

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 16, 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
Natasha McGee, Deputy Clerk

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

(04/16/19 - 1 - 9:00 a.m.)
CALL TO ORDER

Waldron called the meeting to order.

(04/16/19 - 1 - 9:00 a.m.)
ROLL CALL

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

(04/16/19 - 1 - 9:00 a.m.)
INVOCATION

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

(04/16/19 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Waldron led the Pledge of Allegiance.

(04/16/19 - 1 - 9:02 a.m.)
PROCLAMATION RECOGNIZING APRIL 14-20, 2019, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK

Commissioner Blocker presented the proclamation. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Chief Prevatt, St. Johns County Fire Rescue, and Chief Brian Lee, St. Johns County Sheriff's Office, spoke on the significance of recognizing National Public Safety Telecommunications Week and the important role those staff members served in the community.

(04/16/19 - 2 - 9:10 a.m.)

RECOGNITION OF VILANO BEACH MAIN STREET 2019 ACCREDITATION

Commissioner Dean presented the certificate of recognition. Vivian Browning, President of Vilano Beach Main Street, spoke on the importance of the 2019 accreditation and the role Vilano Main Street played in the community.

(04/16/19 - 2 - 9:18 a.m.)

ACCEPTANCE OF PROCLAMATION

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

(04/16/19 - 2 - 9:18 a.m.)

PUBLIC COMMENT

Shelly Owen, 25204 East Highway 316, Salt springs, Florida, spoke in opposition to the Parking Management Program.

(9:22 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke on double taxation.

(04/16/19 - 2 - 9:25 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(04/16/19 - 2 - 9:26 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2019-127**, authorizing the county administrator, or designee, to execute a Subrecipient Agreement, in substantially the same form and format as attached hereto, with the Florida Department of Law Enforcement, along with any supplemental documents required to secure a grant award in the amount of \$2,050, to purchase an autopsy saw for use by the Medical Examiner's Office; and amending the Fiscal Year 2019 budget to recognize and appropriate the grant funds as revenue, within the Fiscal Year 2019 General Fund and Medical Examiner Department budgets

RESOLUTION NO. 2019-127

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF A 2018 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANT; AUTHORIZING THE CHAIR TO EXECUTE THE GRANT AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY, FLORIDA; RECOGNIZING THE GRANT AMOUNT AS UNANTICIPATED REVENUE; AND APPROPRIATING THE GRANT FUNDS WITHIN THE GENERAL FUND AND MEDICAL EXAMINER'S OFFICE 2019 FISCAL YEAR BUDGETS

3. Motion to authorize the transfer \$183,703 from General Fund Reserves, to correctly fund the Property Appraiser's operation for Fiscal Year 2019
4. Motion to adopt **Resolution No. 2019-128**, approving the final plat for Rivertown, Whistling Straits Drive, Phase 2

RESOLUTION NO. 2019-128

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERTOWN, WHISTLING STRAITS DRIVE, PHASE 2

5. Motion to adopt **Resolution No. 2019-129**, approving the final plat for Sebastian Cove, Phase 4

RESOLUTION NO. 2019-129

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SEBASTIAN COVE, PHASE 4

6. Motion to adopt **Resolution No. 2019-130**, approving the final plat for Shearwater, Phase 2C (Replat)

RESOLUTION NO. 2019-130

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

7. Motion to adopt **Resolution No. 2019-131**, authorizing the chair to execute Supplemental Joint Project Participation Agreement Number 1, Financial Project Number 418441-1-84-19, substantially in the same form as attached; and authorizing the county administrator, or his authorized designee, to execute any other documents or Supplemental Joint Participation Agreements, for the purpose of Scope Changes and/or funding adjustments, and all other documents as may be required in support of the project to include contract time extension(s), as may be required in support of this document

RESOLUTION NO. 2019-131

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING A BUDGET INCREASE TO JOINT PARTICIPATION AGREEMENT FINAL PROJECT NUMBER 41844-1-84-19, BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, IN THE AMOUNT OF \$200,000; AND TO RECOGNIZE THESE ADDITIONAL REVENUES IN THE TRANSIT SYSTEM BUDGET FOR FISCAL YEAR 2019; AND TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE JOINT PARTICIPATION AGREEMENT, ON BEHALF OF THE COUNTY

8. Motion to adopt **Resolution No. 2019-132**, approving an exchange of real property, pursuant to Section 125.37 Florida Statutes, in connection with an access easement, to benefit the Turnbull Creek Regional Offsite Mitigation Area

RESOLUTION NO. 2019-132

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN EXCHANGE OF REAL PROPERTY, PURSUANT TO SECTION 125.37 FLORIDA STATUTES, IN CONNECTION WITH AN ACCESS EASEMENT, TO BENEFIT THE TURNBULL CREEK REGIONAL OFFSITE MITIGATION AREA

9. Motion to adopt **Resolution No. 2019-133**, accepting a Deed of Dedication Right-of-Way, from Tolomato Community Development District to St. Johns County, conveying the right-of-way for Nocatee Landing Trail Extension

RESOLUTION NO. 2019-133

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION RIGHT-OF-WAY, FROM TOLOMATO COMMUNITY DEVELOPMENT DISTRICT TO ST. JOHNS COUNTY, CONVEYING THE RIGHT-OF-WAY FOR NOCATEE LANDING TRAIL EXTENSION

10. Motion to adopt **Resolution No. 2019-134**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the force main extension, to serve property located at 325 Floridian Avenue

RESOLUTION NO. 2019-134

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 FORCE MAIN EXTENSION, TO SERVE PROPERTY LOCATED AT 325 FLORIDIAN AVENUE

11. Motion to adopt **Resolution No. 2019-135**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the force main extension, to serve property located at 271 Cubbedge Road

RESOLUTION NO. 2019-135

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 FORCE MAIN EXTENSION,

TO SERVE PROPERTY LOCATED AT 271 CUBBEDGE ROAD

12. Motion to adopt **Resolution No. 2019-136**, accepting a Final Release of Lien, Warranty, Easement for Utilities, and Bill of Sale and Schedule of Values, conveying all personal property associated with the water, sewer and reuse systems, to serve Bannon Lakes, Phase 1B-1B, located off International Golf Parkway

RESOLUTION NO. 2019-136

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, EASEMENT FOR UTILITIES, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER, SEWER AND REUSE SYSTEMS, TO SERVE BANNON LAKES, PHASE 1B-1B, LOCATED OFF INTERNATIONAL GOLF PARKWAY

13. Motion to adopt **Resolution No. 2019-137**, accepting a 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 Bannon Lakes, Phase 1B-1B, Amenity Center, located off International Golf Parkway

RESOLUTION NO. 2019-137

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, SEWER AND REUSE SYSTEMS, TO SERVE BANNON LAKES, PHASE 1B-1B, AMENITY CENTER, LOCATED OFF INTERNATIONAL GOLF PARKWAY

14. Motion to adopt **Resolution No. 2019-138**, 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 1770 A1A South

RESOLUTION NO. 2019-138

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 1770 A1A SOUTH

15. Motion to adopt **Resolution No. 2019-139**, accepting an Easement for Utilities associated with reclaimed water, serving the King and The Bear Golf Course, located off Registry Boulevard, in World Golf Village

RESOLUTION NO. 2019-139

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES ASSOCIATED WITH RECLAIMED WATER, SERVING THE KING AND THE BEAR GOLF COURSE, LOCATED OFF REGISTRY BOULEVARD, IN WORLD GOLF VILLAGE

16. 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
17. Motion to adopt **Resolution No. 2019-140**, authorizing the county administrator, or his designee, to enter into negotiations with the top ranked firm, Tyler Technologies, under Request for Proposal (RFP) No. 19-10, St. Johns County Growth Management, Electronic Permitting, Plan Review and Inspection System (EPPRIS), and upon successful negotiations, to award and execute a contract with Tyler Technologies to perform the services, in accordance with RFP No. 19-10

RESOLUTION NO. 2019-140

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO ENTER INTO NEGOTIATIONS WITH THE NUMBER ONE RANKED FIRM UNDER RFP NO. 19-10, FOR ST. JOHNS COUNTY GROWTH MANAGEMENT, ELECTRONIC PERMITTING, PLAN REVIEW AND INSPECTION SYSTEM (EPPRIS)

18. Motion to adopt **Resolution No. 2019-141**, authorizing the county administrator, or his designee, to award Bid No. 19-27, Remington Forest Drive Drainage Improvements; and execute a contract, in substantially same form and format as attached hereto, with G&H Underground Construction, Inc., for the completion of the project, as provided in Bid No. 19-27, for a lump sum cost of \$390,000

RESOLUTION NO. 2019-141

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 19-27; AND TO EXECUTE AN AGREEMENT FOR REMINGTON FOREST DRIVE DRAINAGE IMPROVEMENTS

19. Motion to adopt **Resolution No. 2019-142**, approving the 2019 Inventory List of Lands Available for Use as Affordable Housing, pursuant to Section 125.379, Florida Statutes

RESOLUTION NO. 2019-142

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2019 INVENTORY LIST OF LAND

**AVAILABLE FOR USE AS AFFORDABLE HOUSING,
PURSUANT TO FLORIDA STATUTE REQUIREMENTS**

20. Motion to adopt **Resolution No. 2019-143**, approving the terms, conditions, provisions, and requirements of the Public Library Association (PLA) Inclusive Internship Initiative Memorandum of Understanding (MOU), authorizing the county administrator, or his designee, to execute the agreement, substantially in the same form as attached; and recognizing and appropriating \$3,500, thereby amending the Fiscal Year 2019 Budget

RESOLUTION NO. 2019-143

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, AND REQUIREMENTS OF A PLA INCLUSIVE INTERNSHIP INITIATIVE AWARD; AND RECOGNIZING AND APPROPRIATING WITHIN THE GENERAL FUND LIBRARY SERVICES DEPARTMENT

21. Motion to adopt **Resolution No. 2019-144**, approving the recognition and appropriation of received Fiscal Year (FY) 2018 and FY 2019 Library Donations in the amount of \$7,975, and amending the Library's FY 2019 Budget

RESOLUTION NO. 2019-144

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2019 GENERAL FUND TO INCLUDE CERTAIN UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM

22. Motion to transfer \$44,762 from General Fund Reserves to Building Operations Building Maintenance (0032-54600) for the replacement of one drive and one central processing unit, in a public elevator, at the Administration Building
23. Motion to approve minutes:
- 02/05/19, BCC Regular

(04/16/19 - 7 - 9:26 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

There were none.

(04/16/19 - 7 - 9:26 a.m.)

APPROVAL OF REGULAR AGENDA

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

(Regular Agenda Items 1 and 2 were presented together.)

(04/16/19 - 7 - 9:26 a.m.)

1. PUBLIC HEARING, CPA (SS) 2018-09, STATE ROAD 16 COMMERCIAL. ADOPTION OF CPA (SS) 2018-09, STATE ROAD 16 COMMERCIAL, A REQUEST TO AMEND THE COMPREHENSIVE PLAN FROM RURAL/SILVICULTURE (R/S) TO NEIGHBORHOOD COMMERCIAL (NC). THE PROPERTY IS

LOCATED ALONG STATE ROAD 16, SOUTHEAST OF WHISPER RIDGE DRIVE
AND NORTHWEST OF THE PREMIUM OUTLETS SHOPPING MALL

Proof of publication of the notice of public hearing on CPA (SS) 2018-09, State Road 16 Commercial, was received, having been published in *The St. Augustine Record* on March 6, 2019.

Ex parte communications: Dean met with Susan Bloodworth and Courtney Gaver, Rogers Towers, 100 Whetstone Place, representing the applicant and property owner, and discussed the commercial site; and traffic and drainage concerns. Smith met with Bloodworth, Gaver, and Soria on April 11, 2019, and discussed the State Road 16 Commercial site; Tommy Bennett's ownership; the location of the property; the Whisper Ridge community meeting; rezoning the site; limiting vehicular activity near residential areas; the size of the commercial development; and on the Northwest Sector community meeting. Blocker met with Bloodworth and Gaver on April 11, 2019, and discussed the scope of the project and the Whisper Ridge community meeting. Waldron met with Bloodworth, Gaver, and Soria on April 11, 2019, and discussed the project details and the Whisper Ridge community meeting. He also stated that he spoke with Tommy Bennett, property owner.

(9:29 a.m.) Justin Kelly, Planner, presented details of Regular Agenda Items 1 and 2, via PowerPoint.

(9:35 a.m.) Gaver presented details of the applications, via PowerPoint.

(9:41 a.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to enact Ordinance No. 2019-28, CPA (SS) 2018-09, State Road 16 Commercial, based upon four findings of fact.**

ORDINANCE NO. 2019-28

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, AMENDING THE 2025
COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS
AMENDED, TO CHANGE THE FUTURE LAND USE MAP
DESIGNATION FROM RURAL SILVICULTURE (R/S) TO
NEIGHBORHOOD COMMERCIAL (NC), FOR
APPROXIMATELY 4.95 ACRES OF LAND, LOCATED ON
STATE ROAD 16; PROVIDING FOR FINDINGS OF
FACT; FINDINGS OF CONSISTENCY; SEVERABILITY;
AND AN EFFECTIVE DATE**

(04/16/19 - 8 - 9:26 a.m.)

2. PUBLIC HEARING, PUD 2018-13, STATE ROAD 16 COMMERCIAL. A REQUEST TO REZONE APPROXIMATELY 4.95 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ACCOMMODATE A 30,100 SQUARE FOOT COMMERCIAL/OFFICE DEVELOPMENT. THIS APPLICATION IS COMPANION TO AND CONTINGENT WITH CPA (SS) 2018-09. PLEASE SEE THE STAFF REPORT FOR ADDITIONAL DETAILS

Proof of publication of the notice of public hearing on PUD 2018-13, State Road 16 Commercial, was received, having been published in *The St. Augustine Record* on March 6, 2019.

Discussion occurred with Regular Agenda Item 1.

(9:41 a.m.) Motion by Smith, seconded by Waldron, carried 5/0, to enact Ordinance No. 2019-29, PUD 2018-13, State Road 16 Commercial, a request to rezone approximately 4.95 acres from Open Rural (OR) to Planned Unit Development (PUD) to accommodate a 30,100 square foot commercial/office development; based on nine findings of fact, as provided in the Staff Report.

ORDINANCE NO. 2019-29

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

(9:42 a.m.) Brad Bulthuis, Assistant County Attorney, entered the meeting and Andrews left the meeting.

(04/16/19 - 9 - 9:42 a.m.)

3. PUBLIC HEARING, DISCUSSION ITEM - POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT CODE. AT THE DIRECTION OF THE BOARD OF COUNTY COMMISSIONERS (THE "BOARD"), STAFF WAS ASKED TO ANALYZE SEVERAL LAND DEVELOPMENT CODE (THE "CODE") PROVISIONS, AS WELL AS SUGGEST AMENDMENTS THAT WOULD EITHER ADDRESS COMMONLY OCCURRING WAIVERS OR VARIANCE REQUESTS. STAFF ALSO HAS IDENTIFIED ONE REFORMATTING SUGGESTION IN AN EFFORT TO MAKE THE CODE MORE "USER-FRIENDLY" AND CLEAR. STAFF HAS SCOPED ELEVEN ISSUES IN THIS REPORT, AND SEEKS BOARD GUIDANCE

Joseph Cearley, Special Projects Manager, presented details of the proposed amendments, via PowerPoint. Discussion ensued on the proposed amendments between Board members and staff, with additional comments provided by McCormack; Soria; Bulthuis; Locklear; Jan Brewer, Director of Environmental; and Suzanne Konchan, Director of Growth Management.

The following direction was given by the Board for the proposed amendments: 1) Mailed Notices: discussion ensued; 2) Community Meetings: no direction stated; 3) Front Yard Setbacks in PUDs: proceed with proposed changes, after statistical proof that increases garage setbacks would solve the concern; 4) Front Yards Setbacks on Corner Lots within PUDs: discussion ensued; 5) Natural Vegetation in Buffers and Edges: discussion ensued; 6) Mailboxes: discussion ensued; 7) Definition of Dedication and Donation: discussion ensued; 8) Access from an Easement: discussion ensued; 9) Section 2.02.00 Reformat: approved as presented; 10) Section 6.06.04 Incompatibility Buffers: approved as presented; and 11) Section 6.01.03 Lot Width Area and Yard Requirements: utilize current code. Staff noted that proposed amendment changes would be brought back before the Board at a future meeting for additional discussion and/or approval.

(10:51 a.m.) Chuck Labanowski, 1748 North Cappero Drive, spoke on front yard setbacks, with regard to utility lines and sidewalks.

(10:53 a.m.) Gina Fishman, 225 Pablo Road, spoke on mailbox location, with regard to the "Clear Zone".

(04/16/19 - 10 - 10:56 a.m.)

4. CONSIDER APPOINTMENTS TO THE SOUTH ANASTASIA DESIGN REVIEW BOARD (DRB). CURRENTLY THERE ARE FIVE VACANCIES ON THE SOUTH ANASTASIA DESIGN REVIEW BOARD (4 REGULAR AND 1 ALTERNATE). TWO ARE DUE TO RESIGNATIONS AND THREE ARE DUE TO EXPIRED TERMS. THESE VACANCIES HAVE BEEN ADVERTISED SINCE NOVEMBER 2018. ONLY TWO APPLICATIONS WERE RECEIVED BY THE DEADLINE OF JANUARY 25, 2019. DUE TO QUORUM REQUIREMENTS, IT IS ADVISABLE TO CONSIDER THESE TWO APPLICATIONS AS SOON AS POSSIBLE. PLEASE FIND ATTACHED FOR YOUR REVIEW THE TWO APPLICATIONS AND A RECOMMENDATION FROM THE SOUTH ANASTASIA DESIGN REVIEW BOARD TO APPOINT CHARLES DELONY, WHO IS CURRENTLY SERVING ON THE DRB, AS A REGULAR MEMBER; AND APPOINT APPLICANT MERCER K. CLARKE AS A REGULAR MEMBER. THE ADDITIONAL VACANCIES ARE BEING RE-ADVERTISED AND WILL BE BROUGHT BEFORE THE BOARD OF COUNTY COMMISSIONERS AT A LATER DATE

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

(10:57 a.m.) **Motion by Waldron, seconded by Smith, carried 5/0, to appoint Charles Delony to the South Anastasia Design Review Board, as a regular member, for a four-year term, scheduled to expire April 2, 2023.**

(10:58 a.m.) **Motion by Waldron, seconded by Smith, carried 5/0, to appoint Mercer K. Clarke to the South Anastasia Design Review Board, as a regular member, for a four-year term, scheduled to expire April 2, 2023.**

(04/16/19 - 10 - 10:58 a.m.)

5. CONSIDER ADOPTION OF PROPOSED BYLAWS AND INITIAL MEMBER APPOINTMENTS TO THE FIRE CODE BOARD OF APPEALS. THIS PROPOSED RESOLUTION CREATES AND ADOPTS BYLAWS FOR THE FIRE CODE BOARD OF APPEALS (FCBOA). THE FCBOA BYLAWS WERE CREATED USING A STANDARDIZED TEMPLATE PERTAINING TO GENERAL BOARD GOVERNANCE. THESE BYLAWS DO NOT OVERRIDE ANY STATUTORY GUIDELINES, BUT WILL INCLUDE STATUTORY REQUIREMENTS WHERE AVAILABLE. THE CREATION OF THESE BYLAWS WILL HOUSE ALL GENERAL OPERATIONS IN ONE LOCATION; THEREBY, MAKING THE PROCESS MORE EFFICIENT FOR STAFF AND BOARD MEMBERS TO LOCATE INFORMATION SUCH AS: EACH BOARD'S MISSION AND PURPOSE; QUALIFICATIONS AND MEMBERSHIP REQUIREMENTS; AND NUMEROUS RULES AND POLICIES OF THE BOARD OF COUNTY COMMISSIONERS RELEVANT TO APPOINTED BOARDS AND COMMITTEES. PER ORDINANCE 2016-29, THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ("BOARD") ESTABLISHED THE FCBOA, A SEVEN-MEMBER COMMITTEE WITH THE STATED PURPOSE OF PROVIDING FOR THE REASONABLE INTERPRETATION OF THE PROVISIONS OF THE FIRE PREVENTION CODE AND ISSUE RULINGS ON APPEALS OF DECISIONS OF THE COUNTY FIRE MARSHAL, IN ACCORDANCE WITH THE REQUIREMENTS OF ST. JOHNS COUNTY ORDINANCE 2016-29. ADDITIONALLY, THIS ITEM SEEKS THE APPOINTMENT OF THE INITIAL MEMBERS OF THE FCBOA. THE REGULAR TERM FOR MEMBERS OF THE FCBOA WILL BE THREE YEARS. HOWEVER, TO ENSURE CONTINUITY, THE INITIAL TERMS OF THE NEW MEMBERS ARE TO BE STAGGERED, PER ARTICLE II OF THE BYLAWS, AS FOLLOWS: ONE REGULAR MEMBER SHALL BE APPOINTED TO A ONE-YEAR TERM; THREE REGULAR MEMBERS SHALL BE APPOINTED TO TWO-YEAR TERMS; AND THREE REGULAR MEMBERS SHALL BE APPOINTED TO THREE-YEAR

TERMS. AFTER THE INITIAL TERM, THOSE INITIAL APPOINTED MEMBERS WHO SERVED A TERM OF LESS THAN THREE YEARS WOULD BE ELIGIBLE TO SERVE ANOTHER TWO CONSECUTIVE THREE-YEAR TERMS, WHILE THOSE WHO HAD SERVED A THREE-YEAR TERM WOULD BE ELIGIBLE TO SERVE FOR ONLY ONE ADDITIONAL THREE-YEAR TERM. IT IS SUGGESTED THAT THE NEWLY APPOINTED MEMBERS SELECT/DRAW LOTS AT THEIR FIRST MEETING TO DETERMINE INDIVIDUAL TERMS. THOSE TERMS WOULD BE BROUGHT BACK ON A FUTURE CONSENT AGENDA FOR RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION SEVEN APPLICATIONS SUBMITTED TO THE COUNTY: LEE BAILEY - (DIST. 5), BURTON T. CONWAY - (DIST. 4), ROBERT GLASGOW - (DIST. 2), KELLY SMITH - (DIST. 5), LISA A. WARD - (DIST. 4), MELVIN WEISBLATT - (DIST. 4), AND HASTINGS WILLIAMS - (DIST 4)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the proposed bylaws and initial member appointments. She noted the following revision to Article III, under Officers, of the proposed bylaws, *Exhibit A: The Fire Code Board of Appeals shall elect a Chair, Vice-Chair, and Secretary, each of whom shall serve for one year and until a successor is chosen, unless otherwise provided for, with respect to a particular Board/Committee.*

(11:01 a.m.) Motion by Waldron, seconded by Dean, carried 5/0, to adopt Resolution No. 2019-125, creating and adopting Bylaws of the Fire Code Board of Appeals, to include the recommended revision of Article III, as amended.

RESOLUTION NO. 2019-125

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE FIRE CODE BOARD OF APPEALS BYLAWS; AND PROVIDING AN EFFECTIVE DATE

(11:01 a.m.) Motion by Waldron, seconded by Dean, carried 5/0, to appoint the seven applicants, as presented, to the Fire Code Board of Appeals; and allow the newly appointed members to determine individual terms through the selection and/or drawing of lots at their first meeting, with said terms being presented on a future Consent Agenda for ratification.

(04/16/19 - 11 - 11:02 a.m.)

6. PROPOSED SETTLEMENT OF PONTE VEDRA CORPORATION LITIGATION. IN SEPTEMBER 2016, PONTE VEDRA CORPORATION ("PVC") FILED SUIT AGAINST ST. JOHNS COUNTY REGARDING THE PROPOSED REZONING OF A PARCEL OF LAND PVC OWNS AT THE END OF NECK ROAD, IN ST. JOHNS COUNTY, COMMONLY REFERRED TO AS THE "OUTPOST." THE COUNTY ATTORNEY HAS MANAGED THE COUNTY'S DEFENSE IN THE LITIGATION. IN ORDER TO RESOLVE THE DISPUTE, PVC AND STAFF HAVE PROPOSED TO DISMISS THE LITIGATION WITHOUT PREJUDICE AND FOR PVC TO SUBMIT AN APPLICATION TO CHANGE THE LAND USE DESIGNATION FOR THE PROPERTY. THE APPLICATION WOULD BE PROCESSED BY STAFF AND SUBSEQUENTLY REVIEWED BY THE BOARD FOR TRANSMITTAL AND, IF TRANSMITTED, FOR ADOPTION, IN CONJUNCTION WITH THE PENDING REZONING APPLICATION. THE BOARD RETAINS ULTIMATE AUTHORITY TO APPROVE OR DENY TRANSMITTAL OR ADOPTION OF THE LAND USE APPLICATION AND TO APPROVE OR DENY THE REZONING APPLICATION. IN THE EVENT THE LAND USE CHANGE AND REZONING APPLICATIONS ARE APPROVED, THE LITIGATION WOULD BE DISMISSED

WITH PREJUDICE. THE COMPLETE LANGUAGE CAN BE FOUND IN THE ATTACHED SETTLEMENT AGREEMENT. THE RELEVANT DEPARTMENTS HAVE BEEN CONSULTED AND REVIEWED THE PROPOSED SETTLEMENT. THE COUNTY ATTORNEY IS PREPARED TO CONTINUE DEFENDING THE LITIGATION, BUT IF THE BOARD DIRECTS APPROVAL, RECOMMENDS THAT THE SETTLEMENT AGREEMENT WOULD SERVE THE PUBLIC INTEREST

Brad Bulthuis, Assistant County Attorney, presented details of the request, via PowerPoint.

(11:05 a.m.) McCormack noted that PVC representatives were available for questions; and that he recommended approval of the proposed settlement agreement for the record.

(11:06 a.m.) Nicole Crosby, 1169 Neck Road, spoke in opposition to the development of the subject property.

(11:07 a.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, on behalf of Ponte Vedra Corporation, property owner, provided details of the settlement agreement.

(11:11 a.m.) Bulthuis clarified the legal allegations/counts provided by Avery-Smith.

(11:11 a.m.) Motion by Blocker, seconded by Smith, carried 5/0, to adopt Resolution No. 2019-126, approving the terms, conditions, provisions, and requirements of the Settlement Agreement between St. Johns County and Ponte Vedra Corporation regarding the Outpost litigation; and authorizing the chair to execute the Settlement Agreement on behalf of the County.

(11:12 a.m.) Bulthuis left the meeting.

(04/16/19 - 12 - 11:12 a.m.)
COMMISSIONERS' REPORTS

Commissioner Johns

Johns expressed his appreciation for the opportunity to serve the community.

Commissioner Blocker

(11:13 a.m.) Blocker spoke on the future District 4 community meetings.

Commissioner Dean

(11:15 a.m.) Reported on Senate Bill 446: Coastal Management.

Commissioner Smith

(11:16 a.m.) Smith gave an agricultural report; and reported that Waste Management, Inc., purchased Advanced Disposal Services.

Commissioner Waldron

(11:18 a.m.) Waldron reminded the public of the amenities in St. Johns County.

(04/16/19 - 13 - 11:18 a.m.)
COUNTY ADMINISTRATOR'S REPORT

No report.

(04/16/19 - 13 - 11:19 a.m.)
COUNTY ATTORNEY'S REPORT

No Report.

(04/16/19 - 13 - 11:19 a.m.)
CLERK OF COURT'S REPORT

No report.

(04/16/19 - 13 - 11:19 a.m.)
ADJOURN

With there being no further business to come before the Board, Waldron adjourned the meeting at 11:19 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 567708-567931, totaling \$2,008,253.53 and Voucher Register, Voucher Nos. 42663-42790, totaling \$1,435,066.87 (04/09/19)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 567932-567935, totaling \$2,901 and Voucher Register, Voucher Nos. 42791-42794, totaling \$2,553 (04/10/19)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 567936-567948, totaling \$5,156.27 and Voucher Register, Voucher Nos. 42795-42797, totaling \$755.11 (04/11/19)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 42798-42799, totaling \$8,376.84 (04/11/19)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 567949-567950, totaling \$2,020 (04/12/19)
6. St. Johns County Board of County Commissioners Check Register, Check No. 567951, totaling \$113,005 (04/12/19)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 567952-568132, totaling \$2,753,542.92 and Voucher Register Nos. 42800-42916, totaling \$2,044,006.98 (04/16/19)
8. St. Johns County Board of County Commissioners Check Register, Check No. 568133, totaling \$1,858 (04/16/19)

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: Pam Halterman
Deputy Clerk

