

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 2, 2019
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: Paul M. Waldron, District 3, Chair
Jeb S. Smith, District 2, Vice Chair
James K. Johns, District 1
Henry Dean, District 5
Jeremiah R. Blocker, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Sindy Wiseman, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Joy Andrews, Assistant County Administrator; and Regina Ross, Deputy County Attorney

(04/02/19 - 1 - 9:00 a.m.)
CALL TO ORDER

Waldron called the meeting to order.

(04/02/19 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll, and all Board members were present.

(04/02/19 -1 - 9:00 a.m.)
INVOCATION

Pastor Kelley Kemp, St. Johns Sheriff's Office, gave the invocation.

(04/02/19 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(04/02/19 - 1 - 9:02 a.m.)
RECOGNITION OF BARTRAM TRAIL HIGH SCHOOL DANCE TEAM

Johns invited the members of the Bartram Trail High Dance Team to the podium. He spoke on the achievements of the team. Melissa Lundquist, Assistant to the Board of County Commissioners, read the recognition for the record.

(9:05 a.m.) Natalie Belcik, Bartram Trail High School Dance Director, spoke on the accomplishments of the dance team, expressed appreciation for the recognition, and played a video of the performance.

(04/02/19 - 1 - 9:10 a.m.)
PROCLAMATION RECOGNIZING APRIL 2019 AS WATER CONSERVATION MONTH

Dean spoke on water conservation and presented an award to the Utilities Department.

(9:11 a.m.) Bill Young, St. Johns County Utilities Director, spoke on the commitment and importance of water conservation.

(04/02/19 - 2 - 9:13 a.m.)

PROCLAMATION RECOGNIZING APRIL 2019 AS CHILD ABUSE PREVENTION MONTH

Smith invited members of Health and Human Services and the Florida Department of Children and Family Services to the podium. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record.

Michael Forster, Health and Human Services, expressed his appreciation to Board members and staff for their continued support. He reminded everyone to wear blue Friday, April 5, 2019, in support of Child Abuse Prevention Month.

(04/02/19 - 2 - 9:17 a.m.)

PROCLAMATION RECOGNIZING APRIL 2019 AS SEXUAL ASSAULT AWARENESS MONTH

Blocker invited members of the Betty Griffin House to the podium. He spoke on sexual assault awareness. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record.

(9:21 a.m.) Joyce Mahr, Betty Griffin Center CEO, expressed appreciation for recognizing April as Sexual Assault Awareness month. She spoke on the Betty Griffin House program and provided the Betty Griffin hotline: 904-824-1555.

(04/02/19 - 2 - 9:25 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Smith, seconded by Johns, carried 5/0, to accept the proclamations.

(04/02/19 - 2 - 9:26 a.m.)

PUBLIC COMMENT

Tom Reynolds, 880 A1A Beach Boulevard, spoke on the Boards Code of Ethics, *Exhibit A*.

(9:29 a.m.) Justin Palesotti, 680 Irish Rose Road, updated the Board on field space concerns from the March 19, 2019, BCC meeting.

(9:31 a.m.) Ed Slavin, P.O. Box 3084, spoke on water use records requested by the County Attorney's Office; the order in which the Agenda was heard; and having a charter in the County.

(9:34 a.m.) BJ Kalaidi, 8 Newcomb Street, voiced her concerns with Ponte Vedra not acknowledging that they were part of St. Johns County. She requested that the Board and staff encourage the recognition of St. Johns County in reference to Ponte Vedra activities.

(04/02/19 - 2 - 9:37 a.m.)

DELETIONS TO CONSENT AGENDA

Johns requested that Consent Agenda Item 6 be pulled and added to the Regular Agenda as Item 14.

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2019-104**, authorizing the chair to execute the attached Certificate of Equipment for Casting and Counting Ballots and Certificate Regarding Matching Funds, as required by the Department of State, Division of Elections, to award the Supervisor of Elections a 2018-2019 Help America Vote Act of 2002 (HAVA) grant; recognizing the grant award, as unanticipated revenue; and directing the county administrator, or designee, to allocate the funds to the Supervisor of Elections' Fiscal Year 2019 budget

RESOLUTION NO. 2019-104

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS CHAIR TO EXECUTE A CERTIFICATE OF EQUIPMENT AND A CERTIFICATE REGARDING MATCHING FUNDS, ON BEHALF OF THE COUNTY, IN ACCORDANCE WITH THE FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS REQUIREMENTS; RECOGNIZING THE GRANT FUNDS AS UNANTICIPATED REVENUE; AND APPROPRIATING THE SUCH FUNDS WITHIN THE SUPERVISOR OF ELECTIONS' 2019 FISCAL YEAR BUDGET

3. Motion to adopt **Resolution No. 2019-105**, approving the final plat for PLAT 2019-05, Deerfield Meadows, Phase 2

RESOLUTION NO. 2019-105

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DEERFIELD MEADOWS, PHASE 2

4. Motion to adopt **Resolution No. 2019-106**, approving the final plat for Andalusia, Phase 3

RESOLUTION NO. 2019-106

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

5. Motion to approve the Markland (Southaven PUD) First Amendment to School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2018-01) to correct a scrivener's error in the agreement

(Consent Agenda Item 6 was pulled and added to the Regular Agenda as Item 14.)

6. Motion approving the early release of the Park-and-Ride lot adjacent to US Highway 1, as provided in Special Condition 25 (l) of the Nocatee Development of Regional Impact Development Order, Resolution No. 2001-30, as amended, as shown on Map H of the Nocatee Development of Regional Impact (DRI)
7. Motion to approve IFAM 2019-01; and authorize the county administrator to execute the Amended Concurrency and Impact Fee Credit Agreement, for Mill Creek Plaza Planned Unit Development (PUD), finding that the amendment of PFS AGREE 2016-06, is consistent with Article XI of the Land Development Code, as amended
8. Motion to adopt **Resolution No. 2019-107**, approving the terms and authorizing the county administrator to execute a Purchase and Sale Agreement for an Easement, for Reclaimed Water Transmission Main, on behalf of the County; and accepting an Easement for Reclaimed Water Transmission Main to be located off Solana Road

RESOLUTION NO. 2019-107

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR AN EASEMENT, FOR RECLAIMED WATER TRANSMISSION MAIN, ON BEHALF OF THE COUNTY; AND ACCEPTING AN EASEMENT FOR RECLAIMED WATER TRANSMISSION MAIN TO BE LOCATED OFF SOLANA ROAD

9. Motion to adopt **Resolution No. 2019-108**, accepting two Easements for Utilities, Special Warranty Deed, Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the water, sewer, and sewer force mains systems to serve Whisper Creek, Phase 5, Unit B (also known as Trailmark, Phase 5B), located off Pacetti Road

RESOLUTION NO. 2019-108

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO EASEMENTS FOR UTILITIES, SPECIAL WARRANTY DEED, FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER, SEWER, AND SEWER FORCE MAINS SYSTEMS TO SERVE WHISPER CREEK PHASE 5, UNIT B (ALSO KNOWN AS TRAILMARK, PHASE 5B), LOCATED OFF PACETTI ROAD

10. Motion to adopt **Resolution No. 2019-109**, accepting an Easement for Utilities, Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the water, sewer, and reuse systems to serve Windward Ranch, Phase Fourteen, located off State Road 16

RESOLUTION NO. 2019-109

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES, FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER, SEWER, AND REUSE SYSTEMS TO SERVE WINDWARD RANCH, PHASE FOURTEEN, LOCATED OFF STATE ROAD 16

11. Motion to adopt **Resolution No. 2019-110**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the sewer system to serve Gran Lake, Phase 2, located off Pacetti Road

RESOLUTION NO. 2019-110

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE SEWER SYSTEM TO SERVE GRAN LAKE, PHASE 2, LOCATED OFF PACETTI ROAD

12. Motion to adopt **Resolution No. 2019-111**, accepting an Easement for Utilities for the relocation of a sewer force main, located off Ray Road

RESOLUTION NO. 2019-111

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR THE RELOCATION OF A SEWER FORCE MAIN LINE, LOCATED OFF RAY ROAD

13. Motion to adopt **Resolution No. 2019-112**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer systems to serve Fidus Office Warehouse, Phase 1, located off State Road 16

RESOLUTION NO. 2019-112

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEMS TO SERVE FIDUS OFFICE WAREHOUSE, PHASE 1, LOCATED OFF STATE ROAD 16

14. Motion to adopt **Resolution No. 2019-113**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property

associated with the water system to serve Beacon Lake Amenity Center, located off County Road 210 West

RESOLUTION NO. 2019-113

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER SYSTEM TO SERVE BEACON LAKE AMENITY CENTER, LOCATED OFF COUNTY ROAD 210 WEST

15. Motion to adopt **Resolution No. 2019-114**, accepting Final Releases of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the sewer system to serve property at 74 Aloha Circle

RESOLUTION NO. 2019-114

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO FINAL RELEASES OF LIENS, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE SEWER SYSTEM TO SERVE PROPERTY AT 74 ALOHA CIRCLE

16. Motion to adopt **Resolution No. 2019-115**, approving the terms of a Purchase and Sale Agreement; and authorizing the county administrator to execute the Purchase and Sale Agreement, on behalf of the County, for the acquisition of property for a water booster station at County Road 208 and Agricultural Center Drive; and authorizing the transfer of \$500,000 from Utility System Enterprise Fund - Unit Connection Fee reserve balances to Unit Connection Fee Capital Projects, to fund the purchase and related closing costs and related expenses to facilitate the Purchase and sale Agreement; and take any actions necessary in order to complete the purchase, in compliance with applicable Florida law

RESOLUTION NO. 2019-115

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A PURCHASE AND SALE AGREEMENT; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT, ON BEHALF OF THE COUNTY, FOR THE ACQUISITION OF PROPERTY FOR A WATER BOOSTER STATION AT COUNTY ROAD 208 AND AGRICULTURAL CENTER DRIVE

17. Motion to adopt **Resolution No. 2019-116**, approving the terms and authorizing the county administrator, or designee, to enter into an Interlocal Agreement, with the Florida Department of Agriculture and Consumer Services, to co-locate communication equipment on the County-owned tower, located at 5885 County Road 208

RESOLUTION NO. 2019-116

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO ENTER INTO AN INTERLOCAL AGREEMENT, WITH THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, TO CO-LOCATE COMMUNICATION EQUIPMENT ON THE COUNTY-OWNED TOWER, LOCATED AT 5885 COUNTY ROAD 208, ST. AUGUSTINE, FLORIDA

18. Motion to adopt **Resolution No. 2019-117**, approving the terms and conditions of a Memorandum of Understanding between St. Johns County Solid Waste Management and St. Johns County Public Works, for use of office space in the Public Works building, located at 2750 Industry Center Road

RESOLUTION NO. 2019-117

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY SOLID WASTE MANAGEMENT AND ST. JOHNS COUNTY PUBLIC WORKS, FOR USE OF OFFICE SPACE IN THE PUBLIC WORKS BUILDING, LOCATED AT 2750 INDUSTRY CENTER ROAD

19. Motion to adopt **Resolution No. 2019-118**, approving the terms and authorizing the county administrator, or designee, to execute a Lease Agreement, with Toys for Tots, for space at the former Fire Station, located at County Road 208

RESOLUTION NO. 2019-118

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A LEASE AGREEMENT, WITH TOYS FOR TOTS, FOR SPACE AT THE FORMER FIRE STATION, LOCATED AT COUNTY ROAD 208

20. Motion to adopt **Resolution No. 2019-119**, authorizing the county administrator, or his designee, to negotiate, and upon successful negotiations, execute a contract, in substantially same form and format as attached hereto, with Sound Diplomacy, to perform a music tourism development study, at an amount not-to-exceed \$158,000

RESOLUTION NO. 2019-119

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AUTHORIZE STAFF TO ENTER INTO NEGOTIATIONS WITH SOUND DIPLOMACY, INC., AND UPON SUCCESSFUL NEGOTIATIONS, AWARD

**AND EXECUTE AN AGREEMENT FOR A MUSIC
TOURISM DEVELOPMENT STUDY**

21. Motion to adopt **Resolution No. 2019-120**, authorizing the county administrator, or designee, to execute an agreement, in substantially the same form and format as the attached draft, on behalf of the County, for the Alteron EMCS Conversion at the St. Johns County Judicial Center, at a total price of \$349,250, from Brooks Building Solutions

RESOLUTION NO. 2019-120

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO EXECUTE AN AGREEMENT WITH
BROOKS BUILDING SOLUTIONS, FOR ST. JOHNS
COUNTY JUDICIAL CENTER ALERTON EMCS
CONVERSION**

22. Motion to adopt **Resolution No. 2019-121**, authorizing the county administrator, or his designee, to award Bid No. 19-08R; West Augustine Drainage Improvements, Service Area 1; and execute a contract, in substantially same form and format as attached hereto, with G&H Underground Construction, Inc., for completion of the project, as provided, in Bid No. 19-08R, for a lump sum cost of \$388,555

RESOLUTION NO. 2019-121

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD BID NO. 19-08R; AND TO
EXECUTE AN AGREEMENT FOR WEST AUGUSTINE
DRAINAGE IMPROVEMENTS, SERVICE AREA 1**

23. Motion to adopt **Resolution No. 2019-122**, authorizing the county administrator, or his designee, to award Bid No. 19-26, Purchase of Safety Products to Safety Zone Specialists, Inc., Safety Products, Inc., and B&R Supply LLC, as the lowest, responsive and responsible bidders, and to execute a contract, in substantially same form and format as attached, with each vendor, for the purchase of safety products, as needed, as provided in Bid No. 19-26

RESOLUTION NO. 2019-122

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD BID NO. 19-26, AND TO
EXECUTE AGREEMENTS FOR PURCHASE OF SAFETY
PRODUCTS**

24. Motion to Adopt **Resolution No. 2019-123**, approving the terms and conditions of the Non-Exclusive Franchise Agreements for Construction and Demolition debris between St. Johns County, Florida, and GLD Construction Services, Inc., D/B/A Waste Regulators and KDO Enterprises, LLC, D/B/A Redbox+ of Jacksonville; and authorizing the county administrator, or designee, to execute the Non-Exclusive Franchise Agreements on behalf of the County

RESOLUTION NO. 2019-123

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF THE NON-EXCLUSIVE FRANCHISE AGREEMENTS FOR CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND GLD CONSTRUCTION SERVICES, INC., D/B/A WASTE REGULATORS AND KDO ENTERPRISES, LLC, D/B/A REDBOX+ OF JACKSONVILLE; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE NON-EXCLUSIVE FRANCHISE AGREEMENTS FOR CONSTRUCTION AND DEMOLITION DEBRIS ON BEHALF OF ST. JOHNS COUNTY

25. Motion to adopt **Resolution No. 2019-124**, approving the terms, provisions, conditions, and requirements of Amendment No. 2 to Department of Environmental Protection (DEP) Contract No. RP783; and authorizing the county administrator, or his designee, to execute the amendment, substantially in the same form as attached, on behalf of the County

RESOLUTION NO. 2019-124

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE AMENDMENT NO. 2 TO DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) CONTRACT NO. RP783, AMENDING THE MAXIMUM PAYMENT AVAILABLE UNDER THE CONTRACT, AND PROVIDING FOR PAYMENT FOR LIFEGUARD SERVICES TO ANASTASIA STATE RECREATION AREA BETWEEN MAY 24, 2019, AND SEPTEMBER 2, 2019

26. Motion to execute and issue the Certificate of Public Convenience and Necessity for Liberty Ambulance Service, Inc., subject to the conditions contained herein, and to be effective from April 2, 2019, through April 2, 2022, unless earlier suspended, terminated or revoked
27. Motion to authorize a transfer \$30,000 of Florida Boater Improvement Program reserve funds to be used as additional funding for improvements and repairs of public waterway access points managed by St. Johns County
28. Motion to approve minutes:
- 01/15/19, BCC Regular
29. Proofs:
- a. Proof: Notice of Meeting, 2018 VAB Final Certification Meeting, published on February 21, 2019, in *The St. Augustine Record*
 - b. Proof: Request for Bids, Bid No. 19-44, Purchase and Installation of Radio Systems in Council of Aging (COA) Paratransit Buses, published on February 22, 2019, and March 1, 2019, in *The St. Augustine Record*

- c. Proof: Notice of Public Hearing, to receive public input regarding the facility plan and funding of the northeast ground storage tank and high service pumping station and the northwest water treatment plant expansion projects, published on March 5, 2019, in *The St. Augustine Record*
- d. Proof: Request for Bids, Bid No. 19-45, Ron Parker Park Courts Replacement, published on March 4, 2019, and March 11, 2019, in *The St. Augustine Record*

(04/02/19 - 10 - 9:38 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Waldron requested the addition of Regular Agenda Item 13: Porpoise Point Update. Additionally, Waldron requested to hear Regular Agenda Item 2 at the end of the agenda.

(04/02/19 - 10 - 9:39 a.m.)

APPROVAL OF REGULAR AGENDA

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

(04/02/19 - 10 - 9:39 a.m.)

1. PROPERTY APPRAISER TAX MANAGEMENT AUDITING PRESENTATION. THE PROPERTY APPRAISER WILL PROVIDE A PRESENTATION REGARDING HIS DESIRE TO SECURE THE SERVICES OF TAX MANAGEMENT ASSOCIATES, INC (TMA). THE SCOPE OF SUCH SERVICES INCLUDES VERIFYING INFORMATION PROVIDED BY RESIDENTIAL TAXPAYERS WHO HAVE FILED FOR HOMESTEAD EXEMPTION STATUS, WITHIN THE COUNTY, AS WELL AS AUDITING SERVICES THAT PROVIDE COMPREHENSIVE COST RECONCILIATIONS OF PERSONAL PROPERTY TAX PAYMENTS MADE (OR NOT MADE), WITHIN THE COUNTY. AS COMPENSATION FOR COMPLETING THE SERVICES, TMA WOULD RECEIVE 30 PERCENT OF ANY TAXES, PENALTIES, AND INTEREST COLLECTED, AS A RESULT OF EACH HOMESTEAD EXEMPTION AUDIT, AND 35 PERCENT OF ANY TAXES, PENALTIES, AND INTEREST COLLECTED, AS A RESULT OF EACH TANGIBLE PERSONAL PROPERTY AUDIT (COLLECTIVELY "FEES"). THE REMAINING TAX REVENUE WILL BE DISTRIBUTED TO THE COUNTY. TMA'S FEES FOR THE SERVICES WILL BE PAID EXCLUSIVELY FROM THE TAXES, PENALTIES, AND INTEREST OTHERWISE OWED TO THE COUNTY. THE PROPERTY APPRAISER REQUESTS THAT THE BOARD ENTER INTO THE ATTACHED MEMORANDA OF UNDERSTANDING, AUTHORIZING THE TAX COLLECTOR TO DEDUCT TMA'S FEES FROM THE TAXES, PENALTIES, AND INTEREST COLLECTED AS A RESULT OF EACH AUDIT, SUBJECT TO THE TERMS AND CONDITIONS PROVIDED

Eddie Creamer, Property Appraiser, presented the details of the request, via PowerPoint, including contracting a third-party audit of the homestead exemption files and tangible personal property files, to identify potential non-compliant homestead exemptions and tangible personal property filings.

(9:52 a.m.) Joy Andrews left the meeting.

(10:00 a.m.) Smith questioned whether the audit was exclusively homestead exemption and tangible personal property. Creamer responded that it would not include classified uses.

(10:03 a.m.) Dean questioned whether the audit would aid in capturing short-term rentals that were not paying the proper bed tax. Creamer responded that it could point out owners that lived in another place for more than three months.

(10:08 a.m.) McCormack noted the St. Johns County Tax Collector's Host Compliance Program. He stated that the program captured collection and remittance of sales tax and Tourist Development Tax (TDT) from rental property owners. Discussion ensued.

(10:22 a.m.) Ed Slavin, P.O. Box 3084, expressed appreciation for the thorough presentation; and questioned the profit of the contractor and using the existing core government function.

(10:25 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, supported the Memorandum of Understanding (MOU) referencing the Board's Code of Ethics policy, *Exhibit A*.

(10:28 a.m.) Motion by Dean, seconded by Smith, carried 5/0, for the property appraiser to move forward with initiating a contract with Tax Management Associates, Inc., or another qualified contractor.

(10:30 a.m.) The Board moved to Regular Agenda Item 3.

(04/02/19 - 11 - 5:17 p.m.)

2. COUNTY ADMINISTRATORS PROFESSIONAL SERVICES CONTRACT. THE CURRENT EFFECTIVE TERM OF THE COUNTY ADMINISTRATOR'S PROFESSIONAL SERVICES AGREEMENT (AGREEMENT) EXPIRES ON JANUARY 1, 2020. ON THE EXPIRATION DATE, THE AGREEMENT WILL AUTOMATICALLY RENEW UNLESS THE BOARD PROVIDES THE COUNTY ADMINISTRATOR 180 DAYS PRIOR WRITTEN NOTICE OF ITS INTENT NOT TO RENEW THE AGREEMENT. THE DEADLINE TO PROVIDE SUCH NOTICE IS JULY 5, 2019. A COPY OF THE AGREEMENT IS ATTACHED FOR THE BOARD'S REVIEW AND DISCUSSION

Paul M. Waldron, Chairman, Board of County Commissioners, asked for the Board members' position on whether to discuss the contract or let it renew.

(5:18 p.m.) Blocker offered a motion to table the item until the last meeting in June to have additional time to review the job performance and to give Wanchick the opportunity to bring to the Board an action plan for approving efficiencies, systems, and saving tax dollars. Additionally, he requested two anonymous surveys, one from customers to measure performance of the County Administrator and one from employees regarding how to improve.

(5:21 p.m.) Johns spoke on the transition process for a new county administrator.

(5:26 p.m.) Motion by Blocker, seconded by Dean, to table the item until the last scheduled meeting in June, to give the County Administrator an opportunity to bring an action plan to the Board, to improve efficiencies and save tax dollars; and to conduct two anonymous surveys: citizens who had engaged the County for services and employees to learn how to improve.

(5:28 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the efficiency of the County Administrator.

(5:31 p.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of renewing the contract.

(5:34 p.m.) McCormack spoke on the Board's rules and policy's regarding tabling an item.

(5:35 p.m.) **Blocker amended his motion to read “postpone” in place of “tabling” the item.**

(5:36 p.m.) Johns spoke in favor of a short delay to allow Blocker sufficient time to meet with Wanchick.

(5:37 p.m.) Blocker explained his request to postpone until June.

(5:39 p.m.) Smith requested Blocker to re-read his motion.

(5:39 p.m.) Motion by Blocker, seconded by Dean, failed 3/2, with Smith, Waldron, and Johns dissenting, to continue the item, County Administrator Professional Contract, to the last scheduled meeting in June, prior to the July 5, 2019, deadline, to give notice for the county administrator to bring an action plan to the Board for approving efficiencies and saving tax dollars; and to conduct two anonymous surveys, one of citizens who had engaged with the County for services and processes, and the second of employees to find areas of continued improvement.

(5:42 p.m.) Discussion ensued on a reschedule date.

(5:47 p.m.) Johns questioned whether, legally, the county administrator or the county attorney required a contract, or whether they could serve “at will”. McCormack stated that he didn’t believe a contract was required, however, according to the St. Johns County administrator ordinance, there was a provision for an agreement or contract and said he would research and get back to the Board.

(5:47 p.m.) Motion by Smith, seconded by Waldron, carried 5/0, to postpone the item until the second meeting in May.

The Board moved to Commissioners’ Reports.

(04/02/19 - 12 - 10:30 a.m.)

3. WEST KING STREET LANDSCAPING AND SIGNAGE OVERVIEW. AT THE MARCH 19, 2019, BOARD MEETING, THE BOARD DIRECTED STAFF TO PROVIDE AN OVERVIEW OF THE ON-GOING LANDSCAPING AND SIGNAGE REQUESTS FOR WEST KING STREET. THIS PROJECT HAS BEEN PRIMARILY A COMMUNITY-DRIVEN EFFORT, WITH STAFF PROVIDING SOME ASSISTANCE. PLANS FOR LANDSCAPING AND SIGNAGE HAVE BEEN DRAFTED, ALTHOUGH FUNDING FOR CONSTRUCTION AND MAINTENANCE HAVE NOT BEEN ALLOCATED AT THIS TIME. INSTALLATION AND GROW-IN COSTS FOR LANDSCAPING ARE ESTIMATED AT \$100,000 AND CAN BE TRANSFERRED FROM TREE BANK FUNDS. FUNDING FOR THE MAINTENANCE OF THE NEW LANDSCAPING IS EXPECTED TO BE \$9,000 ANNUALLY AND THE MANUFACTURING, PERMITTING, AND INSTALLATION OF REQUESTED SIGNAGE IS APPROXIMATELY \$30,000

Katie Diaz, Director, Facilities Management, presented the details of the West King Street landscaping and signage efforts, via PowerPoint.

(10:33 a.m.) Greg White, 905 Pearl Street, spoke on the efforts and encouraged approval.

(10:34 a.m.) Ross left the meeting and Rebecca Lavie, Assistant County Attorney, entered the meeting.

(10:37 a.m.) Dwala Willis, 895 South Orange Street, spoke on the project vision and requested the Board’s approval.

(10:39 a.m.) Robert Nimmons, 871 West Ninth Street, spoke on the revitalization of the community, and requested approval of the proposal.

(10:42 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, supported approval, due to it following the National Association of Counties' Code of Ethics, *Exhibit A*.

(10:43 a.m.) Bridget Green, 474 Porta Rosa Circle, spoke in favor of the landscaping project.

(10:44 a.m.) Gary Green, 474 Porta Rosa Circle, requested Board support for the landscaping project.

(10:45 a.m.) Eric Terry, 28 Bunker Lane, Palm Coast, Florida, requested Board support for the landscaping project.

(10:46 a.m.) Ed Slavin, P.O. Box 3084, spoke on the community neglect, and requested Board support for the project.

(10:47 a.m.) Denver Cook, 266 Top Sail Drive, requested Board support for the project.

(10:49 a.m.) Avis Chase, 817 West Second Street, requested Board support for the project.

(10:49 a.m.) Johns voiced his concern with the continued funding for maintenance. Discussion ensued on an ongoing source of funding for upkeep and maintenance.

(10:58 a.m.) Motion by Smith, seconded by Dean, carried 5/0, to transfer \$100,000 from Tree Bank Fund Reserves and \$39,000 from General Fund Reserves for the installation and ongoing maintenance of landscaping and signage along West King Street.

(11:00 a.m.) Lavie left the meeting.

(11:00 a.m.) The Board moved to Regular Agenda Item 14.

(04/02/19 - 13 - 11:04 a.m.)

4. PUBLIC HEARING, DEVELOPMENT OF REGIONAL IMPACT (DRI) MOD 2018-04, ASHFORD MILLS. REQUEST TO AMEND THE ASHFORD MILLS DRI TO UPDATE THE REQUIRED WETLAND BUFFERS AND SETBACKS, MODIFY THE TIMING OF OWNER OBLIGATIONS TO CONSTRUCT ACCESS TO A PARK SITE AND SCHOOL SITE, REFLECT RECENT LAND USE CONVERSIONS, AND CHANGES IN PROJECT PHASING, BUILDOUT, AND TERMINATION DATES, PURSUANT TO LEGISLATIVE EXTENSIONS. THE PROPERTY IS APPROXIMATELY 1,521 ACRES IN SIZE, LOCATED NORTH OF COUNTY ROAD (CR) 16A, SOUTHEAST OF THE CR 210 WEST AND GREENBRIAR ROAD INTERSECTION. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON FEBRUARY 21, 2019, AND VOTED TO RECOMMEND APPROVAL BY A 5-0 VOTE

Proof of publication of the notice of public hearing on DRI MOD 2018-04, Ashford Mills, was received, having been published in *The St. Augustine Record* on February 6, 2019.

Shannon Acevedo, Senior Supervising Planner, presented details of the item, via PowerPoint.

(11:09 a.m.) Ellen Avery-Smith, Rogers Towers, representing the applicant, 100 Whetstone Place, stated she was available for questions.

Ex parte communications: There was none.

(11:10 a.m.) Discussion ensued on the widening of CR 210 and the connection from State Road (SR) 16A and CR 210.

(11:13 a.m.) Justin Palesotti, 680 Irish Rose Road, voiced his concern with the number of homes with no park areas.

(11:14 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in opposition to the request, and in favor of building parks and schools.

(11:15 a.m.) Ed Slavin, P.O. Box 3084, spoke in opposition to the request and in favor of building parks and schools.

(11:15 a.m.) Discussion ensued on the widening of CR 210, with additional comments provided by Phong Nguyen, Transportation Development Manager.

(11:18 a.m.) **Motion by Johns, seconded by Smith, carried 5/0, to adopt Resolution 2019-102, DRI MOD 2018-04, Ashford Mills, based upon five findings of fact.**

RESOLUTION NO. 2019-102

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS RESOLUTION NO. 2018-102. AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR ASHFORD MILLS, A DEVELOPMENT OF REGIONAL IMPACT, UNDER CHAPTER 380, FLORIDA STATUTES; AUTHORIZING DEVELOPMENT OF APPROXIMATELY 1,521 ACRES IN NORTHWEST ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS, INCLUDING MITIGATION FOR TRANSPORTATION, SCHOOL AND ENVIRONMENTAL IMPACTS; PROVIDING DEVELOPMENT PHASING AND BUILDOUT DATES; AND ESTABLISHING AN EFFECTIVE DATE

(04/02/19 - 14 - 11:19 a.m.)

5. PUBLIC HEARING, MAJMOD 2018-16, BANNON LAKES. MAJMOD 2018-16, BANNON LAKES PLANNED UNIT DEVELOPMENT (PUD), REQUEST FOR A MAJOR MODIFICATION TO THE BANNON LAKES PUD (ORDINANCE 2015-11, AS AMENDED) TO RE-DESIGNATE A 4.5-ACRE PARCEL, LOCATED ALONG PARKLAND TRAIL, FROM COMMUNITY PARK TO COMMERCIAL. THE PZA HELD A PUBLIC HEARING ON FEBRUARY 21, 2019, AND VOTED 5-0 IN FAVOR OF RECOMMENDING APPROVAL

Proof of publication of the notice of public hearing on MAJMOD 2018-16, Bannan Lakes, was received, having been published in *The St. Augustine Record* on February 6, 2019.

Ex parte communications: All five commissioners disclosed that they each had received a phone call from Art Lancaster asking if Board members had any questions for him.

(11:20 a.m.) Cynthia May, Senior Planner, presented details of the request, via PowerPoint.

(11:26 a.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, representing the applicant, stated that she was available for questions. She noted that there was a pending plat that would take the development over the 500-unit trigger and that the developer

would write the County a \$500,000 check to be used for capital improvements and would pay park impact fee credits.

(11:27 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on the developer's debt forgiveness, and requested the denial of the application.

(11:30 a.m.) Ed Slavin, P.O. Box 3084, spoke on the debt forgiveness, and requested the developer disclose all investors and owners of the project.

(11:33 a.m.) Chuck Labanowski, 1748 North Cappero Drive, spoke on losing desperately needed parks.

(11:34 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the application.

(11:37 a.m.) Denver Cook, 266 Top Sail, spoke on reviewing the Land Development Code.

(11:37 a.m.) Andrews entered the meeting.

(11:39 a.m.) Justin Palesotti, 680 Irish Rose Road, representing St. Johns Middle School Athletic Association, spoke on the cost for developing a park.

(11:41 a.m.) Avery-Smith clarified that the park in question would have been a private park and the \$500,000 to the County was for the cost to develop that park.

(11:43 a.m.) Discussion ensued on the allocation of funds and the types of uses allowed, with additional comments provided by Art Lancaster, Developer.

(11:57 a.m.) McCormack suggested to recess the item to give the attorney and developer time to deliberate.

The Board recessed at 12:00 p.m. and reconvened at 12:45 p.m., with all five commissioners, Wanchick, Locklear, Andrews, McCormack, and Deputy Clerk Natasha McGee present.

(12:45 p.m.) Avery-Smith noted that the following would not be permitted uses: *High Intensity Commercial and Highway Commercial uses*.

(12:45 p.m.) Waldron asked May to clarify how the park would have been used. May responded that the multi-purpose fields were to be used for public youth sports programmed by the County for children 12 and younger, but would be owned, constructed, and maintained by Bannon Lakes, who would receive impact fee credits for the cost of improvements. Discussion ensued.

(12:49 a.m.) Motion by Johns, seconded by Blocker, carried 5/0, to enact Ordinance 2019-26, MAJMOD 2018-16, Bannon Lakes PUD, request for a Major Modification to the Bannon Lakes PUD (Ordinance 2015-11, as amended) to re-designate a 4.5 acre parcel, located along Parkland Trail, from Community Park to Commercial, based upon six findings of fact, to include that the applicant agreed to remove High Intensity Commercial and Highway Commercial from the list of permitted uses.

ORDINANCE NO. 2019-26

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE BANNON LAKES PUD,
ORDINANCE NO. 2015-11, AS AMENDED, TO
REDESIGNATE A 4.5 ACRE PARCEL, LOCATED ALONG

PARKLAND TRAIL, FROM COMMUNITY PARK TO COMMERCIAL; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(12:50 p.m.) Andrews left the meeting.

(04/02/19 - 16 - 12:50 p.m.)

6. PUBLIC HEARING, MAJMOD 2018-10, REGIS LAKES PLANNED UNIT DEVELOPMENT (PUD). REQUEST FOR A MAJOR MODIFICATION TO THE REGIS LAKES PUD (ORDINANCE 1985-40, AS AMENDED BY ORDINANCE 1998-15), TO MODIFY AND REINSTATE DEVELOPMENT TO ALLOW FOR THE CONSTRUCTION OF UP TO 300,000 SQUARE FEET OF COMMERCIAL SPACE, CONSISTENT WITH USES PERMITTED IN COMMERCIAL GENERAL (CG) ZONING. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON MARCH 7, 2019, AND VOTED TO RECOMMEND APPROVAL BY A 7-0 VOTE

Proof of publication of the notice of public hearing on MAJMOD 2018-10, Regis Lakes, was received, having been published in *The St. Augustine Record* on February 20, 2019.

Ex parte communications: Dean met with Karen Taylor, applicant's land planner consultant, and discussed project details. Smith met with Taylor and Chris Buttermore, PE Senior Project Manager, Matthews Design Group, Inc., on March 28, 2019, and discussed the origin of the PUD; expiration of the PUD; the Veterans Affairs (VA) clinic proximity to Flagler Hospital and Gainesville, Florida; how the project was bisected by Deerfield Preserve; neighbor concerns regarding traffic and buffering; Master Development Plan (MDP) map details; wetland delineation; the VA concept plan; the reinstatement of 300,000 square foot of commercial uses; and the merit or lack of merit regarding the Florida Department of Transportation's (FDOT) signal. Waldron met with the same individuals on March 28, 2019, and discussed the VA location; traffic concerns; drainage; and MDP map details. Blocker met with Taylor and Jeremy Calloway, Matthews Design Group, Inc., on March 26, 2019, and spoke about the scope of the project; VA clinics and background history; and schematics. Johns met with Taylor on March 28, 2019, and discussed the same topics that were disclosed.

(12:52 p.m.) Teresa Bishop, Planning Division Manager, presented details of the request, via PowerPoint. She noted a waiver and a letter of opposition from Joe Vertovec, *Exhibit A*.

(12:57 p.m.) Karen Taylor, Land Planner, 77 Saragossa Street, representing the applicant, presented details of the request, including the updated VA site plan, via PowerPoint.

(1:12 p.m.) Discussion ensued on funding for the installation of a traffic signal, with additional comments provided by Phong Nguyen, Transportation Development Manager. Taylor noted that the applicant would agree to the signal study.

(1:18 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the request.

(1:19 p.m.) Ed Slavin, P.O. Box 3084, spoke on the disclosure of investors and beneficial owners; ex parte disclosures with developers. He also spoke in support of the developer funding the traffic signal. He suggested that the item be remanded to the Planning and Zoning Agency.

(1:22 p.m.) Taylor provided rebuttal regarding changes and funding of the signal study. Discussion ensued on funding of the traffic study; establishing Proportionate Fair Share

(PFS); and funding for the installation of a traffic signal, with additional comments provided by McCormack and Nguyen.

(1:36 p.m.) **Motion by Blocker, seconded by Smith, carried 5/0, to enact Ordinance 2019-27, MAJMOD 2018-10, Regis Lakes PUD, request for a Major Modification to the Regis lakes PUD, Ordinance 1985-40, as amended, by Ordinance 1998-15, to modify and reinstate development, to allow for the construction of up to 300,000 square feet of commercial space consistent with uses permitted in Commercial General (CG) zoning, based upon six findings of fact.**

ORDINANCE NO. 2019-27

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE REGIS LAKES PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 1985-40, AS AMENDED, REZONING LANDS FROM PLANNED UNIT DEVELOPMENT (PUD) TO PUD; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(1:38 p.m.) Andrews entered the meeting.

(04/02/19 - 17 - 1:38 p.m.)

7. REQUEST FOR PROPOSAL (RFP) 19-33, PARKING MANAGEMENT PROGRAM. ON APRIL 17, 2018, THE BOARD OF COUNTY COMMISSIONERS UNANIMOUSLY APPROVED STAFF TO PURSUE AN OFF-BEACH PARKING INITIATIVE FOR BEACH SERVICES. AS PART OF A SUBSEQUENT AUGUST 7, 2018, COMMISSION AGENDA ITEM REGARDING BOAT RAMP SERVICES COST RECOVERY, STAFF HAD INFORMED THE COMMISSION THAT A BOAT RAMP FEE WOULD BE SOLICITED AS A PART OF THE OFF-BEACH PARKING PROCUREMENT SOLICITATION. ST. JOHNS COUNTY PURCHASING (SJC) ISSUED A REQUEST FOR PROPOSALS (RFP) ON JANUARY 17, 2019, IN ACCORDANCE WITH ST. JOHNS COUNTY PURCHASING POLICY AND PROCEDURES. THE RFP SOLICITED PROPOSALS FROM EXPERIENCED AND QUALIFIED FIRMS, TO PROPOSE A PARKING MANAGEMENT PROGRAM FOR SJC FACILITIES, INCLUDING OFF-BEACH AND BOAT RAMP SITES, PROVIDED IN THE RFP, WITH THE POTENTIAL FOR THE PROGRAM TO BE EXPANDED TO ADDITIONAL FACILITIES. RESPONDENTS WERE REQUIRED TO SUBMIT A TECHNICAL PROPOSAL PROVIDING DETAILS OF THE PROPOSED PARKING PROGRAM, A PRICING PROPOSAL STATING THE COST TO THE COUNTY ON AN ANNUAL BASIS, AND A REVENUE PROPOSAL STATING THE PROPOSED REVENUE TO BE GENERATED, IN TOTAL AND BY LOCATION, ON AN ANNUAL BASIS. SJC PURCHASING RECEIVED FIVE PROPOSALS ON FEBRUARY 21, 2019. THE EVALUATION COMMITTEE MET ON MARCH 7, 2019, WHERE THE SCORES FOR EACH FIRM AND THE RANKING OF RESPONDENTS WERE ANNOUNCED. THE EVALUATION COMMITTEE RANKED REPUBLIC PARKING SYSTEM, LLC, AS THE NUMBER ONE RANKED FIRM. REPUBLIC'S PROPOSAL IDENTIFIES A PROJECTED ANNUAL COST OF \$627,229, WITH A PROPOSED 3 PERCENT ESCALATION, AND A PROJECTED ANNUAL REVENUE OF \$2,375,147. THE FINAL COST FOR SERVICES, TERMS AND CONDITIONS WILL BE DETERMINED THROUGH NEGOTIATIONS, UPON BOARD OF COUNTY COMMISSIONERS (BOCC) APPROVAL. STAFF RECOMMENDS APPROVAL BY THE BOCC TO ENTER INTO NEGOTIATIONS WITH THE TOP RANKED FIRM, REPUBLIC

PARKING SYSTEM, LLC, AND UPON SUCCESSFUL NEGOTIATIONS, EXECUTE A CONTRACT FOR THE PARKING MANAGEMENT PROGRAM, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT. IF NEGOTIATIONS ARE NOT SUCCESSFUL, BOCC AUTHORIZES STAFF TO CEASE NEGOTIATIONS WITH THE TOP RANKED FIRM, AND TO BEGIN NEGOTIATIONS WITH THE SECOND RANKED FIRM, AND CONTINUE UNTIL NEGOTIATIONS ARE SUCCESSFUL, AND A CONTRACT CAN BE EXECUTED, OR UNTIL IT NO LONGER SERVES THE BEST INTERESTS OF THE COUNTY TO CONTINUE WITH NEGOTIATIONS

Jesse Dunn, Director, Office of Management and Budget, presented details, via PowerPoint.

(2:00 p.m.) Regina Ross, Deputy County Attorney, entered the meeting.

(2:01 p.m.) Discussion ensued on the provider Republic Parking System, LLC, including the length of the contract; the current on-beach access rate versus the proposed off-beach parking rate, noting that the current on-beach access rate was not included in the current proposal; combining the on-beach access rates with the off-beach parking rates; implementing a provider fee; pay-by-phone parking technology, including participation of municipalities; additional mobile parking application features; adding language in the contract regarding vendor removal of the equipment and software; researching the North Florida Transportation Planning Organization's Integrated Meter Parking Pilot Program; capturing projected revenues, including the utilization of alternative modes of transportation; associated costs to terminate the proposed contract; off-beach revenue projections; and cash collection of off-beach parking fees. Additional comments provided by Jaime Locklear, Purchasing Manager, and Wanchick.

(2:23 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on calibration policies, and traffic control.

(2:26 p.m.) Elena Hecht, 2016 White House Boulevard, spoke in opposition to charging residents for off-beach parking and utilizing mobile parking applications. She also spoke on beach access, and limited off-beach parking.

(2:30 p.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of the RFP. He suggested that staff collect additional research.

(2:35 p.m.) Discussion ensued on daily and annual pass rates for off-beach parking, with regard to employee parking; locating funding sources to pay for experiences/services not related to health, safety, and welfare; and user fees versus a tax collection. Additionally, Board members expressed their positions on the proposal.

(2:51 p.m.) Waldron summarized the Board members' directives: 1) combined beach driving and parking pass; 2) a \$50 annual pass; and, as applicable, recommendations by the North Florida Transportation Planning Organization for performance of the work.

(2:54 p.m.) Motion by Smith, seconded by Dean, carried 3/2, with Blocker and Waldron dissenting, to adopt Resolution 2019-103, authorizing the county administrator, or designee, to enter into negotiations with Republic Parking System, LLC, as the top ranked firm under RFP No: 19-33; Parking Management Program, and upon successful negotiations, draft an agreement for final approval by the Board, which includes the options of a combined beach driving and parking pass and a \$50 annual pass, and as applicable, recommendations by the North Florida Transportation Planning Organization for performance of the work.

RESOLUTION NO. 2019-103

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO ENTER INTO NEGOTIATIONS WITH REPUBLIC PARKING SYSTEM, LLC, FOR A PARKING MANAGEMENT PROGRAM UNDER RFP NO. 19-33

(2:58 p.m.) Lavie entered the meeting and Ross left the meeting

(04/02/19 - 19 - 2:58 p.m.)

8. LIBRARY SERVICES COST AND COST RECOVERY. PER A FEBRUARY 6, 2018, COMMISSION MEETING DISCUSSION, THE COMMISSION APPROVED THE EXPLORATION OF COST AND COST RECOVERY FOR CERTAIN SERVICES INCLUDING BEACH SERVICES, PARKS AND RECREATIONAL SERVICES, BOAT RAMP SERVICES, AND LIBRARY SERVICES. STAFF, THROUGH PREVIOUS BOARD OF COUNTY COMMISSIONERS AGENDA ITEMS AND PUBLIC WORKSHOPS, HAS PRESENTED COST AND COST RECOVERY FOR BEACH SERVICES, BOAT RAMP SERVICES, AND PARKS AND RECREATIONAL SERVICES. ON APRIL 2, 2019, THE OFFICE OF MANAGEMENT AND BUDGET WILL PRESENT COST AND COST-RECOVERY FOR LIBRARY SERVICES

Jesse Dunn, Director, Office of Management and Budget, presented details, via PowerPoint. He noted that charging a fee for general library services would initiate a loss of State Aid, and that there was no recommended fee increases.

(3:04 p.m.) Tom Reynold, 880 A1A Beach Boulevard, spoke in support of the St. Johns County School District acquiring the St. Johns County public library system.

(3:07 p.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of charging for library services.

(3:10 p.m.) Mary Geer, 1165 County Road 13 South, spoke on the importance of the library system.

(3:13 p.m.) Denver Cook, 266 Topsail Drive, spoke on the purpose of public libraries.

(04/02/19 - 19 - 3:17 p.m.)

9. PRESENTATION ON OVERVIEW OF FLORIDA TOBACCO REGULATIONS. AT ITS MARCH 5, 2019, MEETING, THE BOARD OF COUNTY COMMISSIONERS DIRECTED STAFF TO PRESENT TO THE BOARD AN OVERVIEW OF TOBACCO REGULATIONS IN THE STATE OF FLORIDA AND LOCAL OPTIONS FOR ADDITIONAL REGULATION. THIS PRESENTATION WILL PROVIDE INFORMATION REGARDING CURRENT REGULATIONS ON THE STATE AND LOCAL LEVEL, WITH RESPECT TO THE SALE OF TOBACCO, AND AN UPDATE ON THE STATUS OF SENATE BILL 1046 AND HOUSE BILL 1125, TWO BILLS WHICH HAVE BEEN INTRODUCED THIS LEGISLATIVE SESSION TO ADDRESS THE SALE OF ELECTRONIC NICOTINE DISPENSING DEVICES. THE FOLLOWING MATERIALS HAVE BEEN PROVIDED AS BACKUP MATERIAL TO THIS ITEM: (1) ALACHUA COUNTY ORDINANCE NO. 2019-04; (2) SENATE BILL 1046 AND HOUSE BILL 1125; (3) ST. JOHNS COUNTY ORDINANCE NO. 2000-44 (REGULATING THE DISPLAY OF TOBACCO PRODUCTS); AND (4) ST. JOHNS COUNTY ORDINANCE NO. 2013-36 (REGULATING THE DISPLAY AND SALE OF FLAVORED TOBACCO PRODUCTS)

Rebecca Lavie, Senior Assistant County Attorney, gave a presentation, via PowerPoint.

(3:27 p.m.) David Powell, 224 Bridgeport Lane, spoke in support of adopting a tobacco retail license ordinance.

(3:30 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on banning advertisement for vapor products.

(3:31 p.m.) Ed Slavin, P.O. Box 3084, spoke in support of adopting a tobacco retail license ordinance.

(3:34 p.m.) Denver Cook, 266 Topsail Drive, spoke on the availability of vapor products.

(3:37 p.m.) The Board decided to wait to see the outcome of the pending State Legislation.

(04/02/19 - 20 - 3:40 p.m.)

10. PRESENTATION REGARDING THE DRUG KRATOM. AT ITS FEBRUARY 5, 2019, MEETING, THE BOARD OF COUNTY COMMISSIONERS DIRECTED THE OFFICE OF THE COUNTY ATTORNEY TO RESEARCH AND BRING BACK INFORMATION REGARDING THE REGULATION OF THE DRUG KRATOM. KRATOM IS NOT A CONTROLLED SUBSTANCE UNDER FLORIDA LAW OR FEDERAL LAW; HOWEVER, IT HAS BEEN MADE ILLEGAL IN ALABAMA, ARKANSAS, INDIANA, TENNESSEE, VERMONT, WISCONSIN, AND THE DISTRICT OF COLUMBIA. SARASOTA COUNTY HAS ENACTED AN ORDINANCE BANNING THE SALE AND POSSESSION OF KRATOM, WITHIN THE COUNTY. THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION HAS IDENTIFIED KRATOM AS A "DRUG OF CONCERN", AND THE FOOD AND DRUG ADMINISTRATION HAS ISSUED A WARNING TO CONSUMERS NOT TO USE KRATOM. THE ST. JOHNS COUNTY POLYDRUG TASK FORCE HAS REQUESTED THAT THE BOARD OF COUNTY COMMISSIONERS PASS LEGISLATION PROHIBITING THE CULTIVATION, PRODUCTION, MANUFACTURE, SALE, POSSESSION, USE, AND DISTRIBUTION OF KRATOM, WITHIN ST. JOHNS COUNTY

Rebecca Lavie, Senior Assistant County Attorney, gave a presentation, via PowerPoint.

(3:48 p.m.) Blocker questioned Lavie on enforcement; and Smith questioned Lavie on the identification of Kratom.

(3:52 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of not creating local regulation.

(3:55 p.m.) McGee left the meeting and Deputy Clerk Sindy Wiseman entered the meeting.

(3:55 p.m.) Elana Hecht, 1026 White House Boulevard, spoke in favor of not creating a local regulation.

(3:58 p.m.) Brian Del Rey, 2 7th Street, spoke in favor of not creating a local regulation.

(4:01 p.m.) Julie Biagini, 4274 Chokeberry Road, spoke on her use of Kratom, and requested not to ban a natural product.

(4:03 p.m.) Shiloh Franklin, 48 Marsala Street, spoke on keeping natural products legal, and presented research regarding the impact of Kratom to Florida, *Exhibit A*.

(4:07 p.m.) Jin Yokota, 403 Old Quarry Road, spoke on the science behind Kratom.

(4:08 p.m.) Maxwell Whitney, 221 North Whitney Street, spoke on the effect of banning Kratom.

(4:11 p.m.) Kevin Bjornson, 34 Islander Court, spoke on his use of Kratom, and requested not to ban the product.

(4:13 p.m.) Tammy Jones, 231 Avelos, Titusville Florida, spoke on her use of Kratom, and requested not to ban the product.

(4:17 p.m.) Kelli Jones, 96149 Piney Island Drive, spoke on her use of Kratom, and presented fact sheets on Kratom, *Exhibit B*.

(4:20 p.m.) David Boyle, 309 Hidden Garden Court, spoke on his use of Kratom, and requested not to ban the product.

(4:22 p.m.) Jessica Johnson, 1269 Ardmore Street, spoke on her use of Kratom, and requested not to ban the product.

(4:25 p.m.) Michelle Cruz, 5300 Riverview Drive, spoke on her use of Kratom, and requested not to ban the product.

(4:27 p.m.) Aaron Pauloff, 1911 Lightsey Road, spoke on the amended legislation regarding the ban on Kratom in Tennessee, *Exhibit C*, and requested not to ban the product.

(4:30 p.m.) Jason Ryman, 1148 2nd Street, spoke on his use of Kratom and requested not to ban the product.

(4:32 p.m.) James Tedder, 68 Dumas Street, spoke on the addiction of a friend and how Kratom helped him get clean.

(4:34 p.m.) Justin Franklin, 48 Marsala Street, spoke on regulating the use of Kratom instead of a ban.

(4:36 p.m.) Matthew Foote, 114 Swallow Road, spoke on his father's use of Kratom.

(4:36 p.m.) Ian Guthery, 29 Atlantic Oaks Circle, spoke on the use of Kratom, and requested regulation instead of banning.

(4:39 p.m.) Denver Cook, 266 Top Sail Drive, submitted a case report from the *Pain Management Journal* regarding Kratom, *Exhibit D*, and spoke on the dangers of Kratom.

(4:42 p.m.) Ed Slavin, P.O. Box 3084, was in favor of regulation not banning Kratom.

(4:44 p.m.) Waldron said he received email correspondence regarding Kratom. He stated that he wanted to see the States decision on the drug. Discussion ensued on labeling, age restriction, enforceability, and education of Kratom.

(4:58 p.m.) **Motion by Waldron, seconded by Blocker, carried 5/0, to table the item until the decision from the State.**

(04/02/19 - 21 - 4:59 p.m.)

11. CONSIDER APPOINTMENT TO THE RECREATION ADVISORY BOARD. CURRENTLY THERE IS ONE VACANCY ON THE RECREATION ADVISORY BOARD, DUE TO AN EXPIRED TERM. PLEASE FIND FOR YOUR REVIEW

AND CONSIDERATION A LETTER OF RECOMMENDATION FROM THE RECREATION ADVISORY BOARD, ALONG WITH A REQUEST FOR REAPPOINTMENT FROM MR. WILLIAM R. BROWNE AND FOUR APPLICATIONS (THEODORE BANTON - DISTRICT 5; WILLIAM R. BROWNE - DISTRICT 1; WILLIAM STEINMETZ - DISTRICT 2; AND LISA A. WARD - DISTRICT 4)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the vacancy.

(5:00 p.m.) Motion by Waldron, seconded by Smith, carried 5/0, to (re)appoint William R. Browne, to the Recreation Advisory Board for a four-year term, scheduled to expire on November 15, 2022.

(04/02/19 - 22 - 5:01 p.m.)

12. CONSIDER AN APPOINTMENT TO THE LIBRARY ADVISORY BOARD (LAB). CURRENTLY THERE IS ONE VACANCY ON THE LIBRARY ADVISORY BOARD, DUE TO AN EXPIRED TERM. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION A RECOMMENDATION FROM THE LIBRARY ADVISORY BOARD, REAPPOINTMENT REQUESTS FROM MELVIN LONGO, ALONG WITH SIX APPLICATIONS: (TAMMY LYNN HARROW, DISTRICT 5; ELI Y. LESLIE, DISTRICT 5; MELVIN C. LONGO, DISTRICT 5; BETTY STROUD, DISTRICT 1; LOUANN S. WILLIAMS, DISTRICT 1; AND LEA E. WILLIFORD, DISTRICT 1)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the vacancy.

(5:01 p.m.) Motion by Dean, seconded by Smith, carried 5/0, to appoint Melvin Longo, to the Library Advisory Board for a full four-year term, scheduled to expire September 30, 2022.

(5:02 p.m.) Brad Bulthius, Assistant County Attorney, entered the meeting.

(04/02/19 - 22 - 5:02 p.m.)

13. PORPOISE POINT UPDATE

Neal Shinkre, Public Works Director, provided an update on the Porpoise Point efforts and the hydrologic survey, via PowerPoint. He noted that staff reminded The Army Corps of Engineers that the County was waiting for the approval of requested funds through the Continuing Authorities Program (CAP). Additionally, he requested Board approval to reach out to senators and congressmen, via draft letters, *Exhibit A*; and to engage a consultant to perform a study on permitting and construction of a permanent solution to the deteriorating beach.

(5:08 p.m.) Motion by Dean, seconded by Blocker, carried 4/1, with Smith dissenting, to direct staff to withdraw \$75,000 from the Transportation Trust Fund (TTF) to engage a consultant to review the permitting and construction of a fix.

(5:10 p.m.) Ed Slavin, P.O. Box 3084, spoke in support of the motion.

(5:13 p.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in support of the motion.

(5:13 p.m.) Smith questioned what staff expected from the study. Shinkre responded.

(5:14 p.m.) Motion by Smith, seconded by Dean, carried 5/0, with Smith dissenting, to send letters to legislative officials, substantially in the form as submitted.

The Board moved to Regular Agenda Item 2.

(Formerly Consent Agenda Item 6.)

(04/02/19 - 23 - 11:00 a.m.)

14. MOTION TO APPROVE THE EARLY RELEASE OF THE PARK-AND-RIDE LOT ADJACENT TO US HIGHWAY 1, AS PROVIDED IN SPECIAL CONDITION 25 (1) OF THE NOCATEE DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER, RESOLUTION NO. 2001-30, AS AMENDED, AS SHOWN ON MAP H OF THE NOCATEE DEVELOPMENT OF REGIONAL IMPACT (DRI)

Wanchick presented an overview of the request.

(11:02 a.m.) Rory Diamond, CEO of K-9 for Warriors, spoke on the location and the importance of the dog kennel to be placed on the property.

(11:04 a.m.) **Motion by Blocker, seconded by Johns, carried 5/0, to adopt Resolution No. 2019-101, approving the early release of the Park-and-ride lot adjacent to the US Highway 1, as provided in special condition 25(l) of the Nocatee Development of Regional Impact Development Order.**

RESOLUTION NO. 2019-101

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE EARLY RELEASE OF THE PARK-AND-RIDE LOT ADJACENT TO US HIGHWAY 1, PURSUANT TO SPECIAL CONDITION 25(L) OF THE NOCATEE DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER, RESOLUTION NO. 2001-30, AS AMENDED, AS SHOWN ON MAP H OF THE NOCATEE DRI; MUTUALLY AGREEING WITH THE DEVELOPER AND THE JACKSONVILLE TRANSPORTATION AUTHORITY (JTA) TO ACCELERATE THE DETERMINATION PRIOR TO PHASE V OF THE DEVELOPMENT ORDER, THAT THE PARK-AND-RIDE LOT IS NOT NEEDED; AND PROVIDING AN EFFECTIVE DATE

(11:04 a.m.) The Board moved to Regular Agenda Item 4.

(04/02/19 - 23 - 5:49 p.m.)

COMMISSIONERS' REPORTS

Commissioner Johns

Johns disclosed that he discovered one of his employees previously worked for R-A-M Professional Group, Inc., and had taken part in the design that R-A-M provided to the Sheriff's facility project. He noted that the County Attorney stated there was no conflict of interest.

Commissioner Blocker

No report.

Commissioner Dean

(5:53 p.m.) Dean reported attending the Florida Association of Counties (FAC) Legislative Day, stating that Attorney General Ashley Moody and the Director of Emergency Management offered their assistance with Florida Emergency Management Agency (FEMA) reimbursements. Additionally, he stated that he was asked to join a State Water Policy Committee to assist in the effort to move forward with a State Water Policy.

Commissioner Smith

(5:54 p.m.) Smith gave an agriculture report; spoke on the University of Florida Institute of Food and Agricultural Sciences (UFIFAS) candidates; and a trail dedication in Hastings. Additionally, he mentioned the dedication of Stanton Landing, at Federal Point, as a destination on Bartram Trail, and requested consideration of the Board for St. Johns County's participation. *Consensus was given directing staff to research designated destination points in St. Johns County.*

Commissioner Waldron

(5:57 p.m.) Waldron spoke on future BCC items: lobbying ordinance and Land Development Code (LDC) amendments.

(04/02/19 - 24 - 5:58 p.m.)

COUNTY ADMINISTRATOR'S REPORT

(5:58 p.m.) Wanchick expressed appreciation for the Board members' efforts to expedite the process of his contract. Additionally, he requested authorization to draft a letter regarding the States affordable housing funds to the State of Florida.

(5:59 p.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to send a letter to the State of Florida regarding affordable housing funds.**

(6:00 p.m.) Request to appoint Doug Bataille as the new Parks and Recreation Director.

(6:01 p.m.) Johns mentioned an article regarding Bataille. Discussion ensued.

(6:03 p.m.) Waldron commended Billy Zeits, Interim Parks and Recreation Director, for his exemplary job as interim director.

(6:04 p.m.) Ed Slavin, P.O. Box 3084, requested to put the item on the next agenda.

(6:05 p.m.) **Consensus was given to appoint Doug Bataille as the Parks and Recreation Director.**

(04/02/19 - 24 - 6:05 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack reported that there was nothing in the Florida Statute regarding the requirement of a contract pertaining to the administrator; however, there was a provision in the County Administrator Ordinance for the county administrator to be hired on a contract basis only.

(04/02/19 - 24 - 6:06 p.m.)

CLERK OF COURT'S REPORT

No report.

(04/02/19 - 25 - 6:06 p.m.)
ADJOURN

With there being no further business to come before the Board, Waldron adjourned the meeting at 6:06 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 567382-567467, totaling \$53,678.45 and Voucher Register, Voucher Nos. 42420-42550, totaling \$90,128.03 (03/27/19)
2. St. Johns County Board of County Commissioners Check Register, Check No. 567468, totaling \$290.22 (03/27/19)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 567469-467484, totaling \$298,419.95 (03/28/19)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 567485-567495, totaling \$4,118.91 and Voucher Register, Voucher Nos. 42551-42553, totaling \$755.11 (03/28/19)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 42554-42555, totaling \$8,848.97 (03/28/19)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 567496-567689, totaling \$754,272.13 and Voucher Register, Voucher Nos. 42556-42645, totaling \$613,314.18 (04/02/19)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 567690-567707, totaling \$23,362.87 and Voucher Register, Voucher Nos. 42646-42662, totaling \$44,631.99 (04/03/19)

CORRESPONDENCE:

There was none.

Approved _____ May 21 _____, 2019

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Paul M. Waldron
Paul M. Waldron, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: Sam Halterman
Deputy Clerk

