

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 5, 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
Crystal Smith, Deputy Clerk

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

(11/05/19 - 1 - 9:00 a.m.)
CALL TO ORDER

Waldron called the meeting to order.

(11/05/19 - 1 - 9:00 a.m.)
ROLL CALL

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

(11/05/19 - 1 - 9:01 a.m.)
INVOCATION

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

(11/05/19 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Waldron led the Pledge of Allegiance.

(11/05/19 - 1 - 9:03 a.m.)
PROCLAMATION RECOGNIZING NOVEMBER 2019 AS ADOPTION MONTH

Commissioner Smith called Michael Forster and all representatives from St. Johns County Health and Human Services and the adoption community to the podium.

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

Michael Forster, St. Johns County Health and Human Services, commended the commissioners and staff for their continuous support and encouraged anyone interested in adopting to call their office at 904-209-6080.

(11/05/19 - 2 - 9:07 a.m.)

PROCLAMATION RECOGNIZING 100TH BIRTHDAY OF THE AMERICAN LEGION AUXILIARY

Commissioner Johns called Bridgette Greene and all representatives from the American Legion Auxiliary to the podium.

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

Bridgette Greene, American Legion Auxiliary, commended the commissioners for their recognition and her staff for their hard work; spoke on the importance of the American Legion Auxiliary and what they did for the community. The auxiliary members recited their mission statement.

(11/05/19 - 2 - 9:14 a.m.)

PROCLAMATION RECOGNIZING NOVEMBER 11, 2019, AS VETERANS DAY

Commissioner Blocker called Bill Dudley, members of the Veterans Council of St. Johns County, and all veterans to the podium.

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

Mr. Dudley commended the commissioners for their support and spoke on the importance of recognizing Veterans Day, the Veterans Council of St. Johns County, and the veteran community. He presented a coin to the commissioners, the county attorney, and administration staff.

(11/05/19 - 2 - 9:22 a.m.)

PROCLAMATION RECOGNIZING 50TH ANNIVERSARY OF THE PONTE VEDRA RECORDER

Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation.

(11/05/19 - 2 - 9:24 a.m.)

ACCEPTANCE OF PROCLAMATIONS

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

(9:24 a.m.) Waldron stated Regular Agenda Item 12 would be pulled and anyone wishing to speak on that item could do so during public comment. He also stated that an item to address parking at Mickler's Landing would be added to the end of the Regular Agenda.

(11/05/19 - 2 - 9:25 a.m.)

PUBLIC COMMENT

(9:26 a.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with drainage issues on Collins Avenue and provided photographs of the ditch that leads into the San Sebastian Inlet, *Exhibit A*.

(9:28 a.m.) Robert Norwood, 4864 Flagler Estates Blvd., Hastings, referenced photographs of Deep Creek and spoke on his concerns with flooding in Flagler Estates, *Exhibit B*.

(9:32 a.m.) Jared Olson, 23209 Harbour Vista Circle, spoke on climate change, the amended 20-25 Comprehensive Plan, and provided a policy proposal; Cassandra Picard,

21372 Starman Place, Ashburn, Virginia; Chris Blanco, 239 Riberia Street; and Vaish Gondakaram, 144 King Street, Apt. 3, spoke on climate change.

(9:42 a.m.) Luke Reid, 44 Florida Avenue, spoke on climate change and implored the Board to update the Land Development Code to meet the policies for Comprehensive Plan Amendment 20-25; Sophia Pike, 128 Islander Circle, spoke on climate change and the Land Development Code; Elise Brodrique, 503 Madeore Street, spoke on climate change; and Camille Montana, 1 Malaga Street, spoke on climate change and the Land Development Code.

(9:50 a.m.) Caroline Pearce, 208 Arricola Avenue; Kyra Liedtke, 6 Mulvey Street, spoke on climate change and sea level rise; Megan Wright, 6 Mulvey Street; Hannah Leonard, 29 Nesmith Avenue; Carli Brushstoll, 29 Nesmith Avenue; Victoria Throop, 144 King Street, Apt 1B; Chaize Harrell, 59 Martin Luther King Avenue, Apt B; and Sherry Lloyd, 157 Ocean Hollow Lane, spoke on climate change. Bill Hamilton, 7000 Charles Street, spoke on climate change and presented a study on climate change, *Exhibit C*.

(10:12 a.m.) Blocker questioned staff on their thoughts regarding concerns with climate change. Discussion ensued. Dean commended the group on its efforts, explained their concerns could be addressed to the City of St. Augustine as well, and invited the group to attend The Thousand Friends of Florida event on November 20 and November 21.

(10:16 a.m.) Jim Hensley, 7330 Oakmont Court, spoke on climate change and presented a letter from St. Johns County Water Management, *Exhibit D*.

(10:20 a.m.) Blocker requested that McCormack respond to the issues expressed regarding water management. Discussion ensued.

(10:24 a.m.) Rachael Bennett, 111 Nature Park Walkway, commended the Flagler College students on their presentations, and the commissioners and staff on their work. Waldron and McCormack thanked Bennett for all of her hard work.

(10:28 a.m.) James Hill, 1070 Bella Vista Blvd., Apt 206, spoke on his outstanding experiences with the County's Parks and Recreation Department and library system.

(10:31 a.m.) Cynthia Hartman, 1825 Autumn Brook Lane, spoke on her community's experience while working through the process related to Roberts Road.

(11/05/19 - 3 - 10:32 a.m.)

DELETIONS TO THE CONSENT AGENDA

Wanchick requested that Consent Agenda Items 17 and 20 be pulled.

(11/05/19 - 3 - 10:33 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Motion to approve the Cash Requirement Report
2. Motion to approve the extension of the 2019 tax roll, prior to completion of the parcels included in the Property Value Adjustment Board hearings
3. Motion to approve PFS AGREE 2019-04 and to authorize the county administrator to execute the Mill Creek Forest PUD Proportionate Fair Share Agreement, finding

that the proposed Agreement is consistent with Section 11.09 of the Land Development Code

4. Motion to approve the Mill Creek Forest PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2019-08)
5. Motion to adopt **Resolution No. 2019-373**, approving an exchange of real property, pursuant to Section 125.37, Florida Statutes, in connection with the Shoppes of Rivertown Shopping Center

RESOLUTION NO. 2019-373

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 THE SHOPPES AT RIVERTOWN SHOPPING CENTER

6. Motion to adopt **Resolution No. 2019-374**, approving the terms of, and authorizing the county administrator, or designee, to execute, a Lease Agreement with the William Bartram Scenic & Historic Highway Corridor Management Group, Inc., for the Switzerland Community Center, located off State Road 13 North

RESOLUTION NO. 2019-374

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 THE WILLIAM BARTRAM SCENIC & HISTORIC HIGHWAY CORRIDOR MANAGEMENT GROUP, INC., FOR THE SWITZERLAND COMMUNITY CENTER, LOCATED OFF STATE ROAD 13 NORTH

7. Motion to adopt **Resolution No. 2019-375**, 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 WGV Gymnasium Center, located off International Golf Parkway

RESOLUTION NO. 2019-375

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 WGV GYMNASIUM CENTER, LOCATED OFF INTERNATIONAL GOLF PARKWAY

8. Motion to adopt **Resolution No. 2019-376**, 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 7284 A1A South

RESOLUTION NO. 2019-376

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 7284 A1A SOUTH

9. Motion to adopt **Resolution No. 2019-377**, 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 Marsh Dunes II, located off Ponte Vedra Boulevard

RESOLUTION NO. 2019-377

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 MARSH DUNES II, LOCATED OFF PONTE VEDRA BOULEVARD

10. Motion to adopt **Resolution No. 2019-378**, 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 Panera Bread Café at PV Point Shopping Center, located off A1A North

RESOLUTION NO. 2019-378

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 PANERA BREAD CAFÉ AT PV POINT SHOPPING CENTER, LOCATED OFF A1A NORTH

11. Motion to adopt **Resolution No. 2019-379**, approving the terms, provisions, conditions and requirements of the SRF loan agreement, and authorizing the execution and delivery of the SRF loan agreement

RESOLUTION NO. 2019-379

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING LOAN PROGRAM; APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A DRINKING WATER STATE REVOLVING FUND LOAN AGREEMENT RELATING TO THE CONSTRUCTION AND FINANCING OF THE

NORTHEAST GROUND STORAGE TANK AND HIGH SERVICE PUMPING STATION PROJECT; AUTHORIZING THE EXECUTION AND DELIVERY OF SAID LOAN AGREEMENT ON BEHALF OF ST. JOHNS COUNTY; AND PROVIDING AN EFFECTIVE DATE

12. Motion to declare the attachments as surplus and authorize the county administrator, or his designee, to dispose of same in accordance with Purchasing Policy 308 and Florida Statute 274
13. Motion to adopt **Resolution No. 2019-380**, authorizing the county administrator, or his designee, to enter into negotiations with Hybrid Design, Inc., as the number one ranked firm, and upon successful negotiations, award and execute a contract, in substantially the same form and format as attached hereto, for the provision of management of the advertising program on public transportation vehicles for St. Johns County, as provided in RFP 19-47R

RESOLUTION NO. 2019-380

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 19-47R, AND TO EXECUTE AN AGREEMENT FOR PUBLIC TRANSPORTATION BUS ADVERTISING SERVICES

14. Motion to adopt **Resolution No. 2019-381**, authorizing the county administrator, or designee, to enter into negotiations with M. Gay Constructors, Inc., as the number one ranked firm, and upon successful negotiations, award and execute a contract, in substantially the same form and format as attached hereto, for the design, purchase, and installation of sports lighting at Gamble Rogers soccer field and Plantation Park, as provided in RFP 19-56

RESOLUTION NO. 2019-381

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 19-56, AND TO EXECUTE AN AGREEMENT FOR THE DESIGN, PURCHASE, AND INSTALLATION OF SPORTS LIGHTING

15. Motion to adopt **Resolution No. 2019-382**, authorizing the county administrator, or his designee, to enter into negotiations with Professional Concessions, Inc., as the single respondent to RFP 19-42, Food & Beverage Services for SJC Cultural Events, and upon successful negotiations, execute a contract, in substantially the same form and format as attached hereto, for the performance of the required services in accordance with RFP No. 19-42, as negotiated

RESOLUTION NO. 2019-382

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 PROFESSIONAL

CONCESSIONS, INC., AND UPON SUCCESSFUL NEGOTIATIONS, AWARD AND EXECUTE AN AGREEMENT FOR FOOD & BEVERAGE SERVICES FOR SJC CULTURAL EVENTS UNDER RFP 19-42

16. Motion to adopt **Resolution No. 2019-383**, authorizing the county administrator, or designee, to execute an amendment, in substantially the same form and format as attached hereto, extending Master Contract No. 12-MAS-WAL-03874, with Rick Burres dba The Bait Shack, for 12 calendar months, through and until December 31, 2020, subject to the same terms and conditions

RESOLUTION NO. 2019-383

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE CONTRACT AMENDMENT #8 WITH RICK BURRE (DBA THE BAIT SHACK) UNDER RFP NO. 12-69 (MASTER CONTRACT NO. 12-MAS-WAL-03874)

(Consent Agenda Item 17 was pulled.)

17. Motion to adopt a resolution authorizing the county administrator, or designee, to award Bid No. 19-78, Signalization Replacement at Intersection of US 1 / CR 210 - HMGP 4283-010-R, and to execute a contract, in substantially the same form and format as attached hereto, with Traffic Control Devices, Inc., for completion of the work, in accordance with Bid No. 19-78, for a lump sum cost of \$318,500
18. Motion to adopt **Resolution No. 2019-384**, authorizing the county administrator, or his designee, to award Bid No. 19-89, SJC Tillman Ridge Landfill Leachate System Automation, and execute a contract, in substantially the same form and format as attached hereto, with Chinchor Electric, Inc., for completion of the project as provided in Bid No. 19-89, for a lump sum cost of \$121,324.00

RESOLUTION NO. 2019-384

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 19-89, AND TO EXECUTE AN AGREEMENT WITH CHINCHOR ELECTRIC, INC., FOR SJC TILLMAN RIDGE LANDFILL LEACHATE SYSTEM AUTOMATION

19. Motion to adopt **Resolution No. 2019-385**, authorizing the county administrator, or designee, to purchase Zoll Manufacturing cardiac care equipment as standardized equipment for St. Johns County Fire Rescue, as appropriately budgeted in each fiscal year. Purchases within budget shall not require additional BCC approval for the execution and issuance of purchase orders for standardized equipment

RESOLUTION NO. 2019-385

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE STANDARDIZATION OF ZOLL

**MANUFACTURING CARDIAC CARE EQUIPMENT FOR
ST. JOHNS COUNTY FIRE RESCUE**

(Consent Agenda Item 20 was pulled.)

20. Motion to adopt a resolution authorizing the county administrator, or designee, to execute a Consent to Assignment Agreement, in substantially the same form and format as attached hereto, providing for an assignment of the current Lease Agreement 18-LEA-RIO-09759, with Seating Solutions, Inc., to InProduction, Inc., subject to the same terms and conditions provided under Bid No. 18-74, Lease of Seating System and Installation of Grandstand for St. Augustine Amphitheatre

21. Motion to adopt **Resolution No. 2019-386**, authorizing the county administrator, or designee, to execute an agreement, in substantially the same form and format as attached, with Publix Super Markets, Inc., to provide pharmaceutical dispensing services, in accordance with the requirements under Misc. No. 19-62

RESOLUTION NO. 2019-386

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO AWARD MISC NO. 19-62, AND TO
EXECUTE AGREEMENTS FOR PHARMACEUTICAL
DISPENSING SERVICES**

22. Motion to adopt **Resolution No. 2019-387**, approving the terms, conditions, and requirements of the contract between St. Johns County and EPIC Community Services for the provision of services through the THINK! for Success Program, at a price not to exceed \$48,774; and authorizing the county administrator to execute the a contract, substantially in the same form as attached, on behalf of the County

RESOLUTION NO. 2019-387

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS, CONDITIONS, AND
REQUIREMENTS OF AN AGREEMENT BETWEEN ST.
JOHNS COUNTY BOARD OF COUNTY
COMMISSIONERS AND EPIC COMMUNITY SERVICES
FOR THE THINK! FOR SUCCESS PROGRAM, AND
AUTHORIZING THE COUNTY ADMINISTRATOR, OR
DESIGNEE, TO EXECUTE THE AGREEMENT ON
BEHALF OF THE COUNTY**

23. Motion to adopt **Resolution No. 2019-388**, ratifying the county administrator's submission of an application seeking funding assistance through the Florida Department of Economic Opportunity's CDBG-DR Rebuild Florida Infrastructure Repair Program for the Hastings Drainage Improvement Project, on behalf of the County

RESOLUTION NO. 2019-388

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
RATIFYING THE COUNTY ADMINISTRATOR'S
SUBMISSION OF AN APPLICATION SEEKING
FUNDING ASSISTANCE THROUGH THE FLORIDA**

DEPARTMENT OF ECONOMIC OPPORTUNITY'S
CDBG-DR REBUILD FLORIDA INFRASTRUCTURE
REPAIR PROGRAM FOR THE HASTINGS DRAINAGE
IMPROVEMENT PROJECT

24. Motion to approve minutes:
- 09/12/19, BCC Regular
 - 09/12/19, BCC Special
 - 09/24/19, BCC Special

(11/05/19 - 9 - 10:33 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Waldron requested to add an item related to parking at Mickler's Landing as Regular Agenda Item 2B and requested that Regular Agenda Item 12 be pulled.

(11/05/19 - 9 - 10:34 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Blocker, seconded by Smith, carried 5/0, to approve the Regular Agenda, as amended, including the addition of Mickler's Landing as Item 2B, and the request to withdrawal PUD 2019-08, Fruit Cove Village [Item 12].

(11/05/19 - 9 - 10:34 a.m.)

1. TOTAL EARNED UNUSED AND UNDISTRIBUTED REVENUE. IN COMPLIANCE WITH FLORIDA STATUTE 218.36, THE ST. JOHNS COUNTY TAX COLLECTOR, DENNIS HOLLINGSWORTH, WILL PRESENT A REPORT OF EXCESS FEES COLLECTED FOR THE 2018-2019 FISCAL YEAR. PLEASE NOTE THAT THESE EXCESS FEES HAVE ALREADY BEEN ESTIMATED AS A PART OF THE COUNTY BUDGET PROCESS, AND THEREFORE, THEY DO NOT NECESSARILY REPRESENT ADDITIONAL COUNTY REVENUE

Dennis Hollingsworth, CFC, St. Johns County Tax Collector, presented details of the item, via PowerPoint. He stated that the total earned, unused and undistributed revenue for fiscal years 2018-2019 was \$5,454,525.96. He said the funds had already been distributed to the County and to various taxing authorities. He further discussed revenue and expense offsets, the number of transactions performed by his in-house staff and over the internet, and the services his office provided for the State of Florida. The commissioners commended Hollingsworth for his and his staff's hard work.

(10:48 a.m.) **Motion by Dean, seconded by Smith, carried 5/0, to approve the total earned, unused and undistributed revenue collected for the 2018-2019 tax year.**

(11/05/19 - 9 - 10:49 a.m.)

2. PRESENTATION ON THE LONG-RANGE TRANSPORTATION PLAN (LRTP) BY THE TPO. THE NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION (TPO) WILL PRESENT THE 2045 LONG RANGE TRANSPORTATION PLAN (2045 LRTP) PER COMMISSIONER JOHNS' REQUEST. THE TPO IS REQUIRED TO UPDATE THE LRTP EVERY FIVE YEARS. THE TPO REGION INCLUDES FOUR COUNTIES: CLAY, DUVAL, NASSAU, AND ST. JOHNS. THE LRTP ASSESSES TRANSPORTATION INFRASTRUCTURE NEEDS THROUGH 2045 FOR THE TPO REGION. AS A RESULT OF THE UPDATE, SPECIFIC TRANSPORTATION IMPROVEMENT PROJECTS ARE IDENTIFIED, WHICH PROVIDES A BASIS FOR COST EVALUATION, BASED ON POTENTIAL REVENUE STREAM AND TO SEEK FEDERAL AND STATE FUNDS

Phong Nguyen, Transportation Development Manager, explained that the LRTP produced two plans: the needs plan, that looked at transportation needs by 2045, without regard to cost; and the cost feasible plan, that looked at possible funding streams coming to the region, therefore, that list had fewer projects.

(10:51 a.m.) Denise Bunnewith, Planning Director, North Florida Transportation Planning Organization, 980 N. Jefferson St., Jacksonville, thanked the Board and staff for participating in the TPO's planning efforts. She said that they would adopt a plan next week, that would be submitted to the Department of Transportation. She gave a timeline of other projects the TPO was working on.

(10:53 a.m.) Wiley Paige, Atkins, 600 Dix Ellis Trail, Jacksonville, presented a video of the 2045 long-range transportation plan. He reviewed the factors that were considered to develop the plan, including technology, growth, and mobility trends, via PowerPoint. He explained that the plan was updated every five years. He reviewed some of the projects and programs on the current list: the widening of SR 16 and SR 207 (to six lanes), the construction of 313, improvements to A1A at Micklers, intersection improvements in south St. Augustine, the development of a multi-modal way, and a feasibility study to examine how to connect the regional airport to I-95; discussion ensued.

(11:08 a.m.) Vivian Browning, Chair of the Vilano Trail Town, said her group wanted to be included in the long-range planning. She requested, of the TPO, that they have a part in the feasibility for their section of the East Coast Greenway and the multi-use trail.

(11/05/19 - 10 - 11:11 a.m.)

2B. DISCUSSION OF THE AGREEMENT WITH WORLEY SHORELINE SERVICES FOR USE OF MICKLER'S LANDING

Smith requested to be shown where the Use Agreement gave the contractor (Worley) the right to close Mickler's Landing, Monday through Friday. Wanchick explained that it was established in the Operational Agreement, under the Use Agreement. Smith stated that that was not what the Board agreed to on October 1. He read from the Non-exclusive Permissive Use Agreement, 3c Public Access and 3b Hours of Use, on page 2, to show that the parking lot was to remain open, under the terms in those sections.

(11:14 a.m.) Locklear explained that he was reading from the Agreement, as of October 1st, but there were revisions as the Operational Plan was worked through. Therefore, the agreement from October 1 had been altered, to generally allow the public access on the weekends and the contractor access Monday through Friday, so that beachgoers would not be intermingled with construction activity.

(11:16 a.m.) Smith wanted to make clear that the alterations to the language that allowed complete and total closure for five days a week would have influenced his decision [on the agreement]. There was also an alteration to 3a, Duration of Use, from 45 to 60 days to a stated date of February 1, 2020, not the original 60 days. Locklear explained how the February 1 date was determined; discussion ensued.

(11:21 a.m.) Blocker explained that he would not have agreed to shutting down Mickler's Beach for a week at a time and that he also believed that 45 days was what was agreed to, as well as that only 25% of the access point would be off limits to allow for construction. He felt that the public was not given adequate notice of the closure and asked what measures would need to be taken to open the beach for public access. Johns and Dean suggested looking for solutions for possibly reopening the parking lot for safe public access.

(11:28 a.m.) Wanchick apologized for the confusion and miscommunication. He read from a correspondence, in the form of a response to homeowners on the Geotube project from a year ago, regarding the closing of the parking lot for that project, due to public safety concerns. Discussion occurred on the differences between the proposed agreement and the agreement that was executed, the Board's concerns over how the discrepancies happened, and finding a solution to the situation.

(11:41 a.m.) Regina Ross, Deputy County Attorney, spoke on how talks between administration, the residents and their contractor progressed in to the version of the agreement that was ultimately executed, including the deadline date and how the decision to close the area to pedestrian and vehicular traffic was made. She offered possible amendments to the agreement; discussion followed.

(11:47 a.m.) Blocker asked that the Board direct staff to come up with a solution to resolve the access and safety issues. Smith referenced the Property Damage Liability section of the contract that was in the Board's packet from the October 1 meeting, where language from a letter dated September 16 made it into the final document.

(11:51 a.m.) Nicole Crosby, 1169 Neck Road, Ponte Vedra, asked why the contractor's safety concerns were not brought forward at the initial hearing, on October 1, when the agreement was made.

(11:54 a.m.) Sandra Rell, 395 Outlook Drive, Ponte Vedra, said she was highly upset about the beach closure at Mickler's Landing and the effect of the project on sea turtle hatchlings. She provided a picture of a posted "No Trespassing" sign, *Exhibit A*.

(11:57 a.m.) Leanne Steinberg, 123 Vista Lake Circle, Ponte Vedra, spoke on the requirements of lawful public beach access and her concerns with the closure of Mickler's Landing. She was hopeful that the County would find a solution to the access issue.

(11:58 a.m.) Kim McDaniel, 80 Palm Island Way, Ponte Vedra, spoke on her concerns with the closure of Mickler's Landing and the need for public beach access in northern St. Johns County.

(11:59 a.m.) Arthur Stegmayer, 400 Cameron Drive, Ponte Vedra, emphasized the need to find an alternate location for equipment staging if future repairs were needed.

(12:00 p.m.) Mellissa Danielson, 153 Briarberry Road, Ponte Vedra, was concerned with the damage and repair liability section of the contract, as well as the effective and end dates in the agreement.

(12:02 p.m.) Ross clarified that the contractor was fully responsible for restoration costs, per paragraph 5 of the agreement, and for any damage made to the property. She also explained that the agreement was restricted to the contractor's use of county property only, not activity on the beach.

(12:04 p.m.) **Motion by Blocker, seconded by Dean, carried 5/0, to direct staff and legal to find a way to open public access at Mickler's Landing, and to bring back recommendations for public noticing and recommendations for the contract execution process.**

(12:05 p.m.) Wanchick said they would look for a way to accommodate the direction of the motion, but that beach access would not be opened until staff felt it was safe. Discussion ensued.

The Board moved to Regular Agenda Item 9.

(11/05/19 - 12 - 2:48 p.m.)

3. PUBLIC HEARING, MAJMOD 2019-04, SAWGRASS MARRIOTT RESORT. REQUEST FOR A MAJOR MODIFICATION TO THE PLAYER'S CLUB PLANNED UNIT DEVELOPMENT (PUD) (ORDINANCE 2007-84, AS AMENDED) TO ESTABLISH A SINGLE, UNIFIED, MASTER DEVELOPMENT PLAN (MDP) FOR THE SAWGRASS MARRIOTT RESORT, INCLUDING REZONING AND SITE-SPECIFIC DEVELOPMENT STANDARDS, FOR THE 3.43-ACRE CABANA BEACH CLUB PROPERTY, LOCATED AT 619 PONTE VEDRA BOULEVARD, AND RE-ADOPTION OF PREVIOUSLY APPROVED ENTITLEMENTS FOR THE 61.48-ACRE HOTEL PROPERTY, LOCATED AT 1000 PGA TOUR BOULEVARD. THE MODIFICATION RECEIVED UNANIMOUS RECOMMENDATION OF APPROVAL FROM THE PALM VALLEY ARCHITECTURAL REVIEW COMMITTEE (PVARC), PONTE VEDRA ZONING AND ADJUSTMENT BOARD (PVZAB), AND THE PLANNING AND ZONING AGENCY (PZA)

Proof of publication of the notice of public hearing on MAJMOD 2019-04, Sawgrass Marriot Resort, was received, having been published in *The St. Augustine Record* on August 23, 2019.

Ex parte communications: Smith disclosed that he had spoken with Vernon Kelly on October 31, 2019. They discussed the history of the Sawgrass Marriott Resort and the Cabana Beach Club properties; the purpose and reason for the modification; and the restoration not meeting code and FEMA's standards. Blocker disclosed that he had spoken with Kelly on November 1, 2019; they discussed the scope of the project; the background and history of the project; and the general need of the community in relation to the proposed project. Johns disclosed that he had received a phone call from Kelly regarding the scope of work and the need for the proposed request. Waldron disclosed that he received a phone call from Kelly regarding any questions or concerns. Dean disclosed that he had a conversation with Kelly on November 15, 2019.

(2:50 p.m.) Teresa Bishop, Planning Division Manager, presented the details of the item, including waivers, via PowerPoint.

(2:55 p.m.) Karl Sanders, on behalf of the property owner, 1102 A1A North, Suite 203, recapped the details of the proposed request; and stated that he was available for questions.

(2:57 p.m.) **Motion by Blocker, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-68, MAJMOD 2019-04, Sawgrass Marriott Resort, subject to six findings of fact.**

ORDINANCE NO. 2019-68

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE PLAYERS CLUB PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 1975-15, AS AMENDED, REZONING LANDS FROM R-2 AND R-3 TO PUD; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(11/05/19 - 12 - 2:57 p.m.)

4. PUBLIC HEARING, PUD 2018-03, IGP COMMERCE CENTER. REQUEST TO REZONE APPROXIMATELY 59.4 ACRES OF LAND FROM OPEN RURAL (OR) AND INDUSTRIAL (I) TO PLANNED UNIT DEVELOPMENT (PUD) TO

ALLOW FOR APPROXIMATELY 290,000 SQUARE FEET OF INDUSTRIAL DEVELOPMENT. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON OCTOBER 3, 2019, AND VOTED 6-0, IN FAVOR OF RECOMMENDING APPROVAL

Proof of publication of the notice of a public hearing on PUD 2018-03, IGP Commerce Center PUD, was received, having been published in *The St. Augustine Record* on September 18, 2019.

Ex parte communication: There was none.

(2:58 p.m.) Cynthia A. May, ASLA, Senior Supervising Planner, provided the details of the item, including waivers, via PowerPoint.

(3:00 p.m.) Doug Burnett, St. Johns Law Group, 104 Seagrove Main Street, representing the applicant, stated he was available for questions.

(3:02 p.m.) **Motion by Dean, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-69, for PUD 2018-03, IGP Commerce Center, based on nine findings of fact.**

ORDINANCE NO. 2019-69

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

(11/05/19 - 13 - 3:02 p.m.)

5. DISCUSSION ITEM ON AFFORDABLE HOUSING. THIS DISCUSSION ITEM WILL FOCUS ON ST. JOHNS COUNTY'S EFFORTS TO CREATE A NEW ZONING DISTRICT THAT INCLUDES NEW SITE DEVELOPMENT STANDARDS AND ATTEMPTS TO ENCOURAGE THE CONSTRUCTION OF AFFORDABLE HOUSING. STAFF HAS PROPOSED TO CREATE A NEW AFFORDABLE HOUSING ZONING DISTRICT

Joseph Cearley, Special Projects Manager, presented the details of the item, via PowerPoint.

(3:09 p.m.) Bob Porter, 4220 Racetrack Road, presented data on the sale price of homes based on income limits, *Exhibit A*, and spoke on income limits.

(3:13 p.m.) Beth Breeding, 10175 Fortune Parkway, representing Continuum of Care and the subcommittee for the Builders Association, stated the Continuum of Care and Builders Association were not 100 percent in agreement with the presentation. She spoke on caring for those who serve the county, improved traffic, higher density helping to lower costs, relaxed subdivision standards, rentals, changing the price point to \$250,000, and the transfer of impact fees.

(3:16 p.m.) Waldron questioned whether the higher price point would help sell houses. Breeding said it would give more versatility. Blocker asked Breeding to explain how the Accessory Dwelling Unit (ADU) option would factor into affordable housing. Breeding responded.

(3:19 p.m.) Bill Lazar, Director of St. Johns Health Partnership, presented wages from a Home Matters 2015 - St. Johns County report, *Exhibit B*, and spoke on average wages, ADU's, and reducing the cost of government regulations.

(3:22 p.m.) Johns asked what the impact of raising the price point to \$250,000 would have on the affordable housing program. Cearley responded. Locklear stated that market data could be provided on the current sales figures. Discussion ensued on cost details and community needs. *Consensus was given for staff to move forward with the suggested focused points.*

(11/05/19 - 14 - 3:33 p.m.)

6. PUBLIC HEARING - REZ 2019-13, PONCE THERAPY CARE CENTER. REQUEST TO REZONE APPROXIMATELY 8.0 ACRES OF LAND FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG), IN ORDER TO BRING THE EXISTING SKILLED NURSING AND REHABILITATION FACILITY UP TO DATE WITH CURRENT ST. JOHNS COUNTY ZONING REGULATIONS. THIS REQUEST WAS RECOMMENDED FOR APPROVAL, WITH A 5-0 VOTE, BY THE PLANNING AND ZONING AGENCY AT THEIR REGULARLY SCHEDULED PUBLIC HEARING ON OCTOBER 3, 2019

Proof of publication of the notice of public hearing on REZ 2019-13, Ponce Therapy Care Center, was received, having been published in *The St. Augustine Record* on September 18, 2019.

Ex parte communications: Smith, Blocker, and Waldron disclosed that they received an email from Karen Taylor, to which they did not respond. Johns disclosed he had received general emails. He stated that he did not respond.

(3:33 p.m.) Justin Kelly, Planner, presented the details of the item, via PowerPoint.

(3:36 p.m.) Karen Taylor, 77 Saragossa Street, representing the applicant, presented the details of the application, via PowerPoint.

(3:37 p.m.) **Motion by Waldron, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-70, REZ 2019-13, Ponce Therapy Care Center, subject to four findings of fact.**

ORDINANCE NO. 2019-70

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

(11/05/19 - 14 - 3:39 p.m.)

7. PUBLIC HEARING, CDD AMD 2019-01, RIVERS EDGE II CDD. PETITION TO AMEND THE RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT(CDD) BOUNDARY, TO ADD APPROXIMATELY 96.96 ACRES AND REMOVE APPROXIMATELY 0.0177 ACRES. IF APPROVED, THE CDD WOULD ENCOMPASS APPROXIMATELY 983.88 ACRES AND SERVES PORTIONS OF THE RIVERTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI) AND PLANNED UNIT DEVELOPMENT (PUD). PLEASE SEE GROWTH MANAGEMENT REPORT FOR DETAILS

Proof of publication of the notice of a public hearing on CDD AMD 2019-01, Rivers Edge II CDD, was received, having been published in *The St. Augustine Record* on October 8, October 15, October 22, and October 29, 2019.

Teresa Bishop, AICP, Planning Division Manager, presented the details of the item, via PowerPoint.

(3:41 p.m.) Loran Gentry, Hopping Green & Sams, 119 S. Monroe Street, Suite 300, Tallahassee, Florida, district council to the petitioner, noted pre-filed testimony that was submitted as backup material. She also stated that she was available for questions.

(3:42 a.m.) Motion by Johns, seconded by Blocker, carried 5/0, to enact Ordinance No. 2019-71, approving CDD AMD 2019-01, Rivers Edge II CDD, based upon three findings of fact.

ORDINANCE NO. 2019-71

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, EXPANDING AND CONTRACTING THE BOUNDARIES OF THE RIVERS EDGE II COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; DESCRIBING THE EXTERNAL BOUNDARIES OF THE AMENDED DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(11/05/19 - 15 - 3:43 p.m.)

8. PUBLIC HEARING, REZ 2019-05, MAYBERRY COMMERCIAL. REQUEST TO REZONE APPROXIMATELY 0.86 ACRES OF LAND FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI), TO ACCOMMODATE COMMERCIAL DEVELOPMENT FOR RETAIL AND BUSINESS, SPECIFICALLY LOCATED NEAR SOUTHEAST STATE ROAD 207 AND THE INTERSECTION OF HILLTOP ROAD. THE PZA HEARD THIS ITEM ON SEPTEMBER 19, 2019, AND VOTED 4-0 TO RECOMMEND APPROVAL

Proof of publication of the notice of a public hearing on REZ 2019-05, Mayberry Commercial, was received, having been published in *The St. Augustine Record* on September 4, 2019.

Ex parte communications: Smith, Blocker, and Waldron disclosed that they had received an email from Karen Taylor on October 30, 2019. Waldron stated that he drove by the site.

(3:43 p.m.) Valerie Stukes, Planner, presented the details of the item, via PowerPoint.

(3:46 p.m.) Karen Taylor, 77 Saragossa Street, representing the applicant, stated that the Department of Transportation (DOT) drainage ditch ran across the back of the property and had created a natural buffer; and that the right-of-way was reserved on Hill Top Road.

(3:48 p.m.) Motion by Waldron, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-72, approving REZ 2019-05, Mayberry Commercial, a request to rezone approximately 0.86 acres of land from Open Rural (OR) to Commercial Intensive (CI), based upon four findings of fact.

ORDINANCE NO. 2019-72

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF OPEN RURAL (OR) TO
COMMERCIAL INTENSIVE (CI); MAKING FINDINGS
OF FACT; REQUIRING RECORDATION; AND
PROVIDING AN EFFECTIVE DATE

(3:49 p.m.) The Board moved to Regular Agenda Item 11.

The Board recessed its regular meeting and convened the special/private meeting.

(11/05/19 - 16 - 12:07 p.m.)

9. SPECIAL PUBLIC MEETING AND SPECIAL PRIVATE MEETING OF THE BOARD OF COUNTY COMMISSIONERS. THE BOARD OF COUNTY COMMISSIONERS WILL HOLD A SPECIAL PUBLIC MEETING ON TUESDAY, NOVEMBER 5, 2019, BEGINNING AT 12:00 P.M., IN THE COUNTY ADMINISTRATION COMPLEX LOCATED AT 500 SAN SEBASTIAN VIEW, ST. AUGUSTINE, FLORIDA. THE PUBLIC MEETING WILL BE HELD IN THE COUNTY AUDITORIUM. THE PURPOSE OF THE SPECIAL PUBLIC MEETING WILL BE TO ANNOUNCE AND TO HOLD A SPECIAL PRIVATE ATTORNEY-CLIENT MEETING. THE SPECIAL PRIVATE ATTORNEY-CLIENT MEETING WILL BE HELD IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES, AND WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE PENDING LAWSUIT BETWEEN KG DEVELOPMENT, LLC/CUMBERLAND STREET, LLC V ST. JOHNS COUNTY, CASE NO. CA15-1184. ST. JOHNS COUNTY IS A PARTY TO THE LAWSUIT. THE SPECIAL PRIVATE ATTORNEY-CLIENT MEETING WILL BE HELD IN THE BCC EXECUTIVE CONFERENCE ROOM ADJACENT TO THE AUDITORIUM

Proof of publication of a special/private meeting was received, having been published in *The St. Augustine Record* on October 25, 2019.

Patrick F. McCormack, County Attorney, provided the timeline for the hearing.

(1:00 p.m.) Deputy Clerk Crystal Smith left the meeting and Deputy Clerk Sindy Wiseman entered the meeting.

(1:18 p.m.) McCormack requested that the Board authorize mediation pertaining to the matter; and direct the office of the county attorney to prepare for litigation in addition to the mediation.

(1:19 p.m.) Motion by Dean, seconded by Blocker, carried 4/1, with Waldron dissenting, to authorize the office of the county attorney to prepare for and engage, with appropriate representatives, for the December 19, 2019, scheduled mediation, and to otherwise fully prepare for litigation.

(11/05/19 - 16 - 1:21 p.m.)

10. GENERAL FUND RESERVES PRIORITY PROJECTS PRESENTATION. THIS ITEM IS TO FACILITATE THE BOARD'S DISCUSSION REGARDING PRIORITIZING AND ALLOCATING \$15 MILLION IN GENERAL FUND RESERVES IDENTIFIED IN THE 2020 BUDGET. THE BOARD'S PREVIOUS DIRECTION PROVIDED STAFF WITH A STARTING POINT FOR PREPARING AN INITIAL PROGRAM OF PROJECTS. FACTORS SUCH AS BROAD

COMMUNITY SUPPORT, IMPLEMENTING COUNTY APPROVED MASTER PLANS, LEVERAGING OTHER AVAILABLE REVENUES, AS WELL AS, RECURRING OPERATION AND MAINTENANCE COSTS WERE MENTIONED AS IMPORTANT CONSIDERATIONS. BOARD APPROVED CAPITAL PROJECTS ARE ANNUALLY INCLUDED WITHIN THE COUNTY'S CAPITAL IMPROVEMENT PROGRAM (CIP). FUNDS ARE ALLOCATED TO THESE PROJECTS BASED ON FUNDING AVAILABILITY, AND FORECASTED REVENUES ARE MATCHED TO PROJECTS WITHIN THE SUBSEQUENT FIVE-YEAR WINDOW. MANY CIP PROJECTS REMAIN UNFUNDED THIS YEAR AND ARE WITHOUT A FUNDING SOURCE IDENTIFIED THROUGH THE NEXT FIVE YEARS. AS A RESULT, THE RECOMMENDED PROGRAM OF PROJECTS ARE FOCUSED ON THE COUNTY'S ADOPTED CAPITAL IMPROVEMENT PROGRAM, AS INCORPORATED IN THE ANNUAL BUDGET. STAFF'S PRESENTATION OUTLINED STEPS ALREADY TAKEN TO FUND COUNTY PROJECTS IN THIS YEAR'S BUDGET AND PROVIDE THE BOARD A FRAMEWORK TO ESTABLISH ITS OWN PRIORITIES FOR ALLOCATING THE \$15 MILLION IN GENERAL FUND RESERVES. ADDITIONALLY, ATTACHED ARE LETTERS REQUESTING FUNDING THAT HAVE RECENTLY BEEN RECEIVED FROM OTHER COMMUNITY ORGANIZATIONS

Darrell Locklear, Assistant County Administrator, presented the details of the general fund surplus, via PowerPoint. He gave an introduction, discussed the project decision parameters, identified funding categories, and gave a summary of the proposed projects and the readiness of proposed projects.

(1:37 p.m.) Blocker questioned funding that had be set aside in the budget for a library in Nocatee and why Nocatee. He questioned why Nocatee was chosen over Village Regional Park. Locklear stated that no funds had been set aside and explained the considerations. Discussion ensued.

(1:43 p.m.) Lori Moffett, 917 Ponte Vedra Boulevard, expressed her appreciation for considering the Ponte Vedra Beach Restoration with a portion of the \$15 million surplus. She requested that the Board consider adding the reallocated funds from the vote in March 2019 to the bed tax money as part of the State funding match.

(1:45 p.m.) Eric Kinko, requested that the Board consider renovations to Davis Park, due to growth in the northeast part of the County.

(1:46 p.m.) Stefan Salzbrunn, 147 River Marsh Drive, requested consideration to Davis Park renovations.

(1:48 p.m.) Susan Newman, 64 Clarys Run, spoke in support of adding a Library and park in the Trail Mark area.

(1:50 p.m.) Deb Chapen, 531 North Wilderness Trail, referenced a project in Mickler's Warf, *Exhibit A*, and spoke on the addition of outdoor recreation through public/private partnerships.

(1:53 p.m.) Charles Ellis, President of the Fort Mose Historical Society, referenced a Fort Mose construction flyer, *Exhibit B*, and requested that the Board support the efforts for the construction of Fort Mose.

(1:57 p.m.) Janet Patton, 7265 A1A South, requested support to reestablish the Land Acquisition and Management Program (LAMP).

(1:59 p.m.) Shane Picklesimer, Vice President of the Ponte Vedra Athletic Association, 58 Glenwood Street, spoke on growth in the Nocatee area, including space constraints and the need for a sports facility.

(2:01 p.m.) Roger Mintz, 952 Spinnakers Reach Drive, spoke on the urgency for beach renourishment.

(2:02 p.m.) Caden Casper, 109 Bluefish Avenue, spoke on Ponte Vedra Beach erosion, and sea level rise, and requested immediate action by the County.

(2:04 p.m.) Thomas Jackson, 917 Chippewa Street, spoke on allocating a portion of the surplus money to assist in the construction of Fort Mose.

(2:06 p.m.) Melanie Semko, 573 North Legacy Trail, spoke on growth in the Nocatee area. She requested funding support for the Villages Regional Library in conjunction with the Villages Regional Park.

(2:08 p.m.) Jane Mahoney, 417 Inagua Drive, spoke on allocating a portion of the surplus money to the construction of Fort Mose.

(2:09 p.m.) Carol Reinhardt, 591 North Legacy Trail, spoke on the need for a library in the Nocatee area.

(2:11 p.m.) Maureen Long, 1821 Castile Street, spoke on using a portion of the surplus money for the reinstatement of the Land Acquisition Management Program (LAMP), and establishing a Voluntary Contribution Program.

(2:12 p.m.) Cathy Stolberg, 107 Providence Drive, spoke on the following Trailmark area needs: 1) the need for a library, 2) the need for parks, and 3) the need to connect the gaps in the sidewalks.

(2:14 p.m.) Waldron requested staff to research who would be responsible for the maintenance, repair, and operation of Fort Mose. Additionally, he questioned a status update of impact fees collected and needed for the Davis Park expansion.

(2:15 p.m.) Doug Battile, Director of Parks and Recreation, responded that Davis Park was at 70 percent on design, cost estimate was \$3 million, and impact fees were between \$500,000 and \$1 million per year.

(2:16 p.m.) Blocker spoke on the importance of projects in several areas of the County. Wanchick spoke on limited funding and the number of needed projects. Discussion ensued on project priorities and deferred maintenance. Dean noted the possible 50/50 match by the State on beach renourishment.

(2:46 p.m.) Motion by Dean, seconded by Waldron, carried 5/0, to approve the recommended projects, or Board-identified alternatives, and approve the transfer of \$15 million in General Fund Reserves to a Capital Project Fund in which to capture all associated project expenditures.

(2:47 p.m.) Motion by Waldron, seconded by Blocker, carried 5/0, to place the \$1.58 million excess, provided by the Tax Collector's office, in a reserve fund to be held for the Davis Park expansion.

(2:47 p.m.) The Board moved to Regular Agenda Item 3.

(11/05/19 - 19 - 3:49 p.m.)

11. PUBLIC HEARING, CPA (SS) 2019-04, ST. JOHNS COMMERCIAL FIRST COAST ENERGY (FCE) JULINGTON CREEK. REQUEST TO AMEND THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL-B (RES-B) TO COMMUNITY COMMERCIAL (CC) FOR APPROXIMATELY 7.7 ACRES OF LAND ON THE WEST SIDE OF STATE ROAD 13, FOR PARCELS SITUATED NORTH AND SOUTH OF OTOE'S PLACE, WITH A TEXT AMENDMENT SITE SPECIFIC POLICY LIMITING INTENSITY TO A MAXIMUM OF 45,000 SQUARE FEET OF COMMERCIAL USES; LIMITING USES IN THE NORTHERN PARCEL TO CERTAIN USES IN THE COMMERCIAL NEIGHBORHOOD (CN) ZONING DISTRICT; LIMITING USES IN THE SOUTHERN PARCEL TO CERTAIN USES IN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT, AND PROHIBITING CERTAIN USES, PROVIDING BUFFERS FOR THESE PARCELS. THIS ITEM WAS CONTINUED FROM THE SEPTEMBER 19, 2019, PLANNING AND ZONING AGENCY (PZA) AGENDA TO A DATE CERTAIN (OCTOBER 3, 2019) AT THE REQUEST OF THE APPLICANT. THE PZA HEARD THIS ITEM ON OCTOBER 3, 2019, AND VOTED 4 - 3 TO RECOMMEND DENIAL. DETAILS REGARDING THE DISCUSSION AND PUBLIC INPUT ARE PROVIDED IN THE ATTACHED STAFF REPORT

Proof of publication of the notice of public hearing on CPA(SS) 2019-04, St. Johns Commercial FCE Julington Creek, was received, having been published in *The St. Augustine Record* on October 21, 2019.

(3:50 p.m.) Cynthia A. May, ASLA, Senior Supervising Planner, presented the details of the item, including the prohibited uses, via PowerPoint. She noted the residents in opposition.

(3:59 p.m.) Lindsey Haga, England-Thims and Miller, 14775 Old St. Augustine Road, Jacksonville, representing the applicant, presented the details of the application, via PowerPoint. She spoke on use limitations, the history of the property and surrounding area, the entitlement of the concurrency certificate, delivery access, performance plan, tree canopy, and lighting on the site.

(4:29 p.m.) Jeramiah Mulligan, Coquina Law Group, attorney for Fruit Cove Estates, spoke on the property use and compatibility.

(4:32 p.m.) Harry Fairfield, 1466 Otoe's Place, spoke on the effect on the value of the surrounding residential property.

(4:36 p.m.) Al Abbatello, 1133 River Birch Road, spoke on the impact to traffic, the environment, and the health of surrounding residents. He referenced the Comprehensive Plan's requirements, including compatibility, *Exhibit A*.

(4:40 p.m.) Isaac Milledge, 529 White Jasmine Way, Jacksonville, spoke on the effect of the existing gas station to his property and the safety of his family.

(4:42 p.m.) Joann Leskanic, 1475 Tama Ran Place, spoke on the fumes from the fuel tanks, contaminated water, and air quality. She presented scientific data on the dangers of gas stations when located in the proximity of residential property [data was not submitted for the record].

(4:45 p.m.) Gayle Phillips, 1470 Otoe's Place, presented current/existing neighborhood gas station data, *Exhibit B*. She spoke on traffic concerns and requested that the Board deny the proposed change.

(4:48 p.m.) Phyllis Abbatello, 1133 River Birch Road, spoke on the devastating effect a gas station fire would have on the adjacent neighborhoods, how gas station fires start, and provided documentation and photos on gas fires and neglectful attendants, *Exhibit C*.

(4:51 p.m.) Marian Edwards, 1497 Otoe's Place, spoke on her choice to build her home after research of the surrounding zonings and permitted uses. She voiced her concerns with the ability to sell, and the effect to the residents should a zoning change be allowed.

(4:54 p.m.) Sue Hilliard, 1458 Otoe's Place, spoke on protecting the residents from the dangers of a gas station and requested that the Board deny the proposed change.

(4:56 p.m.) Rebecca Rabuck, 1457 Otoe's Place, Fruit Cove, was concerned about safety and requested that the Board deny the proposed change.

(4:57 p.m.) Deputy Clerk Wiseman left the meeting and Deputy Clerk Smith entered the meeting.

(4:57 p.m.) Courtney Heidelberg, 612 Irene Court, St. Johns, said there were studies that addressed the health effects of those who lived near gas stations, and as such, the EPA set specific distance guidelines between schools and gas stations, due to soil, air/vapor and groundwater contamination. She felt that a gas station was incompatible with the area.

(4:59 p.m.) Robin Clarke, 609 Irene Court, commented on the environmental impacts that fuel leaks at gas stations could have on public health. She referenced and submitted articles, titled *Small Spills at Gas Stations Could Cause Significant Public Health Risks Over Time* and *No Coverage for \$5M Faulty Gas Tank Deal, Insurer Says*, as *Exhibit D*. She felt the proposed use was incompatible with the area.

Chris Hewitt, 613 Irene Court, St. Johns, was opposed to the project due to traffic concerns and incompatibility with the surrounding residential area.

(5:05 p.m.) Cindy Dunlop, 1455 Tama Ran Place, St. Johns, was opposed to the project based on incompatibility and the increased traffic issues it would create. She read from page 8 of the *2025 Comprehensive Plan, Exhibit E*.

(5:09 p.m.) Christian Leiby, 1452 Tama Ran Place, spoke on increased instances of childhood leukemia rates in children who live near gas stations. He submitted an article, *Proximity of Gas Stations to Residential Areas and the Effects on Health, Exhibit F*. He also displayed a DEP Discharge Report Form for a property owned by FCE, LLP, regarding a fuel leak; and a photo of an abandoned property, and environmental report from JEA, also owned by FCE, LLP.

(5:12 p.m.) Rick Persons, 1446 Tama Ran Place, showed a video, created during a rain storm on October 1, to illustrate how stormwater drainage moved through Fruit Cove Estates, and the current morning traffic volume. He felt that if a gas station were approved, the runoff from the station would go to Fruit Cove Estates.

(5:16 p.m.) Mulligan said the residents of Fruit Cove Estates presented fact-based evidence to suggest that the proposed Comp Plan change, that would allow a more intense use, was not compatible with the surrounding area and neighborhood. He asked the Board to deny the application.

(5:19 p.m.) Michael Roy, Lampe-Roy and Associates, appraiser, 1912 Hamilton Street, Suite 204, Jacksonville, explained that his firm was asked by FCE to assess the impact of a potential shopping center or convenience store on the site. He displayed a series of

aerial photos, *Exhibit G*, to illustrate sales of properties located near shopping and convenience stores.

(5:30 p.m.) Chris Calgary, President of Lan Associates, 200 Malaga St., registered geologist, said he was asked to address the environmental issues related to the storage tank system at the proposed Daily's site. He explained that it was his opinion that petroleum contamination resulting from a fuel release from the system migrating off site to adjacent properties would be extremely unlikely, as many levels of protection were provided.

(5:35 p.m.) Keith Daw, First Coast Energy, 7014 AC Skinner Parkway, Suite 290, Jacksonville, addressed the mention of a federal lawsuit, where they sued a manufacturer of some of their storage tanks, after discovering that they had not properly lined the tanks. He said that there were no leaks associated with the failed tanks and discussed spill buckets, tank monitoring and cleanup.

(5:40 p.m.) Lyndsay Keller, England-Thims and Miller, 14775 Old St. Augustine Road, Jacksonville, spoke on the drainage concerns; including the engineering of retention ponds and stormwater discharge. She said the drainage at the proposed site would be discharged to the DOT system, along the east side of SR 13, not Otoe's Place.

(5:42 p.m.) Jeff Crammond, England-Thims and Miller, 14775 Old St. Augustine Road, Jacksonville, spoke on the traffic flow concerns, the amount of turbulence it would add to Otoe's, and referenced a trip generation comparison chart, *Exhibit H*.

(5:44 p.m.) Johns questioned the difference between the county and the presentation's totals for P.M. peak hour trips. Crammond explained it would depend on whether the totals were gross or net. Discussion ensued.

(5:50 p.m.) McCormack recommended that the Board give Mulligan the opportunity for rebuttal. Mulligan responded to rebuttal.

(5:54 p.m.) Blocker spoke on his concerns with storage tanks, water pollution, and the compatibility of the project. Dean stated that the project was incompatible with the neighborhood and he was not in support.

(5:57 p.m.) Soria summarized the changes to the proposed findings of fact: *The proposed development is not compatible with adjacent existing residential development. The proposed expansion of community commercial node is not warranted. The proposed increase in intensity of vehicular based, non-residential development is incompatible with the surrounding existing community. The proposed development is not at a human scale with a pedestrian-oriented design, and deviation from development edge requirement is not justified. The neighborhood commercial development is more appropriate to minimize impacts to adjacent residential development.* Dean questioned the recommended proposed changes for the five findings of facts for denial. Soria explained they were an amendment to the one referenced in the agenda item.

(6:00 p.m.) Motion by Johns, seconded by Waldron, carried 5/0, to deny CPA(SS) 2019-04, St. Johns Commercial FCE Julington Creek, based on five findings of fact, as amended.

(Regular Agenda Item 12 was pulled.)

12. PUBLIC HEARING, PUD 2019-08, FRUIT COVE VILLAGE.

(11/05/19 - 21 - 6:02 p.m.)

COMMISSIONERS' REPORTS

Commissioner Blocker

(6:02 p.m.) Blocker asked for consensus from the Board to direct staff to bring back a proposal on contributions toward utility tax bills. *Consensus was given.* Discussion ensued on staff looking into the Legal Assistance Military Personnel Committee.

Commissioner Smith

(6:08 p.m.) Smith requested that staff look into bringing back a letter on the Housing Finance Authority. Discussion ensued. He gave an agricultural report; invited the public to attend the Tri-County Agricultural Area Legislative Tour on Thursday, November 14, from 9:30 a.m. to 4:00 p.m.; and provided the agricultural stats from the Institute of Food and Agricultural Sciences (IFAS) for the county.

(6:12 p.m.) Motion by Smith, seconded by Waldron, carried 5/0, to direct staff to bring back a detailed letter on the Housing Finance Authority.

Commissioner Waldron

(6:15 p.m.) Waldron recognized Commissioner Smith for winning the St. Johns County School Board's Lifetime Achievement Award.

(11/05/19 - 22 - 6:16 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick requested that the January 7, 2020, commission meeting be canceled. *Consensus was given to cancel the January 7, 2020, commission meeting.* He requested the Board's authorization in allowing staff to participate in the "Food for Fines" at the library. *Consensus was given.* He also apologized for the confusion over Mickler's Landing and informed the Board that staff was working on a solution.

(11/05/19 - 22 - 6:18 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack stated he would bring back a recommendation for public notice on Mickler's Landing.

(11/05/19 - 22 - 6:18 p.m.)

CLERK OF COURT'S REPORT

No report.

With there being no further business to come before the Board, Waldron adjourned the meeting at 6:19 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 573939-573954, totaling \$363,756.48 (10/29/19)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 573955-574158, totaling \$5,149,972.24 and Voucher Register, Voucher Nos. 46797-46917, totaling \$2,568,174.38 (10/29/19)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 573959-574161, totaling \$150,076.24 (10/29/19)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 574162-574308, totaling \$1,084,954.22 and Voucher Register, Voucher Nos. 46918-46997, totaling \$1,228,386.65 (11/05/19)

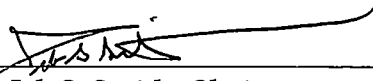
5. St. Johns County Board of County Commissioners Check Register, Check No. 574309, totaling \$100 (11/05/19)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 574310-574332, totaling \$26,990.03 and Voucher Register, Voucher Nos. 46998-47024, totaling \$39,836.83 (11/06/19)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 574333-574345, totaling \$4,921.91 and Voucher Register, Voucher Nos. 47025-47027, totaling \$755.11 (11/07/19)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 47028-47029, totaling \$7,899.91 (11/07/19)

CORRESPONDENCE:

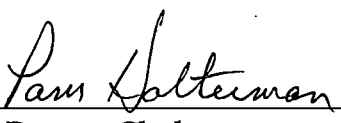
There was none.

Approved _____ January 21 _____, 2020

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Jeb S. Smith, Chair

ATTEST: BRANDON PATTY, CLERK 

By: 
Deputy Clerk

