

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 4, 2020
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: Jeb S. Smith, District 2, Chair
 Jeremiah R. Blocker, District 4, Vice Chair
 James K. Johns, District 1
 Paul M. Waldron, District 3
 Henry Dean, District 5
 Hunter S. Conrad, County Administrator
 Patrick McCormack, County Attorney
 Natasha McGee, Deputy Clerk

Also present: Brad Bradley, Assistant County Administrator; Joy Andrews, Assistant County Administrator; Paolo Soria, Senior Assistant County Attorney; and Rebecca Lavie, Assistant County Attorney.

(02/04/20 - 1 - 9:00 a.m.)
CALL TO ORDER

Smith called the meeting to order.

(02/04/20 - 1 - 9:00 a.m.)
ROLL CALL

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

(02/04/20 - 1 - 9:00 a.m.)
INVOCATION

Pastor Ken Herzog, Trinity Episcopal Parish, gave the invocation.

(02/04/20 - 1 - 9:01 a.m.)
PLEDGE OF ALLEGIANCE

Smith led the Pledge of Allegiance.

(02/04/20 - 1 - 9:02 a.m.)
PUBLIC COMMENT

Cheryl Manucy, 356 Cape Avenue, spoke in opposition to the appointment of Interim County Administrator Hunter S. Conrad on January 21, 2020.

(9:05 a.m.) Howard McGaffney, 162 Prairie Lakes Drive, spoke in favor of the appointment of Interim County Administrator Hunter S. Conrad on January 21, 2020.

(02/04/20 - 1 - 9:07 a.m.)
DELETIONS TO THE CONSENT AGENDA

McCormack requested that the Board pull Consent Agenda Item 13.

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. 2020-26**, approving the terms and conditions of the Permissive Use agreement with the Jacksonville Transportation Authority

RESOLUTION NO. 2020-26

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PERMISSIVE USE AGREEMENT FOR THE TEMPORARY USE OF SPACE AT A COUNTY OWNED FACILITY; WITH AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE PERMISSIVE USE AGREEMENT ON BEHALF OF THE COUNTY

3. Motion to approve PFS AGREE 2019-07 and authorize the county administrator to execute the Bridgewater Planned Unit Development Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code
4. Motion to adopt **Resolution No. 2020-27**, approving the terms of and authorizing the county administrator to execute a Purchase and Sale Agreement, on behalf of the County, for the acquisition of a perpetual easement necessary for the Winton Circle Drainage Project

RESOLUTION NO. 2020-27

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A PURCHASE AND SALE AGREEMENT, ON BEHALF OF THE COUNTY, FOR THE ACQUISITION OF A PERPETUAL EASEMENT NECESSARY FOR THE WINTON CIRCLE DRAINAGE PROJECT

5. Motion to adopt **Resolution No. 2020-28**, approving the terms and authorizing the county administrator, or designee, to execute a Lease Agreement, with the First Tee of North Florida, Inc., for space at the St. Johns County Golf Club, Elkton, Florida

RESOLUTION NO. 2020-28

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 FIRST TEE

**OF NORTH FLORIDA, INC., FOR SPACE AT THE ST.
JOHNS COUNTY GOLF CLUB, ELKTON, FLORIDA**

6. Motion to adopt **Resolution No. 2020-29**, accepting a Final Release of Lien, Warranty, three Easements for Utilities, and a Bill of Sale, conveying all personal property associated with the water system to serve Ashby Landing Commercial, located off State Road 207

RESOLUTION NO. 2020-29

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, THREE EASEMENTS FOR UTILITIES, AND A BILL OF SALE, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER SYSTEM TO SERVE ASHBY LANDING COMMERCIAL, LOCATED OFF STATE ROAD 207

7. Motion to adopt **Resolution No. 2020-30**, 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 Whisper Creek, Phase 5, Unit A (also known as Trailmark, Phase 5A), located off Pacetti Road

RESOLUTION NO. 2020-30

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 WHISPER CREEK, PHASE 5, UNIT A (ALSO KNOWN AS TRAILMARK, PHASE 5A), LOCATED OFF PACETTI ROAD

8. Motion to adopt **Resolution No. 2020-31**, 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 2582 Oleander Street, located off A1A South

RESOLUTION NO. 2020-31

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 2582 OLEANDER STREET, LOCATED OFF A1A SOUTH

9. Motion to adopt **Resolution No. 2020-32**, 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 Canal Blvd Shops (V Pizza), located off Palm Valley Road

RESOLUTION NO. 2020-32

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 CANAL BLVD SHOPS (V PIZZA), LOCATED OFF PALM VALLEY ROAD

10. Motion to adopt **Resolution No. 2020-33**, approving a temporary revocable License Agreement to allow use of a portion of the public right-of-way, known as Park Avenue in Hastings; and authorizing the chair of the Board to execute the agreement on behalf of the County

RESOLUTION NO. 2020-33

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A LICENSE AGREEMENT TO ALLOW USE OF A PORTION OF THE PUBLIC RIGHT-OF-WAY, KNOWN AS PARK AVENUE IN HASTINGS; AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

11. Motion to adopt **Resolution No. 2020-34**, approving the terms, provisions, conditions, and requirements of the State Revolving Fund (SRF) loan agreement; and authorizing the execution and delivery of the SRF loan agreement

RESOLUTION NO. 2020-34

A 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 NORTHWEST WATER TREATMENT PLANT EXPANSION 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 the Purchasing Policy 308 and Florida Statute 274

(Consent Agenda Item 13 was pulled.)

13. Motion to authorize the county administrator, or designee, to enter into negotiations with the top ranked firm, Fisher Koppenhafer, P.A., under RFQ 20-07, St. Johns County and Wastewater Laboratory Design Services, and upon successful negotiations, to award and execute a contract with Fisher Koppenhafer, P.A. to perform the services in accordance with RFQ 20-07, and as negotiated

14. Motion to adopt **Resolution No. 2020-35**, authorizing the county administrator, or his designee, to award RFP No. 19-29R, Community Development Block Grant-Disaster Recovery (CDBG-DR), Owner Occupied Rehabilitation/Elevation/Reconstruction to SLSCO LTD, and 1565 Woodworks, LLC, as the highest ranked, responsive, responsible respondents; and to execute contracts, in substantially the same form and format as attached hereto, for performance of the work

RESOLUTION NO. 2020-35

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 19-29R, AND TO EXECUTE AGREEMENTS FOR CDBG-DR, OWNER OCCUPIED REHABILITATION / ELEVATION / RECONSTRUCTION

15. Motion to adopt **Resolution No. 2020-36**, authorizing the county administrator, or designee, to execute a contract, in substantially same form and format as attached hereto, with Bozard Ford Lincoln, for the provision of all labor, materials, and equipment required for repairs to County owned Ford vehicles that are outside the capabilities of County Fleet staff, not to exceed \$50,000 per fiscal year

RESOLUTION NO. 2020-36

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN AGREEMENT, WITH BOZARD FORD LINCOLN, FOR MISC. NO. 20-66, REPAIRS TO ST. JOHNS COUNTY OWNED FORD VEHICLES

16. Motion to approve a transfer in the amount of \$29,116 from Beach Services Fund Reserves to provide the necessary appropriation for a replacement SUV for Beach Services that was approved, but not received, in Fiscal Year 2019
17. Motion to adopt **Resolution No. 2020-37**, authorizing the county administrator, or his designee, to execute an agreement, substantially in the same form as the attached Economic Development Grant Agreement, with M3 32081, LLC, on behalf of St. Johns County

RESOLUTION NO. 2020-37

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN ECONOMIC DEVELOPMENT GRANT AGREEMENT, WITH M3 32081, LLC, ON BEHALF OF ST. JOHNS COUNTY; AND PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

18. Motion to adopt **Resolution No. 2020-38**, approving the recognition and appropriation of received Fiscal Year (FY) 2020 library donations, in the amount of \$9,615, amending the FY 2020 Budget

RESOLUTION 2020-38

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2020 GENERAL FUND TO INCLUDE CERTAIN UNANTICIPATED REVENUE; AND AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM

19. Motion to adopt **Resolution No. 2020-39**, approving the Interlocal Agreement between the County and St. Augustine Port, Waterways, and Beaches District, for the enhancement of Doug Crane Landing

RESOLUTION NO. 2020-39

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, (COUNTY) AND THE ST. AUGUSTINE PORT, WATERWAY, AND BEACH DISTRICT (DISTRICT) FOR THE BENEFIT OF THE PUBLIC; AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE INTERLOCAL AGREEMENT ON BEHALF OF THE COUNTY; AND INSTRUCTING THE CLERK OF THE CIRCUIT COURT TO FILE THE INTERLOCAL AGREEMENT IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY

(02/04/20 - 6 - 9:08 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Blocker requested that the Board pull Regular Agenda Item 5.

(9:09 a.m.) McCormack informed the Board that he would present the following items under reports: 1) Canvassing Board appointments, and 2) a Jacksonville Electric Authority (JEA) discussion.

(02/04/20 - 6 - 9:09 a.m.)

APPROVAL OF REGULAR AGENDA

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

(02/04/20 - 6 - 9:09 a.m.)

1. TOBACCO FREE ST. JOHNS WOULD LIKE TO REQUEST THE OPPORTUNITY TO PRESENT THE SUMMIT OUTCOME REPORT. ON NOVEMBER 21ST, TOBACCO FREE ST. JOHNS HOSTED "TURNING THE TIDE - SOLVING THE YOUTH E-EPIDEMIC IN NORTHEAST FLORIDA" AT THE MARRIOTT RENAISSANCE CONFERENCE CENTER. THE PROGRAM WAS ATTENDED BY COMMUNITY LEADERS ACROSS NORTHEAST FLORIDA AND HIGHLIGHTS THE CONCERNS OUR COMMUNITY HAS REGARDING THE

YOUTH VAPING EPIDEMIC. THERE WERE 105 IN ATTENDANCE, INCLUDING STATE AND LOCAL ELECTED OFFICIALS, FLORIDA DEPARTMENT OF HEALTH (DOH) ADMINISTRATORS, DOCTORS, LAW ENFORCEMENT, SCHOOL DISTRICT, COLLEGE AND MILITARY OFFICIALS. TOBACCO FREE ST. JOHNS REQUESTED THE OPPORTUNITY TO PRESENT THE SUMMIT OUTCOME REPORT TO THE BOCC

Mary Ann Steinberg, Program Manager, presented an event overview and post event summary report, via PowerPoint.

(9:19 a.m.) Blocker expressed his appreciation for Steinberg's presentation; and suggested the revision of local tobacco product ordinances.

(9:19 a.m.) McCormack stated that Lavie would speak on amending the local ordinances. Lavie spoke to Steinberg's proposed revisions to the local tobacco ordinances. Lavie proposed the following revision to align the local ordinances with federal law: age needs to be updated from 18 to 21 in both ordinances. She stated that the rest of the proposed revisions were policy considerations that the Board could consider.

(9:21 a.m.) Johns expressed his appreciation of Steinberg's efforts. He also spoke to aligning local law to state and federal laws.

(9:24 a.m.) Blocker requested Board consensus to direct staff to bring back two recommendations to the Board: 1) compliance between local, state and federal laws and 2) Board policy considerations. **Consensus was given.** McCormack stated a report would be brought back for first reading in March. He noted that during first reading, the state legislation may not be finalized.

(9:26 a.m.) Dean expressed his appreciation to Steinberg's efforts. He also spoke in favor of aligning local, state, and federal laws.

(9:28 a.m.) Lynn Shultz, State Coordinator for Building Healthy Military Communities, 513 Dade Street, Fernandina Beach, Florida, spoke on the health risk impacts of the military recruiting population.

(9:31 a.m.) David Powell, 224 Bridgeport Lane, spoke in favor of aligning local, state, and federal laws.

(9:33 a.m.) John Thompson, 75 Avista Circle, spoke in favor of limiting youth consumption.

(02/04/20 - 7 - 9:37 a.m.)

2. PRESENTATION BY JARED RICE, VICE PRESIDENT PGA TOUR AND EXECUTIVE DIRECTOR THE PLAYERS CHAMPIONSHIP. JARED RICE, VICE PRESIDENT PGA TOUR AND EXECUTIVE DIRECTOR OF THE PLAYERS CHAMPIONSHIP, WILL PROVIDE A PRESENTATION TO THE BOARD OF COUNTY COMMISSIONERS ON DEVELOPMENT UPDATES AT THE PLAYERS CHAMPIONSHIP TO BE HELD MARCH 10-15, 2020, AT TPC SAWGRASS IN PONTE VEDRA BEACH

Melissa Glasgow, Director of Economic Development, introduced Jared Rice, Executive Director of THE PLAYERS Championship and a Vice President of PGA TOUR.

Rice provided an overview of the 2019 tournament, via video and PowerPoint presentations. He also provided a presentation to the Board on development updates at THE PLAYERS Championship 2020, via PowerPoint and video presentations.

(9:51 a.m.) Discussion ensued between Smith and Rice on parking challenges.

(9:52 a.m.) McCormack expressed his appreciation regarding Military Appreciation Day.

(9:53 a.m.) Johns, Blocker, Dean, and Waldron expressed their appreciation to Rice and the PGA TOUR for the community partnership.

(9:59 a.m.) Howard McGaffney, 162 Prairie Lakes Drive, expressed his appreciation to Rice and the PGA TOUR for the community partnership regarding local athletics.

(10:00 a.m.) McGee left the meeting and Crystal Smith, Deputy Clerk entered the meeting.

(02/04/20 - 8 - 10:00 a.m.)

3. PUBLIC HEARING, REZ 2019-16, STRATTON BOULEVARD REZONING. A REQUEST TO REZONE APPROXIMATELY 8.34 ACRES OF LAND FROM OPEN RURAL (OR), RESIDENTIAL GENERAL (RG-1), COMMERCIAL NEIGHBORHOOD (CN), AND COMMERCIAL GENERAL (CG), TO COMMERCIAL WAREHOUSE (CW) WITH CONDITIONS

Proof of publication of the notice of public hearing on REZ 2019-16, Stratton Boulevard Rezoning, was received, having been published in *The St. Augustine Record* on December 4, 2019.

Ex parte communications: Johns met on January 23 with Karen Taylor and Frank Dimare and discussed the current conditions, the currently approved uses, the proposed revisions, and concerns that were expressed by the community; and received emails in support and opposition of the project. Waldron met on January 23 with Karen Taylor and Frank Dimare and discussed the drainage issues and enhancing sound levels for neighboring areas; and had visits to the site to address phone calls concerning speeding on Stratton Blvd. Blocker met on January 23 with Karen Taylor and Frank Dimare and discussed the scope of the project, the current conditions, and the proposed applications; and received emails in support and opposition of the project. Dean met with Karen Taylor and Frank Dimare on January 15 and discussed the outline of the project; and received emails. Smith met with Karen Taylor and Frank Dimare on January 23 and discussed the rezoning request, drainage concerns, the objections from the community, and the proposed screening; and received emails in support and opposition of the project.

(10:03 a.m.) Justin Kelly, Planner, presented the details of the request, including the two conditions, via PowerPoint.

(10:08 a.m.) Karen Taylor, 77 Saragossa Street, representing the applicant, presented additional information on the request, via PowerPoint.

(10:20 a.m.) Dean questioned if Taylor had received an email from the homeowners association (HOA) president and if she knew how many units were in Sebastian Cove. Taylor stated she had not heard anything from the HOA president and that there were over 100 units.

(10:23 a.m.) Blocker spoke on his concerns regarding the emails he received in opposition to the request.

(10:25 a.m.) Sonia Kulyk, 2445 Golden Lake Loop, spoke in opposition of the rezoning request, with concerns on potential businesses, the height of the building, and the quality of life of the community.

(10:28 a.m.) Michele Scarponi, 132 Frontera Drive, spoke in opposition of the project regarding her concerns with noise, odor, and lighting for security purposes; and stated the HOA should have been notified along with others in the community.

(10:31 a.m.) Vicki Pollina, 250 Golden Lake Loop, spoke in opposition of the project with the same concerns as the previous speakers and the safety of children.

(10:34 a.m.) Hector Torrance, 191 S. Hamilton Springs Road, spoke in opposition of the project due to his concerns with traffic and pedestrian safety.

(10:36 a.m.) Taylor explained they would be willing to meet with the HOA to discuss other options and to possibly eliminate other uses. She explained that some uses in the list were allowed by right and some were allowed by special use; and spoke on the height of the buildings. She requested that the Board continue the item to a later scheduled meeting, to allow them time to meet with the homeowners.

(10:38 a.m.) Motion by Dean, seconded by Blocker, carried 5/0, to continue the item to the April 7, 2020, Board of County Commission meeting.

(10:40 a.m.) Blocker spoke on staff continuing to look into noticing requirements. Johns spoke on the Neighborhood Bill of Rights and explained how the community could sign up.

(02/04/20 - 9 - 10:45 a.m.)

4. RESOLUTION DECLARING ST. JOHNS COUNTY A SECOND AMENDMENT SANCTUARY COUNTY. DURING THE JANUARY 21, 2020, MEETING THE BOARD OF COUNTY COMMISSIONERS DECLARED ITS SUPPORT TO ADOPT A RESOLUTION DECLARING ST. JOHNS COUNTY A SECOND AMENDMENT SANCTUARY. AS OF THE DATE OF THIS STAFF REPORT, 24 OUT OF 67 COUNTIES, ONE CITY, AND ONE TOWN HAVE ADOPTED A SECOND AMENDMENT SANCTUARY RESOLUTION. THIS RESOLUTION RECOGNIZES THE RIGHT TO KEEP AND BEAR ARMS IS SECURED BY THE CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF THE STATE OF FLORIDA AND STATES THE BOARD'S SUPPORT OF STRENGTHENING THE RIGHT TO KEEP AND BEAR ARMS AND OPPOSITION OF UNCONSTITUTIONAL REGULATIONS ON THE RIGHT TO KEEP AND BEAR ARMS. THIS ITEM IS A DISCUSSION, CONSIDERATION, AND ADOPTION OF A RESOLUTION DECLARING ST. JOHNS COUNTY A SECOND AMENDMENT SANCTUARY

Paolo Soria, Senior Assistant County Attorney, presented details of the item, via PowerPoint.

(10:47 a.m.) Motion by Smith, seconded by Blocker, carried 5/0, to adopt Resolution No. 2020-25, declaring St. Johns County a Second Amendment Sanctuary.

RESOLUTION NO. 2020-25

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING ST. JOHNS COUNTY A SECOND AMENDMENT SANCTUARY

(10:47a.m.) Mark Kirwan, 120 Laurel Wood Way, spoke in support of the adoption for the resolution.

(Regular Agenda Item 5 was pulled.)

5. PUBLIC HEARING, AMENDMENTS TO THE PONTE VEDRA ZONING DISTRICT REGULATIONS

(02/04/20 - 10 - 10:49 a.m.)

6. FIRST READING OF AMENDMENTS TO ST. JOHNS COUNTY ORDINANCE NO. 2011-4, RELATING TO SETTLEMENT AUTHORITY OF LIABILITY CLAIMS. THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ('BOARD') HAS REQUESTED THAT THE OFFICE OF THE COUNTY ATTORNEY REVIEW THE LIABILITY CLAIM SETTLEMENT AUTHORITY CURRENTLY PROVIDED UNDER ORDINANCE NO. 2011-4, FOR POTENTIAL UPDATING TO BETTER SERVE THE INTERESTS OF THE COUNTY. AMONG OTHER THINGS, ORDINANCE NO. 2011-4, AUTHORIZES THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE AND SETTLE ANY LIABILITY CLAIM UP TO AN AMOUNT NOT TO EXCEED \$10,000, UPON CONCURRENCE OF THE COUNTY ATTORNEY. THE PROPOSED AMENDMENTS TO THE ORDINANCE ATTACHED TO THIS AGENDA ITEM WOULD (A) INCREASE THE COUNTY ADMINISTRATOR'S SETTLEMENT AUTHORITY TO A COUNTY COST OF UP TO \$25,000; (B) SET FORTH CERTAIN FACTORS FOR THE COUNTY ADMINISTRATOR'S CONSIDERATION IN DETERMINING WHETHER A SETTLEMENT OR COMPROMISE IS IN THE BEST INTEREST OF THE COUNTY; AND (C) PROVIDE THAT ANY SETTLEMENT OR COMPROMISE BY THE COUNTY ADMINISTRATOR SHALL BE WITH THE ADVICE, RATHER THAN CONCURRENCE, OF THE COUNTY ATTORNEY, IN ORDER TO CLARIFY THEIR RESPECTIVE ROLES

Bradley Bulthuis, Senior Assistant County Attorney, presented details of the item, via PowerPoint.

(10:54 a.m.) Waldron requested that Bulthuis look into the cost increases in other counties. Smith questioned if there was any thought to increasing the deductible. Bulthuis explained. Discussion ensued on increasing the deductible from \$10,000 to \$25,000, and the benefit to taxpayers for implementing the bill.

(11:05 a.m.) Blocker explained the reason for discussion on the item was to give authority to the county administrator and the county attorney to evaluate and make a decision on claims. Discussion ensued on changing the language for the second reading regarding the increase.

(02/04/20 - 10 - 11:09 a.m.)

7. CONSIDER APPOINTMENTS TO THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL. THERE ARE CURRENTLY THREE VACANCIES ON THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL (HHSAC). TWO VACANCIES ARE DUE TO EXPIRED TERMS AND ONE IS DUE TO A RESIGNATION. ALL THREE VACANCIES REQUIRE THE APPOINTMENT OF A PROFESSIONAL FROM THE DISCIPLINES IN HEALTH AND HUMAN SERVICES. PLEASE FIND ATTACHED, FOR YOUR REVIEW AND CONSIDERATION, A LETTER OF RECOMMENDATION FROM THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL, ALONG WITH NINETEEN APPLICATIONS (KELLY BATTELL - DISTRICT 3, JORGE BERTRAN - DISTRICT 5, RUSSELL BODOFF - DISTRICT 4, KAYLA COLLINS - DISTRICT 3, WILLIAM A. COVER, JR. - DISTRICT 3, VALERIE DUQUETTE - DISTRICT 3, CHET JOSEPH FRITH - DISTRICT 4, WHITNEY KERSEY GRAVES - DISTRICT 3, TARA HALEY - DISTRICT 2, JANET L. KARY - DISTRICT 4, SHANDRA KOLER - DISTRICT 5, MORRIS MAPLE - DISTRICT 5, THOMAS J. NEILSON - DISTRICT 1, KEVIN RAYMOND - DISTRICT 4, JOSEPH A. THOMASINO -

DISTRICT 4, LISA A. WARD - DISTRICT 4, DR. JULIE WATSON - DISTRICT 5, LISA WOLFF - DISTRICT 5, AND BRITTANY WOOD - DISTRICT 4)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented the details of the vacancies, including the conditions for Chet Joseph Frith.

(11:12 a.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to reappoint William A. Coffey Jr., to the Health and Human Services Advisory Council, for a full four-year term, scheduled to expire February 4, 2024.**

(11:12 a.m.) **Motion by Smith, seconded by Johns, carried 5/0, to reappoint Tara Haley, to the Health and Human Services Advisory Council, for a full four-year term, scheduled to expire February 4, 2024.**

(11:13 a.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to appoint Thomas J. Neilson to the Health and Human Services Advisory Council, for a partial term, scheduled to expire September 21, 2021.**

(02/04/20 - 11 - 11:13 a.m.)

8. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD. CURRENTLY THERE ARE TWO VACANCIES ON THE RECREATION ADVISORY BOARD DUE TO EXPIRED TERMS. PLEASE FIND ATTACHED, FOR YOUR REVIEW AND CONSIDERATION, A LETTER OF RECOMMENDATION FROM THE RECREATION ADVISORY BOARD, ALONG WITH NINE APPLICATIONS (THEODORE BANTON - DISTRICT 5, DEBORAH CHAPIN - DISTRICT 4, MITCHELL E. DAVENPORT - DISTRICT 5, HAROLD L. DOCKINS - DISTRICT 5, ALEXANDRA HILL - DISTRICT 4, SONIA JOHNSON - DISTRICT 1, BRADLEY A. LONG - DISTRICT 2, WILLIAM STEINMETZ - DISTRICT 2, AND JENNA STONE - DISTRICT 5)

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

(11:14 a.m.) **Motion by Blocker, seconded by Dean, carried 5/0, to reappoint Deborah Chapin to the Recreation Advisory Board, for a full four-year term, scheduled to expire February 4, 2024.**

(11:15 a.m.) **Motion by Blocker, seconded by Dean, failed 2/3, with Smith, Waldron, and Johns dissenting, to appoint Alexandra Hill to the Recreation Advisory Board, for a full four-year term, scheduled to expire February 4, 2024.**

(11:16 a.m.) Waldron questioned Blocker on the reasoning for his nomination. Blocker responded. Johns questioned if there were any regulations to diversify the representatives among the districts. Lundquist explained there was not a specific requirement, but a preference to cover all five county commission districts.

(11:18 a.m.) **Motion by Johns, second by Waldron, carried 5/0, to appoint Bradley A. Long to the Recreation Advisory Board, for a full four-year term, scheduled to expire February 4, 2024.**

(11:19 a.m.) Waldron spoke on the efforts the Parks and Recreation Board takes in the community.

(02/04/20 - 12 - 11:21 a.m.)

9. CONSIDER APPOINTMENTS TO THE HOUSING FINANCE AUTHORITY. CURRENTLY THERE ARE TWO VACANCIES ON THE HOUSING FINANCE AUTHORITY DUE TO EXPIRED TERMS. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION, A RECOMMENDATION LETTER FROM THE HOUSING FINANCE AUTHORITY, REAPPOINTMENT REQUESTS FROM ROBERT MARSHALL (DIST. 3) AND MICHAEL O'DONNELL (DIST. 5), ALONG WITH THEIR UPDATED APPLICATIONS, AND EIGHT NEW APPLICATIONS (JOANN L. DECKRELL - DIST. 5, MELISSA ECKART - DIST. 5, ANDREW EVENER - DIST. 4, BRADLEY A. LONG - DIST. 2, HERIBERTO MARRERO - DIST. 1, MICHAEL MCCARTHY - DIST. 1, ADAM Z. PENNA - DIST. 4, AND ELLEN ROGERS - DIST. 4). PER FLORIDA STATUTE 159.605, TERMS FOR THE HOUSING FINANCE AUTHORITY SHALL BE FOUR YEARS. THE MOTIONS BELOW REFLECT SUCH TERMS. ADDITIONALLY, SHOULD MR. MARSHALL BE REAPPOINTED, IT WOULD REQUIRE SUSPENDING BCC RULE 2.203(C) THAT LIMITS TERMS OF SERVICE TO TWO CONSECUTIVE TERMS AND REINSTATEMENT OF SAID RULE AFTER THE APPOINTMENT IS MADE

Melissa Lundquist, Assistant to the Board of County Commissioners, presented the details of the vacancies, including the newly appointed status for Bradley A. Long to the Recreation Advisory Board.

(11:23 a.m.) Motion by Johns, seconded by Waldron, carried 5/0, to reappoint Michael O'Donnell to the Housing Finance Authority, for a four-year term, scheduled to expire February 4, 2024.

(11:24 a.m.) Motion by Johns, seconded by Dean, carried 5/0, to suspend Board Rule 2.203(C) limiting terms of service to two consecutive terms.

(11:25 a.m.) Motion by Johns, seconded by Dean, carried 5/0, to reappoint Robert Marshal to the Housing Finance Authority, for a four-year term, scheduled to expire February 4, 2024.

(11:25 a.m.) Motion by Johns, seconded by Dean, carried 5/0, to reinstate Board Rule 2.203(C), reestablishing extent of consecutive term limits.

(02/04/20 - 12 - 11:25 a.m.)

10. PROFESSIONAL SERVICES AGREEMENT - COUNTY ADMINISTRATOR. AS DIRECTED BY THE BOARD DURING ITS LAST REGULARLY SCHEDULED MEETING, A PROPOSED PROFESSIONAL SERVICES AGREEMENT BETWEEN HUNTER S. CONRAD AND ST. JOHNS COUNTY, FLORIDA, WILL BE PROVIDED FOR REVIEW AND CONSIDERATION

Regina Ross, Deputy County Attorney, provided the details of the item.

(11:28 a.m.) Smith explained the modifications to the agreement that were discussed during the county administrator contract negotiations meeting.

(11:28 a.m.) Blocker questioned if there were any provisions for military leave. Conrad explained there was a provision in the agreement that stated it would not conflict with any military or civilian rights. Conrad explained his commitments to the County regarding his training with the military, and stated he was not under any voluntary or involuntary requirements for deployment. Smith explained Article II, Section 2, stating that nothing contained in the agreement should construe to interfere with, or limit, the county administrator's military leave or civilian employment rights, as provided by applicable law.

(11:31 a.m.) McCormack stated there was a redline and clean copy of the agreement online.

(11:32 a.m.) Howard McGaffney, 162 S. Prairie Lake Drive, spoke in support of Interim County Administrator Hunter S. Conrad.

(11:34 a.m.) **Motion by Dean, seconded by Blocker, carried 5/0, to approve the terms, provisions, and conditions of the proposed Professional Services Agreement with Hunter S. Conrad, and to authorize the Chair to execute the agreement on behalf of St. Johns County.**

(02/04/20 - 13 - 11:34 a.m.)
COMMISSIONERS' REPORTS

Commissioner Blocker

Blocker expressed his condolences for the loss of Keith Green, who had a tremendous impact on the "Field of Dreams" and requested honoring him with a future park recognition.

Commissioner Waldron

(11:35 a.m.) Waldron expressed his condolences for the loss of Mike Hiers, a former Fire Rescue Officer. He spoke on expanding the "no wake zone" near the Matanzas Inlet that was requested by the Florida Fish and Wildlife, St. Johns County Sheriff's Office, and National Park Services at a harbor safety meeting. Discussion ensued on having feedback from the boating community and what the process would be to move forward. Waldron also spoke on adding a full interchange at the Palm Coast Parkway and Matanzas Woods Parkway intersection; and spoke on the Bartram Trail High School "Field of Dreams" softball and baseball games and encouraged the public to attend.

(11:40 a.m.) *Consensus was given from the Board to have staff bring back an agenda item pertaining to the Matanzas Inlet "No Wake Zone" at a meeting in March.*

(11:43 a.m.) *Consensus was given from the Board to move forward with federal lobbying for a full interchange at Palm Coast Parkway.*

Commissioner Johns

(11:44 a.m.) Johns spoke on the community's support for public libraries.

Commissioner Dean

(11:46 a.m.) Dean commended Commissioner Smith on taking the additional task of negotiating the county administrator's contract; and spoke on the passing of the \$50,000,000 yearly recurring funding for beach erosion.

Commissioner Smith

(11:48 a.m.) Smith gave an agricultural report and spoke on an interview of candidates for the Hastings Agriculture Director at the Hastings Agricultural Research Center at 9 a.m. on February 5.

(02/04/20 - 14 - 11:51 a.m.)
COUNTY ADMINISTRATOR'S REPORT

Conrad commended the Board for their trust and the opportunity to serve as the county administrator. He explained there would be a full Bicentennial report, on March 3, to look at recommendations, that Sebastian Cove was a registered organization with the Neighborhood Bill of Rights; and stated the public agenda book was brought back to the foyer.

(02/04/20 - 14 - 11:54 a.m.)
COUNTY ATTORNEY'S REPORT

McCormack requested that the Board appoint a commissioner to the Canvassing Board for the March 17, 2020, presidential preference primary election; he reviewed the eligibility requirements.

(11:58 a.m.) Motion by Smith, seconded by Johns, carried 5/0, to appoint Commissioner Blocker to the Canvassing Board for the presidential preference primary.

(11:59 a.m.) McCormack addressed the issue of the appointed board members of the insurance committee being a voting member. He said the attorney's office had reviewed the bylaws and researched the legal eligibility requirements. He asked for direction from the Board regarding revising the bylaws in favor of the BCC appointee being a voting member. Conrad said that he believed the bylaws could not be amended by the Board; they needed to be amended by the insurance committee. Discussion ensued on the voting requirements for the different boards and committees.

(12:06 p.m.) Consensus was given by the Board to have staff look into the bylaws for the Insurance Committee Board.

(12:07 p.m.) McCormack spoke on human trafficking and explained the possibility of implementing an ordinance that was brought up in a previous meeting. Lavie explained that Florida Statute allowed the County the opportunity to enforce state law, with penalties that would be limited to a fine, not to exceed \$5,000. Discussion ensued on implementing signs in public areas and what the cost would be.

Consensus was given by the Board to have staff look into placing signs in public areas regarding human trafficking.

(12:15 p.m.) McCormack referenced a draft copy of an interlocal agreement between the County and JEA, *Exhibit A*, and requested that the Chair send a letter to JEA. Discussion ensued on the necessity of sending a letter to JEA, the cost benefit to the County, and JEA's compliance with the current interlocal agreement with the County.

Consensus was given by the Board to authorize the Chair to send a letter to JEA regarding the Interlocal Agreement between St. Johns County and JEA.

(02/04/20 - 14 - 12:38 a.m.)
CLERK OF COURT'S REPORT

No report.

(02/04/20 - 14 - 12:38 a.m.)
ADJOURN

With there being no further business to come before the Board, Smith adjourned the meeting at 12:38 p.m.

REPORTS:

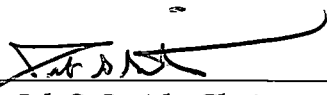
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 576320-576468, totaling \$2,321,724.74 and Voucher Register, Voucher Nos. 48462-48548, totaling \$2,258,243.02 (01/28/20)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 576469-576483, totaling \$252,812.36 (01/29/20)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 576484-576495, totaling \$4,809.05 and Voucher Register, Voucher Nos. 48549-48551, totaling \$755.11 (01/30/20)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 48552-48553, totaling \$7,899.91 (01/30/20)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 576496-576691, totaling \$866,071.49 and Voucher Register, Voucher Nos. 48554-48659, totaling \$1,423,342.60 (02/4/20)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 576692, totaling \$37,102.83 (02/04/20)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 576693-576719, totaling \$26,700.90 and Voucher Register, Voucher Nos. 48660-48686, totaling \$40,518.15 (02/5/20)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 576720-576721, totaling \$22,493.37 (02/10/20)
9. St. Johns County Board of County Commissioners Check Register, Check No. 576722, totaling \$1,139.57 (02/10/20)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 576723-576840, totaling \$1,469,319.84 and Voucher Register, Voucher Nos. 48687-48751, totaling \$625,253.92 (02/11/20)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 576841-576849, totaling \$8,388.00 and Voucher Register, Voucher Nos. 48752-48760, totaling \$8,931.00 (02/12/20)

CORRESPONDENCE:


There was none.

Approved ___ March 17 _____, 2020

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Jeb S. Smith, Chair

ATTEST: BRANDON PATTY, CLERK

By: 
Deputy Clerk

