH FLORIDA WASTE MANAGEMENT, LLC; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS, ON BEHALF OF ST. JOHNS COUNTY

13. Motion to authorize the county administrator to submit an application, on behalf of the County, to the Florida Department of Economic Opportunity, for the Florida Job Growth Grant Fund, and to execute any and all required documents
14. Motion to adopt **Resolution No. 2017-285**, authorizing the county administrator, or his designee, to enter into one contract amendment (time extension only), to the City of St. Augustine Beach Reuse Main Cost-Share Agreement, on behalf of St. Johns County

RESOLUTION NO. 2017-285

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A COST-SHARE AGREEMENT CONTRACT AMENDMENT, FOR TIME EXTENSION, BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, PURSUANT TO THE DISTRICT'S COOPERATIVE COST-SHARE INITIATIVE PROGRAM; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AMENDMENT, ON BEHALF OF ST. JOHNS COUNTY

15. Motion to adopt **Resolution No. 2017-286**, authorizing the county administrator, or his designee, to purchase a furniture package in the amount of \$153,863.59 from Office Environments & Services, subject to the terms and conditions of the Florida State Contract #425-001-12-1

RESOLUTION NO. 2017-286

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE AND EXECUTE A PURCHASE ORDER, FOR A FURNITURE PACKAGE, BASED ON THE PIGGYBACKED PROCUREMENT FOR THE PURCHASE

16. Motion to adopt **Resolution No. 2017-287**, authorizing the county administrator, or his designee, to enter into negotiations with, and if negotiations are successful, enter into a contract substantially in the same form, as attached, with the top

ranked firm, Jones Edmunds & Associates, Inc., for Construction Administration Services, for the Pavement Management Work Plan

**RESOLUTION NO. 2017-287**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFQ NO. 17-58, CONSTRUCTION ADMINISTRATION SERVICES, FOR THE PAVEMENT MANAGEMENT WORK PLAN**

17. Motion to approve **Resolution No. 2017-288**, authorizing the county administrator, or designee, to execute an amended Economic Development Grant Agreement substantially in the same form, as attached, with Ansbacher Law, P.A., on behalf of St. Johns County

**RESOLUTION NO. 2017-288**

**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 ANSBACHER LAW P.A., ON BEHALF OF ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE**

18. 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
19. Motion to declare one Motorola Quantar VHP Repeater System as surplus; and authorize the county administrator, or his designee, to donate the equipment to Clay County Emergency Management
20. Motion to adopt **Resolution No. 2017-289**, authorizing the county administrator, or his designee, to award Bid No. 17-60; and to execute a purchase order in the amount of \$119,648.00 to Nations Bus Sales, for the purchase of one Bookmobile, for the St. Johns County Public Library

**RESOLUTION NO. 2017-289**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 17-60; AND TO EXECUTE A PURCHASE ORDER, FOR THE PURCHASE OF ONE BOOKMOBILE, FOR THE ST. JOHNS COUNTY PUBLIC LIBRARY**

21. Motion to adopt **Resolution No. 2017-290**, recognizing and appropriating a contribution of \$22,444.23, from Firehouse Subs Public Safety Foundation, related to the Fiscal Year 2017 budget

RESOLUTION NO. 2017-290

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING GRANT FUNDING PROVIDED BY THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION, FOR THE PURCHASE OF PUBLIC SAFETY EQUIPMENT, INCLUDING A POLARIS RANGER 1000 XP, MED-LITE SKED UNIT; AND ASSOCIATED EMERGENCY LIGHTING

22. Motion to approve Minutes:

- 08/15/17, BCC Regular
- 08/08/17, BCC Workshop
- 08/01/17, BCC Regular

23. Proofs:

- a) Proof: Request for Bids, Bid No. 17-46, Removal of Recycling Materials from Tillman Ridge Landfill, published July 26, 2017, and August 2, 2017, in *The St. Augustine Record*.
- b) Proof: Notice of Hearing, 8/15 Solid Waste Ordinance, published August 4, 2017, in *The St. Augustine Record*.
- c) Proof: Request for Bids, Bid No. 17-70, Purchase of Mechanical Bandscreen and Screenings Wash Pressure, for the Players Club Water Reclamation Facility, published on July 31, 2017, and August 7, 2017, in *The St. Augustine Record*.
- d) Proof: Request for Bids, Bid No. 17-75, Riverdale and Doug Crane Boat Ramps Dredging, published August 4, 2017, and August 11, 2017, in *The St. Augustine Record*.
- e) Proof: Notice of Receipt of Unsolicited Proposal, Construction of VA Community-Based Outpatient Clinic, published August 3, 2017, and August 10, 2017, in *The St. Augustine Record*.
- f) Proof: Request for Bids, Bid No. 17-74, Ponte Vedra Sanitary Sewer Manhole Rehabilitation - Group 1, published on August 2, 2017, August 9, 2017, and August 16, 2017, in *The St. Augustine Record*.

(09/05/17 - 9 - 9:56 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add an item regarding the VA Clinic and an item for discussion on Hurricane Irma. Johns added the items to the agenda, as Item Nos. 11 and 12.

(9:57 a.m.) McCormack noted that should the Board could choose to continue Item No. 9, it should be continued to a date/time certain of October 3, 2017, at 9:00 a.m.

(9:58 a.m.) **Motion by Waldron, seconded by Dean, carried 5/0, to continue Item No. 9, Sawmill Landing, to October 3, 2017, at 9:00 a.m.**

(09/05/17 - 9 - 9:58 a.m.)

APPROVAL OF REGULAR AGENDA

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

(9:59 a.m.) Morris voiced his concern with continuing agenda items. He suggested enacting a time limit for pulling an item from the agenda, to ensure proper notification of the cancellation.

(10:00 a.m.) McCormack spoke regarding the Land Development Code (LDC) and the Boards Rules and Policies regarding criteria pertaining to continuances. Discussion ensued on developing new criteria regarding continuances.

(10:03 a.m.) Johns requested direction from the Commissioners and to have staff bring proposed language back to the Board for approval at the next meeting.

(10:03 a.m.) Dean agreed with the inconvenience to people who take off from work to participate on an item; however did not want to tie the Board's hands should they decide, after hearing an item, that it needed to be continued for any reason.

(10:04 a.m.) Smith said that when hearing an item specific reasons could arise causing a need for a continuance, and that would be at the Board's discretion.

(10:06 a.m.) Waldron said that timing was key and suggested the Chair, on behalf of the Board, make the decision to pull an item, providing it is known a week prior, and notify the rest of the Board through proper channels.

(09/05/17 - 10 - 10:07 a.m.)

1. PUBLIC HEARING - REQUEST APPROVAL OF A RESOLUTION ADOPTING THE REGIONAL MULTI-MODAL TRANSPORTATION PLAN, AS ADOPTED BY THE NORTHEAST FLORIDA REGIONAL TRANSPORTATION COMMISSION (RTC). MR. ALAN MOSLEY, EXECUTIVE DIRECTOR OF THE NORTHEAST FLORIDA REGIONAL TRANSPORTATION COMMISSION, WILL PRESENT THE REGIONAL MULTI-MODAL TRANSPORTATION PLAN (PLAN) FOR NORTHEAST FLORIDA AND SEEK APPROVAL FROM THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS, TO ADOPT THE PLAN

Phong Nguyen, Transportation Development Division Manager, reviewed the details of this item and introduced Alan Mosley, Executive Director of the Regional Transportation Commission (RTC).

(10:09 a.m.) Mosley presented details of the Regional Multi-Modal Transportation Plan, via PowerPoint, including the purpose and history of the Commission. He noted that the County was experiencing an increase in economic activity, vehicle miles traveled, and congestion. He spoke on the coordination within the region regarding transportation and the future role of the transit system.

(10:22 a.m.) Johns clarified the summarization that the RTC identifies existing public transportation and opportunities, finds ways to educate the public about the opportunities, and to figure out how the individual entities throughout the region could work together as efficiently as possible.

(10:24 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, voiced her concern in supporting regional government.

**(10:26 a.m.) Motion by Dean, seconded by Johns, carried 5/0, to adopt Resolution No. 2017-291, in support of the Regional Multi-Modal Transportation Plan, as adopted by the Northeast Florida Regional Transportation Commission (RTC), and authorizing the chair to execute the resolution on behalf of the County.**

#### RESOLUTION NO. 2017-291

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ADOPTING THE REGIONAL MULTI-MODAL

**TRANSPORTATION PLAN, AS ADOPTED BY THE  
NORTHEAST FLORIDA REGIONAL TRANSPORTATION  
COMMISSION (RTC)**

(09/05/17 - 11 - 10:27 a.m.)

2. WESTMINSTER ST. AUGUSTINE REVENUE BONDS. THE ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (THE "AUTHORITY") ADOPTED ON AUGUST 14, 2017, A RESOLUTION AUTHORIZING THE ISSUANCE OF ITS NOT TO EXCEED \$47,500,000, RETIREMENT FACILITY REVENUE BONDS (WESTMINSTER ST. AUGUSTINE PROJECT), SERIES 2017A AND TAXABLE SERIES 2017B (THE "BONDS"). THE PROCEEDS OF THE SALE OF THE BONDS WOULD BE LOANED TO WESTMINSTER PINES, INC., FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION AND IMPROVEMENTS TO A CONTINUING CARE RETIREMENT COMMUNITY, KNOWN AS GLENMOOR (AND TO BE KNOWN AS WESTMINSTER ST. AUGUSTINE), LOCATED WITHIN ST. JOHNS COUNTY, FLORIDA. THE INTERNAL REVENUE CODE REQUIRES PUBLIC APPROVAL, OF THE TAX-EXEMPT PORTION OF THE BONDS, BY A GOVERNMENTAL UNIT, SUCH AS THE BOARD. ADDITIONALLY, FLORIDA STATUTES REQUIRES THAT THE BOARD APPROVE BONDS OF THIS TYPE ISSUED BY THE AUTHORITY. THE BONDS ARE PAYABLE SOLELY BY REVENUES FROM WESTMINSTER PINES, INC. THE BONDS ARE NOT A DEBT OF ST. JOHNS COUNTY OR OF THE AUTHORITY. THE BONDS ARE PAYABLE SOLELY FROM REVENUES TO BE PLEDGED; THEREFORE, UNDER CERTAIN FINANCING AGREEMENTS TO BE ENTERED INTO, BETWEEN THE IDA AND WESTMINSTER PINES. THE BOARD'S ADOPTION OF THIS RESOLUTION DOES NOT CONSTITUTE AN ENDORSEMENT OF THE CREDITWORTHINESS OF WESTMINSTER PINES; A RECOMMENDATION TO ANY PROSPECTIVE PURCHASER TO PURCHASE THE BONDS AND EVALUATION OF THE LIKELIHOOD OF THE REPAYMENT OF THE DEBT SERVICE ON THE BONDS; OR APPROVAL OF ANY REQUIRED PERMITS RELATING TO THE WESTMINSTER ST. AUGUSTINE PROJECT

Patrick McCormack, County Attorney, presented the details of the bond issuance.

(10:29 a.m.) **Motion by Dean, seconded by Smith, carried 5/0, to adopt Resolution No. 2017-292, approving the issuance by the St. Johns County Industrial Development Authority of Retirement Facility Revenue Bonds Series 2017A and Taxable Series 2017B, for the benefit of Westminster Pines, Inc., in an aggregate amount not to exceed \$47,500,000.**

**RESOLUTION NO. 2017-292**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ISSUANCE OF NOT EXCEEDING \$47,500,000 AGGREGATE PRINCIPAL AMOUNT RETIREMENT FACILITY REVENUE BONDS (WESTMINSTER ST. AUGUSTINE PROJECT), SERIES 2017A AND TAXABLE RETIREMENT FACILITY REVENUE BONDS (WESTMINSTER ST. AUGUSTINE PROJECT), SERIES 2017B, BY THE ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, TO FINANCE AND REFINANCE THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, AND EQUIPPING A CONTINUING CARE RETIREMENT COMMUNITY, KNOWN AS GLENMOOR, LOCATED**

**WITHIN ST. JOHNS COUNTY; APPROVING SUCH  
ISSUANCE OF REVENUE BONDS PURSUANT TO  
CHAPTERS 125 AND 159, FLORIDA STATUTES, AS  
AMENDED, AND SECTION 147(f) OF THE INTERNAL  
REVENUE CODE OF 1986, AS AMENDED; AND  
PROVIDING AN EFFECTIVE DATE**

*Items 3 and 4 were presented together.*

(09/05/17 - 12 - 10:30 a.m.)

3. LAND DEVELOPMENT CODE AMENDMENTS - ORDINANCE RESCINDING THE ENTIRETY OF LAND DEVELOPMENT CODE SECTION 5.03.02.H, ARCHITECTURAL REVIEW BY ASSOCIATIONS. THIS ORDINANCE AMENDS THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE 99-51, AS AMENDED, TO RESCIND AND REMOVE SECTION 5.03.02.H, ARCHITECTURAL REVIEW BY ASSOCIATIONS. THIS ORDINANCE WAS REVIEWED BY THE PLANNING AND ZONING AGENCY ON AUGUST 17, 2017. THIS ORDINANCE HAS A COMPANION, REPLACEMENT ORDINANCE, TO ESTABLISH NOTICE PROVISIONS FOR REGISTERED ASSOCIATIONS IN LIEU OF PERMIT APPROVAL BY ASSOCIATIONS

Proof of publication of the notice of amendments to the Land Development Code was received, having been published in *The St. Augustine Record* on August 4 and 25, 2017.

Paolo S. Soria, Assistant County Attorney, presented the details of the amendments to the Land Development Code and the proposed replacement ordinance.

(10:42 a.m.) Barry Ansbacher, 1100 S. Ponce De Leon Boulevard, on behalf of the residents of Marsh Landing and Julington Creek Plantation, voiced his concerns with the changes to the ordinance regarding separating the roll of the County Government and the Community Associations. He agreed that some changes were warranted; however, requested to retain the current ordinance.

(10:47 a.m.) James Roche, 1301 Plantation Island Drive, spoke in support of maintaining the existing ordinance and agreed that some changes were needed.

(10:50 a.m.) George Jacobs, 2237 Cascadia Court, spoke in opposition of the changes to the ordinance. He requested to maintain the option that a request presented to the County must have a stamped approval from the homeowners association's Architectural Review Board (ARB).

(10:52 a.m.) Balinda May, 640 Donald Ross Way, stated that the system was working and was opposed to the changes in the ordinance.

(10:54 a.m.) Stephen Hatch, 649 Donald Ross Way, said the current system worked beautifully and spoke in opposition of the changes to the ordinance.

(10:56 a.m.) Shirley Smith, 414 Old Hard Road, said the approval from the ARB was a simple process and helpful to the County and the homeowners and requested to maintain the current ordinance.

(10:56 a.m.) Smith questioned whether the unnecessary burden would be placed on staff which could lead to a statutory transgression. Soria stated that one of the primary concerns for change was because the notice provisions for registered associations in lieu of permit approval by associations, could be interpreted as a violation of Florida Statutes, building code, and of delegation of County authority.

(10:59 a.m.) Dean said he was reluctant to move forward with the request, stating that the request did not address all of the constituents' concerns.

(11:05 a.m.) **Motion by Smith, seconded by Morris, carried 4/1, with Dean dissenting, to enact Ordinance No. 2017-40, rescinding Section 5.03.02.H of the Land Development Code, as consistent with Florida Law and the St. Johns County Comprehensive Plan.**

#### ORDINANCE NO. 2017-40

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING ORDINANCE 99-51, THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ARTICLE V, SECTION 5.03.02.H, ARCHITECTURAL REVIEW BY ASSOCIATIONS; AMENDING AND RESCINDING SAID SECTION OF THE LAND DEVELOPMENT CODE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INCLUSION AND CODIFICATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

*Item No. 4 was presented with Item 3.*

(09/05/17 - 13 - 10:30 a.m.)

4. ENACTMENT OF ORDINANCE ESTABLISHING NOTICE PROCEEDINGS FOR ARCHITECTURAL PERMITS RECEIVED IN COMMUNITIES WITH REGISTERED ARCHITECTURAL REVIEW ASSOCIATIONS (RARAS). PURSUANT TO BOARD DISCUSSION THIS OFFICE WAS DIRECTED TO RESCIND LAND DEVELOPMENT CODE SECTION 5.03.02.H, HOLD A WORKSHOP WITH THE INTERESTED AND AFFECTED PARTIES, AND PRESENT RECOMMENDATIONS FOR FORMAL ACTION OF THE BOARD. THIS STAND-ALONE ORDINANCE IS A REPLACEMENT FOR LDC SECTION 5.03.02.H AND PROVIDES A PROCEDURE FOR REGISTRATION AND AUTOMATED NOTICING OF "ARCHITECTURAL PERMITS" IN A COMMUNITY WITH A REGISTERED ARCHITECTURAL REVIEW ASSOCIATION, ALONG WITH ASSOCIATED FEES FOR THE NOTICING SYSTEM THAT MAY BE SET BY FUTURE ACTION. PLEASE SEE THE STAFF REPORT FOR THE PREVIOUS COMPANION ITEM FOR ADDITIONAL DETAILS

Proof of publication of the notice of an ordinance relating to Registered Architectural Review Associations was received, having been published in *The St. Augustine Record* on August 21, 2017.

(11:05 a.m.) **Motion by Smith, seconded by Morris, carried 5/0, to enact Ordinance No. 2017-41, establishing procedures for registration of Architectural Review Associations and noticing of permits received in communities with a Registered Architectural Review Association.**

#### ORDINANCE NO. 2017-41

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; RECOGNIZING THE IMPORTANCE OF HOMEOWNERS ASSOCIATIONS AND PROPERTY OWNERS ASSOCIATION, IN FURTHERING THE ORDERLY DEVELOPMENT OF ST. JOHNS COUNTY;

**DECLARING THAT CERTAIN REGISTERED ASSOCIATIONS RECEIVE NOTICE OF DEVELOPMENT PERMIT APPLICATIONS THAT MAY REQUIRE ARCHITECTURAL REVIEW BY AN ASSOCIATION; CREATING A REGISTRATION AND NOTIFICATION PROCESS, FOR REGISTERED ARCHITECTURAL REVIEW ASSOCIATIONS; CREATING APPLICABLE FEES; PROVIDING AN EFFECTIVE DATE**

(09/05/17 - 14 - 11:05 a.m.)

5. HURRICANE MATTHEW DISASTER RECOVERY: REQUEST BOARD APPROVAL TO INITIATING THE PROCEDURAL STEPS FOR AN MSBU CREATION TO FUND THE NON-REIMBURSABLE PORTION FROM THE FEMA PA GRANT PROGRAM. THE TREASURE BEACH CANALS MUNICIPAL SERVICE BENEFIT UNIT (MSBU) WAS CREATED IN 2013 TO FUND THE DREDGING OF THE CANALS. HURRICANE MATTHEW HAD A SUBSTANTIAL IMPACT ON THE CANAL SYSTEM AND PUSHED SAND INTO THE CANALS. RE-DREDGING THE CANALS SHOULD QUALIFY FOR REIMBURSEMENT GRANTS FROM THE FEDERAL AND STATE GOVERNMENT, FOR UP TO 75% AND 12.5% OF THE PROJECT COST, THROUGH THE DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PUBLIC ASSISTANCE PROGRAM. CONSISTENT WITH ESTABLISHED POLICY REGARDING FUNDING OF DREDGING PROJECTS IN THE TREASURE BEACH CANALS, MATCHING FUNDS FOR ANY NEW DREDGING SHOULD COME FROM THE PROPERTY OWNERS IN THE FORM OF MSBU ASSESSMENTS. IN ORDER TO GAUGE THE INTEREST OF THE TREASURE BEACH COMMUNITY IN MOVING FORWARD WITH A POTENTIAL DREDGE PROJECT, COUNTY STAFF WOULD FACILITATE TWO NEIGHBORHOOD MEETINGS AND A SURVEY. IF A MAJORITY OF CANAL-FRONTING PROPERTY OWNERS SUBMITTED PETITIONS IN FAVOR OF ADDITIONAL MSBU ASSESSMENTS, AN ORDINANCE WILL BE BROUGHT TO THE BOARD FOR CONSIDERATION AT A PUBLIC HEARING, MEETING THE REQUIREMENTS OF SECTION 197.3632 FLORIDA STATUTES, AND A REQUEST WILL BE BROUGHT TO INITIATE THE DREDGING PROJECT

Joseph Giammanco, Disaster Recovery Manager, presented an update of the Hurricane Matthew Disaster Recovery plan, including the FEMA eligibility for potential cost and proposed process to create an MSBU.

(11:10 a.m.) Johns questioned the response time from FEMA for approval. Giammanco said that the County should have receipt of approval or non-approval by the end of the year. Additionally, Johns questioned whether any funds had been received by FEMA, for Hurricane Matthew recovery. Giammanco stated that no money had been received in St. Johns or any other County in Florida.

(11:13 a.m.) Discussion ensued on the dredging project, including: funding, costs, reimbursement, responsibility, and recurring issues.

(11:45 a.m.) John Delaney, 240 Treasure Beach Road, spoke regarding the lack of interest in the community for an MSBU, the cost of the re-dredging being split between two years, and using property taxes to fund the project, *Exhibit A*.

(11:49 a.m.) Jim Allmond, 239 Treasure Beach Road, spoke on allowing home owners to be part of the approval process and developing a maintenance program for the canals.

(11:52 a.m.) Charlie Novak, 243 Pizarro Road, spoke on notifying residents and his concern with lack of administration cooperation with residents.

(11:55 a.m.) Doug Martin, 253 Treasure Beach Road, stated that a survey was done with part of the residents of Treasure Beach subdivision and 95 percent of the residents polled stated they would not vote for an MSBU. He spoke on the lack of credibility of the administration department.

(11:58 a.m.) Kenneth McClain, 701 East Street, spoke on the public interaction and participation, and referenced Ordinance No. 2007-1.

(12:00 p.m.) Steve Abbott, 211 Majorca Road, spoke on the established policies regarding the Treasure Beach Canals. He suggested creating a dredging fund for the interest accrued from the original MSBU.

(12:04 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, spoke in favor of the MSBU and voiced her concern with reserves being utilized for that type of project.

(12:05 p.m.) Theodore Sergent, 298 Pizarro Road, stated that he had not found one resident that had said they would agree to another MSBU.

(12:07 p.m.) Robert Cummings, 284 Pizarro Road, stated that the bulkheads needed to be repaired before another dredge to stop the continued debris from filling the canals.

(12:07 p.m.) Dean suggested including the Treasure Beach HOA on all approvals with the dredging project.

(12:09 p.m.) Smith agreed with Dean and questioned where the money came from for the MSBU, whether there was interest being paid, and the outstanding liability balance. Douglas responded that when the MSBU was set up the money came from the General Fund Reserves, the interest was 5.25 percent, and the outstanding liability was close to \$2 million. Smith questioned where the \$80,000 went that was designated for the project. Giammanco responded that \$22,000 was used for the survey following the storm; however, the approved \$80,000 was still there. Smith requested a copy of the post hurricane survey.

**(12:16 p.m.) Motion by Waldron, seconded by Dean, carried 5/0, to allocate \$150,000, plus the existing \$80,000, as the County's 12.5 percent of the funds needed to match FEMA and the State of Florida, for dredging of the Treasure Beach Canals; and if available, allocate the interest from the existing MSBU funds.**

(12:17 p.m.) Smith suggested utilizing the money from the interest accrued from the current MSBU. McCormack said that his suggestion could be added to the motion [if available].

The meeting recessed at 12:18 p.m. and reconvened at 1:15 p.m. with all the Commissioners, Locklear, McCormack, Soria, and Deputy Clerk Bonnie Putman.

(09/05/17 - 15 - 1:15 p.m.)

6. PUBLIC HEARING - MAJMOD 2017-07, WAL-MART STORES PUD. REQUEST FOR A MAJOR MODIFICATION TO THE WAL-MART STORES PUD, TO ALLOW FOR PACKAGE SALES OF ALCOHOLIC BEVERAGES, THE CONSTRUCTION OF A 4,514 SQUARE FOOT ADDITION TO THE BUILDING, TO SERVE AS A LIQUOR STORE, AND TO ADD WAIVERS REGARDING ALCOHOL SALES SEPARATION REQUIREMENTS AND SIZE OF SIGNS

Proof of publication of the notice of a major modification to the Wal-Mart Stores PUD, MAJMOD 2017-07, was received, having been published in *The St. Augustine Record* on June 30, 2017.

Waldron disclosed ex parte communication stating he had spoken with Tara Tedrow, attorney representing Wal-Mart Stores.

(1:16 p.m.) Joseph Cearley, Special Projects Manager, presented the details of the major modification request, via PowerPoint.

(1:20 p.m.) Nancy Conicella, Associate Attorney at Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 N Eola Dr, Orlando, Florida, on behalf of the applicant, was available for questions.

**(1:20 p.m.) Motion by Waldron, seconded by Morris, carried 5/0, to enact Ordinance No. 2017-42, approving MAJMOD 2017-07, and Wal-Mart Stores PUD, based upon six findings of fact.**

#### ORDINANCE NO. 2017-42

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE WAL-MART STORES PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 2000-17, AS AMENDED; TO ALLOW FOR A 4,514 SQUARE FOOT ADDITION, TO BE DEDICATED TO THE SALES OF ALCOHOLIC BEVERAGES; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(09/05/17 - 16 - 1:21 p.m.)

7. PUBLIC HEARING - REZ 2017-05, CIRCLE K AT US 1 & SR 206. REQUEST TO REZONE APPROXIMATELY 4.31 ACRES FROM COMMERCIAL GENERAL (CG) WITH CONDITIONS, TO COMMERCIAL GENERAL (CG) TO ALLOW FOR REDEVELOPMENT WITHOUT SITE PLAN REVIEW, VIA PUBLIC HEARING. THE SUBJECT PROPERTY IS LOCATED IN THE NORTHEASTERN QUADRANT OF STATE ROAD 206 EAST AND US 1 SOUTH. IF APPROVED, THE USE CATEGORIES WILL REMAIN THE SAME (RESIDENTIAL, CULTURAL INSTITUTIONAL, NEIGHBORHOOD BUSINESS AND COMMERCIAL, GENERAL BUSINESS, OFFICE AND PROFESSIONAL AND NEIGHBORHOOD PUBLIC SERVICE USES). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 6-0 VOTE

Proof of publication of a rezoning request for Circle K at US1 and SR 206, REZ 2017-05, was received, having been published in *The St. Augustine Record* on July 17, 2017.

Waldron and Dean disclosed ex parte stating they had spoken with Doug Burnett. Waldron also stated that he had discussed the outdoor picnic area with Smokin' D's BBQ and visited the site weekly.

(1:22 p.m.) Valerie Stukes, Planner, presented the details of the rezoning request, via PowerPoint.

(1:25 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, provided additional details on the project.

Wanchick entered the meeting at 1:27 p.m.

(1:29 p.m.) Richard Kingan, Real Estate Development Manager for Circle K, 12911 North Telecom Pkwy, Temple Terrace, Florida, stated the need for improvement, expansion to

the site, and noted that Smokin' D's would be staying on the site. Discussion ensued on the number of gas pumps.

(1:32 p.m.) **Motion by Waldron, seconded by Morris, carried 5/0, to enact Ordinance No. 2017-43, approving REZ 2017-05, Circle K at US 1 SR 206, subject to four findings of fact.**

#### ORDINANCE NO. 2017-43

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL, GENERAL (CG) WITH CONDITIONS TO COMMERCIAL GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(09/05/17 - 17 - 1:33 p.m.)

8. 2391 US HIGHWAY 1 SOUTH, ONE-YEAR LIMITATION WAIVER (REZ 2016-05). REQUEST TO THE BOARD OF COUNTY COMMISSIONERS TO WAIVE THE ONE-YEAR LIMITATION FOR CONSIDERATION OF A REZONING TO THE SUBJECT PROPERTY AT 2391 US HIGHWAY 1 SOUTH. ORDINANCE NO. 2017-05 WAS APPROVED ON JANUARY 17, 2017, WITH AN EFFECTIVE DATE OF JANUARY 24, 2017, TO REZONE THE SUBJECT PROPERTY TO COMMERCIAL, INTENSIVE (CI). THE APPLICANT HAS FILED A REZONING (REZ 2017-11) TO THE RECENTLY APPROVED REZONING (REZ 2016-05) TO REZONE A PORTION OF THE PROPERTY FROM COMMERCIAL, INTENSIVE (CI) TO COMMERCIAL WAREHOUSE (CW). PURSUANT TO LAND DEVELOPMENT CODE (LDC) 9.04.05.A, RE-APPLICATION AFTER APPROVAL OF REZONING, WHENEVER THE BCC HAS CHANGED THE ZONING CLASSIFICATION OF LAND, THE PLANNING AND ZONING AGENCY SHALL NOT THEN CONSIDER ANY APPLICATION FOR REZONING, OF ANY PART OR ALL, OF THE SAME LAND FOR A PERIOD OF ONE YEAR FROM THE EFFECTIVE DATE. HOWEVER, PURSUANT TO LDC 9.04.05.C, THE TIME LIMITS MAY BE WAIVED BY THE AFFIRMATIVE OF A MAJORITY OF THE BOARD OF COUNTY COMMISSIONERS WHEN SUCH ACTION IS DEEMED NECESSARY TO PREVENT INJUSTICE OR TO FACILITATE PROPER DEVELOPMENT OF THE COUNTY

Shannon Acevedo, Planner, presented the details of the waiver request, via PowerPoint.

(1:35 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, provided the reasons for the request and benefits of CW versus CI. Discussion ensued on the reasons for the request.

(1:38 p.m.) **Motion by Waldron, seconded by Morris, carried 5/0, to approve a waiver for the one-year limitation to consider a rezoning to 2391 US Highway 1 South.**

*Regular Agenda Item No. 9 was continued to a date certain of October 3, 2017 at 9:00 a.m.*

(09/05/17 - 17 - 1:38 p.m.)

9. MAJMOD 2017-15 - SAWMILL LANDING PUD. REQUEST FOR A MAJOR MODIFICATION TO THE SAWMILL LANDING PLANNED UNIT DEVELOPMENT (PUD), TO REDUCE THE FRONT YARD SETBACK TO 15 FEET FOR THE NON-GARAGE PORTION OF HOMES; TO UPDATE THE 25 FOOT BUILDING SETBACK REQUIREMENT ADJACENT TO THE UPLAND BUFFER, CONSISTENT WITH LAND DEVELOPMENT CODE ALLOWANCES; AND, TO INCREASE THE MAXIMUM LOT COVERAGE BY BUILDINGS FROM 35% TO

50% ON INDIVIDUAL LOTS. ON AUGUST 15, 2017, THE BOARD MADE A MOTION, AND VOTED 4-1, TO DENY THE MAJOR MODIFICATION BASED ON CONCERNS THAT THE INCREASE IN LOT COVERAGE PRESENTS UNACCEPTABLE CONCERNS WITH RESPECT TO COMPATIBILITY WITH SURROUNDING PROPERTIES. AT THE REQUEST OF THE APPLICANT, THE BOARD VOTED TO RECONSIDER THAT VOTE TO ALLOW REVISIONS TO BE MADE TO THE MASTER DEVELOPMENT PLAN MAP AND TEXT TO REMOVE THOSE CHANGES ASSOCIATED WITH INCREASING BUILDING COVERAGE STANDARDS AND TO CONTINUE THE ITEM TO THE SEPTEMBER 5TH HEARING. THE REVISED AND ORIGINAL MODIFICATION MDP DOCUMENTS ARE INCLUDED IN ATTACHMENT 1 OF THE STAFF REPORT

Proof of publication of the notice of a major modification to the Sawmill Landing PUD, MAJMOD 2017-15, was received, having been published in *The St. Augustine Record* on June 30, 2017.

(09/05/17 - 18 - 1:39 p.m.)

10. DISSOLUTION OF THE TOWN OF HASTINGS. ON AUGUST 14, 2017, THE HASTINGS TOWN COMMISSION HELD THE SECOND AND FINAL READING OF ORDINANCE NO. 2017-03, REGARDING THE DISSOLUTION OF THE TOWN OF HASTINGS, FLORIDA MUNICIPAL CORPORATION AND REVOKING ITS CHARTER. THE TOWN COMMISSION VOTED TO MOVE FORWARD WITH PLACING THE PROPOSITION TO DISSOLVE THE TOWN OF HASTINGS ON A NOVEMBER 7, 2017, BALLOT. THE COUNTY IS CONDUCTING A REVIEW OF THE AVAILABLE INFORMATION REGARDING THE PROVISION OF SERVICES TO THE HASTINGS COMMUNITY. THIS REVIEW SERVES THE DUAL PURPOSES OF DETERMINING THE ESTIMATED FINANCIAL AND OPERATIONAL IMPACTS TO THE COUNTY AND PROVIDES INFORMATION FOR THE HASTINGS VOTERS TO UTILIZE WHEN VOTING ON NOVEMBER 7, 2017. IN ORDER TO PROVIDE INFORMATION TO THE HASTINGS COMMUNITY PRIOR TO THE VOTE, THE BOARD SHOULD TAKE ACTION AT ITS SEPTEMBER 5, 2017, OR SEPTEMBER 19, 2017, COMMISSION MEETING TO SET THE CONDITIONS FOR UTILITY OPERATIONS AND GENERAL OPERATIONS FOR THE HASTINGS AREA, IN THE EVENT OF DISSOLUTION

Michael D. Wanchick, County Administrator, presented an overview of the Town of Hastings dissolution, including a financial summary of estimated costs, via PowerPoint.

(2:00 p.m.) McCormack stated that residents with tax bill balances would be responsible for that balance.

(2:02 p.m.) Morris commented on the costs and debt services associated with the dissolution and questioned the revenue, which would off-set these costs. Wanchick stated that the Town was breaking even, by borrowing money and pursuing grants. Discussion ensued on the cost of utilities.

(2:06 p.m.) Bill Young, Director of Utilities, commented on the utilities accounts in Hastings and the costs incurred. Discussion ensued on roadways, preserving the history of the Town, appraisal of assets, County employment for Hastings staff, and re-incorporating at a future time.

(2:11 p.m.) Tom Ward, Hastings Mayor, commented that there were 125 utility customers outside of the town boundaries and spoke on re-incorporation.

(2:12 p.m.) Kenneth McClain, 701 East Street, Hastings, Florida, spoke on the intergovernmental relationships between the County and the Town of Hastings. He addressed the need for a feasibility study prior to the implementation of the dissolution of a municipality; disagreed with the way Ordinance No. 2017-003 had been written, with the exclusion on the citizens of the unincorporated area of the County; and interpreted Florida Statute Chapter 165, Section 051, differently than how it had been explained to him, including those not allowed to vote in the special election. Discussion ensued on the statute language, specifically “governing body”, the processes of a dissolution of a municipality, the requirements of a special election, and McClain’s concerns, including the language in the Ordinance, specifically “30 days after passing the ordinance” and “each units affected”. McClain stated that the residents of the Town of Hastings did not know why the dissolution was taking place.

(2:28 p.m.) Stacy Stanish, Director of Administrative Support Services, spoke on the required steps for employment with St. Johns County, including a background screenings and new hire application material. Additionally, she spoke on matching skills and abilities with the vacancies and her upcoming visit to Hastings to meet with the employees.

(2:29 p.m.) *Consensus was given by the Board to extend St. Johns County employment opportunities to the Town of Hastings employees.*

(2:30 p.m.) Discussion ensued on setting a precedent for future hires and specifics of the ordinance regarding vacation, retirement, and waiving the benefits wait period being subject to plan provider, etc. McCormack read from the ordinance and provided an explanation of the language.

(2:35 p.m.) Johns requested input from the Board on either establishing a utility surcharge or adopt existing County rates for Hastings utility customers. The Board agreed to charge Hastings utility customers the existing County rates.

(2:35 p.m.) Dean and Young spoke on some potential opportunities for utilities in Hastings.

(2:36 p.m.) Wanchick restated the Board’s decision, for clarification purposes, regarding the Town of Hastings employees and to forgoing a utility surcharge, Municipal Services Taxing Unit (MSTU) for taxes or cost recovery to the County.

(2:37 p.m.) Smith suggested that it be added to the legislative plan that the portion of the Town’s debt, which was the obligation or liability of the State, be relieved from the County, upon dissolution and requested that Tom Ward, Mayor of Hastings, introduce Shelby E. Jack, Town Manager, CMC; Audrey T. Williams, Utility Billing & Business Tax License Clerk; and Joey K. Lundquist, Assistant Director of Utilities.

(2:41 p.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to authorize the county administrator to notify the Town of Hastings, that should the Town voters approve a Town dissolution at the November 7, 2017, referendum, County employment will be offered to the 13 member staff and that County services will be provided with no plans for a Utility surcharge, MSTU, MSBU, or Special District to be put in place, as a result of the dissolution.**

(09/05/17 - 19 - 2:42 p.m.)

11. VETERANS AFFAIRS (VA) CLINIC

Locklear explained that the sole-source arrangement through the Veterans Affairs (VA) was no longer valid. He spoke of the Veterans Council’s interest in a VA Community-based Outpatient Clinic’s (CBOC) and requested a proposal for noticing, by the county

administer, for the County property, using the same process in which the VA was using, to all vendors, a solicitation of offers (SFO), of those who would be interested in developing the CBOC, adjacent to the Human Services Center, for the clinic. He presented the terms of the agreement, via PowerPoint.

(2:47 p.m.) Discussion ensued on length of time that has been spent working with the VA and their withdrawal without prior notice and the costs involved.

**(2:54 p.m.) Motion by Dean, seconded by Morris, carried 5/0, to authorize the county administrator, or designee, to grant written permission to any interested third parties to submit approximately 3.6 acres of land contiguous to the Health and Human Services Center in an Expression of Interest to the Veterans Affairs (VA), per Solicitation Number VA101-17-R-0425, subject to the understanding that a ground lease, from the County, will be executed with the party that successfully enters into a lease agreement with the VA, per VA101-17-R-0425, for a 40-year initial term, with two 20-year extensions, at an initial rate for the first ten years of \$32,940, such rate to be adjusted to 8% of the-currently appraised value, such rate to be increased every ten years thereafter to 8% of the then-currently appraised values, with said ground lease subject to further provisions and final approval by the Board.**

(09/05/17 - 20 - 2:54 p.m.)

12. DISCUSSION REGARDING HURRICANE IRMA

Wanchick stated that Governor Rick Scott had declared a State of Emergency for the state of Florida. He provided a probable timeline, based on the current track of the storm, and encouraged the Board to invoke a state of emergency. He stated the County had already received numerous calls for assistance and that information on sandbags and hurricane preparedness would be online. He noted that the Emergency Operations Center (EOC) was active and that first responders and the Sheriff's Office were preparing. He suggested issuing paychecks early, if the storm stayed on the current track.

(2:57 p.m.) Discussion ensued on community preparedness, the enabling of organizations' resources, the surge of evacuees from the South, minimization of the potential impact, competing gas prices, projected storm surge, the current track of the storm and the storm's impacts to the County.

(3:00 p.m.) McCormack stated that staff had prepared an Emergency Proclamation and debris reimbursement. He recommended that the Board meet at 4:45 p.m. to adopt a resolution, pertaining to debris clean-up and the Emergency Proclamation concurrently.

*(3:03 p.m.) Consensus was given by the Board to reconvene at 4:45 p.m. to adopt a resolution, pertaining to debris clean-up and the emergency proclamation concurrently.*

Wanchick stated the information on the sandbags and hurricane preparedness would be on the St. Johns County website's homepage, St. Johns County Government Television (GTV) had put out press releases, and the EOC and the Public Works Department were taking calls for sandbags. He stated that residents could call (904) 209-0266 for sandbags.

The meeting moved to Commissioner Reports at 3:04 p.m.

(4:42 p.m.) The meeting reconvened at 4:46 p.m. with all the Commissioners; Wanchick; Locklear; McCormack; Regina Ross, Deputy County Attorney; and Deputy Clerk Putman.

(4:46 p.m.) McCormack continued with discussion on Regular Agenda Item No. 12, Hurricane Irma. He stated that the Board would have two things to consider, 1) a resolution pertaining to collection of debris, and 2) and the Emergency Proclamation.

(4:47 p.m.) Ross provided an overview of the resolution for the Board.

(4:49 p.m.) Johns questioned the response time on debris removal, the funding source, and approved contracts. Locklear responded.

(4:50 p.m.) Neil Shinkre, Director of Public Works, spoke on debris removal, stating Greg Caldwell, Assistant Public Works Director, would lead this project. Additionally, he spoke on the debris haulers and those contracts being set by Joe Giammanco, Disaster Recovery Manager. He stated that there were available funds from Solid Waste, which had \$11 million in reserves, with \$4.5 used for Hurricane Matthew, and an expected refund of \$7-8 million.

(4:51 p.m.) Jesse Dunn, Director for the Office of Management and Budget, spoke on the Municipal Services Benefit Unit (MSBU) reserve requirement, Solid Waste reserve requirement, and stated that the General Fund Reserve was utilized as a fallback.

(4:52 p.m.) Ross spoke on the language in the resolution pertaining to the response time for the collection of debris.

Joy Andrews, Assistant County Attorney, entered the meeting at 4:52 p.m.

(4:53 p.m.) McCormack spoke on the emergency proclamation, stating that the Governor had already issued Executive Order 17- 235, declaring a State of Emergency for all Florida counties, and that a Local State of Emergency had a seven-day shelf life.

**(4:55 p.m.) Motion by Johns, seconded by Waldron, carried 5/0, to adopt Resolution No. 2017-293, authorizing the county administrator to issue emergency orders and rules to provide for the removal of disaster generated debris for the duration of a State of Local Emergency.**

#### RESOLUTION NO. 2017-293

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO ISSUE EMERGENCY ORDERS AND RULES TO PROVIDE FOR THE REMOVAL OF DISASTER GENERATED DEBRIS FOR THE DURATION OF A STATE OF LOCAL EMERGENCY**

**(4:56 p.m.) Motion by Johns, seconded by Waldron, carried 5/0, to authorize Emergency Proclamation 2017-4, declaring a State of Local Emergency as provided by Part One, Chapter 252, Florida Statute and by St. Johns County Ordinance No. 94-25.**

The meeting moved to adjournment at 4:56 p.m.

(09/05/17 - 21 - 3:04 p.m.)  
COMMISSIONERS' REPORTS

#### Commissioner Smith

Smith had no report.

#### Commissioner Morris

Morris had no report.

Commissioner Waldron

(3:04 p.m.) Waldron reported on Crescent Technical Park, 38 acres zoned industrial; however, was located within Residential-B land use and requested a change to the land use under the comprehensive plan.

(3:05 p.m.) Suzanne Konchan, Director of Growth Management, referred to the memorandum regarding lands where the zoning and land use are inconsistent with one another. She provided details on the location of the lands, noted the location of a pending Planned Unit Development (PUD) application, and gave a history of past decisions for zoning in the location. She offered that staff was leaning towards mixed-use zoning as a probable recommendation to the change in the land use under the comprehensive plan, if authorized by the Board.

**(3:08 p.m.) Motion by Waldron, seconded by Dean, carried 5/0, to authorize staff to change the land use of the property on the south side of Watson Road, east of US-1, to mixed-use zoning under the comprehensive plan.**

(3:09 p.m.) Waldron continued his report requesting a change in the setbacks in Treasure Beach, specifically a resident of Treasure Beach who had a motorhome parked on his property.

(3:10 p.m.) Johns questioned whether the request would be a revision to the code in that specific neighborhood or the specific lot. Waldron responded that this issue had come up many times in this neighborhood, as well as, St. Augustine South and Vermont Heights, where there were septic tanks and smaller lots. Discussion ensued on allowing an entire neighborhood an exception or deviation.

(3:11 p.m.) Soria stated there were various mechanisms, including an overlay. He questioned whether the proposal was to reduce the setbacks or to modify the prohibition of recreational vehicles (RV) being parked in the front yard. Discussion ensued on the ramifications of each proposal, revision to the Land Development Code, individual hardship criteria, administrative waivers, lot by lot exceptions, and the grandfather clause.

(3:15 p.m.) Dean suggested the issue be properly noticed and placed on the agenda of an upcoming meeting. Morris agreed on the individual hardship, but believed if it was opened up in a specific area, there may be all kinds of requests.

(3:17 p.m.) McCormack stated that this would need to go to the Planning and Zoning Agency (PZA) and that they were the final authority on granting variances, unless appealed to the Board of County Commissioners. Additionally, he noted that the Board had heard from the individual property owner, but not the neighbors, and suggested the property owner apply for a variance.

(3:18 p.m.) Dean restated his suggestion to properly notice the surrounding neighbors and hear at next meeting, without involving the PZA.

(3:19 p.m.) Locklear questioned the ability of the Board to give direction to staff to do an administrative application.

(3:19 p.m.) Soria responded with two ways, which included: 1) a vested rights determination, which was purely administrative, or 2) non-zoning variance (prohibition of the recreational vehicles in the front yard) which appears before the Board of County Commission only and based on criteria.

(3:21 p.m.) *Consensus by the Board was given for the county administrator to process a vested rights determination application on the individual project.*

Commissioner Johns

(3:21 p.m.) Johns reported on a document titled, "Senator Hudson Top Five Transportation- Related Projects" and the Senator's proposal of a 50% match from the State for the projects provided by the County staff. He questioned whether the Commissioners had a desire to pursue any of the items at the upcoming legislative session.

(3:23 p.m.) Wanchick noted that these were longstanding projects that fit the criteria, were within the financial parameter, and were shovel-ready. He stated that there was impact fee money available for the match.

(3:24 p.m.) Johns requested the Board consider all projects to be approved.

(3:24 p.m.) *Consensus was given to consider all projects for the Senator's proposal of a 50% match from the State and to be placed in the Legislative Action Plan.*

(3:24 p.m.) Johns encouraged residents to begin preparing for the storm and also to help others. Wanchick stated the declaration was not to alarm residents, but to initiate the County's preparation for the storm.

Commissioner Dean

(3:26 p.m.) Dean reported on the repaving of Pope Road between A1A and Mizell Road.

(09/05/17 - 23 - 3:25 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick had no report.

(09/05/17 - 23 - 3:26 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack spoke on recessing the general meeting.

(09/05/17 - 23 - 3:26 p.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 3:27 p.m. and reconvened at 4:46 p.m., with Regular Agenda Item No. 12.

(09/05/17 - 23 - 4:56 p.m.)

ADJOURN

With there being no further business to come before the Board, Johns adjourned the meeting at 4:56 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 548891-548963, totaling \$45,784.29 and Voucher Register, Voucher Nos. 30064-30171, totaling \$69,486.86 (08/16/17)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 548964-548983, totaling \$43,491.28 and Voucher Register, Voucher Nos. 30172-30173, totaling \$639.73 (08/17/17)

3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 30174-30175, totaling \$8,723.98 (08/17/17)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 548984-549238, totaling \$1,849,457.48 and Voucher Register, Voucher Nos. 30176-30244, totaling \$657,775.15 (08/22/17)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 549239-549408, totaling \$819,792.82 and Voucher Register, Voucher Nos. 30245-30316, totaling \$906,735.85 (08/29/17)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 549409-549423, totaling \$276,611.51 (08/30/17)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 549424-549433, totaling \$4,285.46 and Voucher Register, Voucher Nos. 30317-30319, totaling \$755.11 (09/01/17)

CORRESPONDENCE:

1. Letter dated August 17, 2017, regarding Resolution No. 2017-14, identifying the Fiscal Year 2017-2018 meeting schedule for the Trout Creek Community Development District.
2. Letter dated August 17, 2017, regarding the Fiscal Year 2017-2018 budget approved by the Board of Supervisors of the Sandy Creek Community Development District.
3. Letter dated August 18, 2017, regarding Resolution No. 2017-10, identifying the Fiscal Year 2017-2018 meeting schedule, for the World Commerce Community Development District.
4. Letter dated August 18, 2017, regarding the Fiscal Year 2017-2018 budget, approved by the Board of Supervisors of the World Commerce Community Development District.
5. Letter dated August 24, 2017, regarding Resolution No. 2017-09, identifying the Fiscal Year 2017-2018 meeting schedule for the Sandy Creek Community Development District.

Approved \_\_\_\_November 7\_\_\_\_, 2017

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: \_\_\_\_\_  
James K. Johns, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: *Pam Watterman*  
Deputy Clerk

