

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MAY 19, 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
 Crystal Smith, Deputy Clerk

Also present: Brad Bradley, Assistant County Administrator; Joy Andrews, Assistant County Administrator; and Alice Morris, Assistant County Attorney

(05/19/20 - 1 - 9:03 a.m.)
CALL TO ORDER

Smith called the meeting to order and made opening comments regarding remote public participation.

(05/19/20 - 1 - 9:04 a.m.)
ROLL CALL

The clerk called the roll, and all Board members were present, with Blocker participating remotely.

(05/19/20 - 1 - 9:05 a.m.)
INVOCATION

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

(05/19/20 - 1 - 9:07 a.m.)
PLEDGE OF ALLEGIANCE

Johns led the Pledge of Allegiance.

(05/19/20 - 1 - 9:08 a.m.)
PROCLAMATION RECOGNIZING MAY 17-23, 2020, AS NATIONAL PUBLIC WORKS WEEK

Johns read the proclamation.

(05/19/20 - 1 - 9:10 a.m.)
PROCLAMATION RECOGNIZING MAY 6, 2020, AS ST. AUGUSTINE GIVING DAY

Waldron read the proclamation.

(05/19/20 - 2 - 9:12 a.m.)

PROCLAMATION RECOGNIZING MAY 2020 AS NATIONAL NURSES MONTH

Dean read the proclamation. He presented a photo of his mother, who was a nurse, and expressed his appreciation for her and all nurses, *Exhibit A*.

(05/19/20 - 2 - 9:15 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Waldron, seconded by Johns, carried 5/0, via roll call vote, with Blocker participating remotely, to accept the proclamations.

(05/19/20 - 2 - 9:17 a.m.)

PUBLIC COMMENT

(9:17 a.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with there being no waivers for a 20-foot buffer on her street and presented photos for her neighbor, *Exhibit A*.

(9:20 a.m.) Tom Reynolds, 50 Brigantine Court, spoke on his concerns with the beach erosion in front of Embassy Suites, and canceling all gatherings and fireworks.

(9:23 a.m.) Ed Slavin, P.O. Box 3084, spoke on his previous public comment regarding the Boy and Girl Scouts and stated that Randy Reeves was the undersecretary of Veteran Affairs. Additionally, he questioned the status of the County Administrator's Budget Workshop. He and spoke on the murders of Michelle O'Connell and Ellie Washtock.

(9:26 a.m.) Jay Kamys, 1315 CR 13 S., congratulated Mike Roberson on his new position as the Director for Growth Management; spoke on the St. Johns County Riverdale boat ramp washout; and on his concerns with tree clearing at 10500 County Road 13 S. and the Epic Theatre.

(05/19/20 - 2 - 9:30 a.m.)

DELETIONS TO THE CONSENT AGENDA

There were none.

(05/19/20 - 2 - 9:30 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Dean, seconded by Waldron, carried 5/0, via roll call vote, with Blocker participating remotely, to approve the Consent Agenda, as submitted.

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2020-169**, authorizing the county administrator to execute the Impact Fee Credit Agreement with KB Home Jacksonville, LLC (IFA 2020-01), with a total park impact fee credit of \$137,000.00

RESOLUTION NO. 2020-169

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH KB HOME JACKSONVILLE, LLC

3. Motion to adopt **Resolution No. 2020-170**, approving the terms and conditions of a CARES Act grant application, and authorizing the county administrator to submit the 5307 CARES Act grant application to the Federal Transit Administration, recognizing the revenues for the St. Johns County Transit revenue and expenditure budgets for FY 20, and authorizing the county administrator, or his authorized designee, to execute any other documents, or funding adjustments, and all other documents as may be required

RESOLUTION NO. 2020-170

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE, TO EXECUTE A FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5307 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT GRANT IN THE AMOUNT OF \$2,900,745, AND TO RECOGNIZE THE REVENUE IN THE 2020 FISCAL YEAR BUDGET

4. Motion to Adopt **Resolution No. 2020-171**, accepting a Deed of Dedication from Southeast Land Ventures, LLC, to St. Johns County, as required in the Grand Oaks Concurrency and Impact Fee Credit Agreement, for CR 2209 right-of-way

RESOLUTION NO. 2020-171

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FROM SOUTHEAST LAND VENTURES, LLC, TO ST. JOHNS COUNTY, AS REQUIRED IN THE GRAND OAKS CONCURRENCY AND IMPACT FEE CREDIT AGREEMENT FOR CR 2209 RIGHT-OF- WAY

5. Motion to adopt **Resolution No. 2020-172**, 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 Home2Suites Hotel, located off State Road 16

RESOLUTION NO. 2020-172

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 HOME2SUITES HOTEL, LOCATED OFF STATE ROAD 16

6. Motion to adopt **Resolution No. 2020-173**, approving the terms and conditions of a Transfer and Maintenance Agreement between the Florida Department of Transportation and St. Johns County, in connection with the replacing/widening of the Race Track Road Bridge over I-95; and authorizing the county administrator, or designee, to execute the Agreement on behalf of the County

RESOLUTION NO. 2020-173

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A TRANSFER AND MAINTENANCE AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ST. JOHNS COUNTY, IN CONNECTION WITH THE REPLACING/WIDENING OF THE RACE TRACK ROAD BRIDGE OVER I-95 AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

7. Motion to adopt **Resolution No. 2020-174**, accepting a Final Release of Lien, Warranty, Easement for Utilities and a Bill of Sale conveying all personal property associated with the water, sewer and reuse systems, to serve Windward Ranch Phase Thirteen, located off State Road 16

RESOLUTION NO. 2020-174

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

8. Motion to adopt **Resolution No. 2020-175**, 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 SouthPark Mobile Home Park, located off U.S. Highway 1 South

RESOLUTION NO. 2020-175

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 SOUTHPARK MOBILE HOME PARK, LOCATED OFF U.S. HIGHWAY 1 SOUTH

9. Motion to adopt **Resolution No. 2020-176**, approving a Temporary Assignment of Easement from St. Johns County to JEA; and authorizing the Chair of the Board to execute the Assignment, on behalf of the County

RESOLUTION NO. 2020-176

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A TEMPORARY ASSIGNMENT OF EASEMENT FROM ST. JOHNS COUNTY TO JEA, AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE ASSIGNMENT, ON BEHALF OF THE COUNTY

10. Motion to adopt **Resolution No. 2020-177**, 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 5390 & 5394 A1A South

RESOLUTION NO. 2020-177

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 5390 & 5394 A1A SOUTH

11. Motion to adopt **Resolution No. 2020-178**, accepting a Deed of Dedication from MCG Moultrie, LLC, to St. Johns County, as required in the Moultrie Oaks Townhomes PUD Concurrency and Impact Fee Credit Agreement for Old Moultrie Road right-of-way

RESOLUTION NO. 2020-178

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FROM MCG MOULTRIE, LLC, TO ST. JOHNS COUNTY AS REQUIRED IN THE MOULTRIE OAKS TOWNHOMES PUD CONCURENCY AND IMPACT FEE CREDIT AGREEMENT FOR OLD MOULTRIE ROAD RIGHT-OF-WAY

12. Motion to adopt **Resolution No. 2020-179**, approving the terms of, and authorizing the county administrator, or designee, to execute a purchase and sale agreement to acquire additional property for the Sheriff's Office future training facility

RESOLUTION NO. 2020-179

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 PURCHASE AND SALE AGREEMENT FOR ADDITIONAL PROPERTY REQUIRED FOR THE SHERIFF'S OFFICE FUTURE TRAINING FACILITY

13. Motion to adopt **Resolution No. 2020-180**, approving terms, conditions, provisions, and requirements of a License to Use/Hold Harmless Agreement with JEA, regarding an Electric Reliability Project along Race Track Road; authorizing the county administrator, or designee, to execute the License to Use/Hold Harmless Agreement

RESOLUTION NO. 2020-180

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, PROVISIONS, AND REQUIREMENTS OF A LICENSE TO

USE AGREEMENT WITH JEA TO PROVIDE A LICENSE FOR THE INSTALLATION OF A NEW TRANSMISSION LINE, ALONG A PORTION OF RACE TRACK ROAD; AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE THE LICENSE TO USE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

14. Motion to adopt **Resolution No. 2020-181**, authorizing the county administrator, or designee, to piggyback the City of Titusville Contract No. 19-P-25, and enter into an agreement, in substantially the same form and format as attached, with Governmentjobs.com d/b/a NEOGOV, to provide Applicant Tracking Services for SJC Personnel Services

RESOLUTION NO. 2020-181

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE, AND TO EXECUTE AN AGREEMENT FOR, NEOGOV EMPLOYMENT APPLICANT TRACKING SOFTWARE

15. Motion to adopt **Resolution No. 2020-182**, approving and adopting the St. Johns County Local Mitigation Strategy Plan as described herein, and authorizing the St. Johns County, Director of Emergency Management, to timely notify the Florida Division of Emergency Management of the date of the County's approval and adoption of the Plan

RESOLUTION NO. 2020-182

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, MAKING FINDINGS OF FACT; APPROVING AND ADOPTING THE ST. JOHNS COUNTY LOCAL MITIGATION STRATEGY PLAN; DIRECTING THE DIRECTOR OF EMERGENCY MANAGEMENT TO NOTIFY THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT OF THE COUNTY'S APPROVAL AND ADOPTION OF THE LOCAL MITIGATION STRATEGY PLAN; AND PROVIDING AN EFFECTIVE DATE

16. Motion to adopt **Resolution No. 2020-183**, approving and authorizing the county administrator, or his designee, to submit a completed application for the U.S. Department of Justice Coronavirus Emergency Supplemental Funding Grant

RESOLUTION NO. 2020-183

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE U.S. DEPARTMENT OF JUSTICE'S CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM

17. Motion to execute and issue the Certificate of Public Convenience and Necessity Mayo Clinic Jacksonville Transport, effective until May 19, 2023

18. Motion to adopt **Resolution No. 2020-184**, approving the terms, conditions and requirements to Amendment No. 22, to the Community Based Care contract NJ206, between St. Johns County, Florida, and the State of Florida, Department of Children and Families, which inserts Attachment II-F, Schedule of Funds for Fiscal Year 2019-2020, dated April 6, 2020; and authorizing the county administrator, or designee, to execute the Contract Amendment No. 22, on behalf of the County

RESOLUTION NO. 2020-184

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TWENTY-SECOND AMENDMENT TO CONTRACT NJ206, BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE DEPARTMENT OF CHILDREN AND FAMILIES

19. Motion to adopt **Resolution No. 2020-185**, authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application seeking funding assistance through the Florida Department of Law Enforcement Federal Fiscal Year 2018-19, Edward Byrne Memorial Justice Assistance Grant (JAG); and authorizing the Chair to execute the attached Certificate of Participation on behalf of the County

RESOLUTION NO. 2020-185

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SHERIFF, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FEDERAL FISCAL YEAR 2019, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG), STATE SOLICITATION, AND AUTHORIZING THE CHAIR TO EXECUTE A CERTIFICATE OF PARTICIPATION ON BEHALF OF THE COUNTY

20. Motion to approve minutes:
- April 21, 2020 BCC Special
 - April 21, 2020 BCC Regular
 - April 28, 2020 BCC Special
21. Proofs:
- a. Proof: Request for Proposals, RFP No. 20-47; Supply of Polymer, published on March 16, 2020, and March 23, 2020, in *The St. Augustine Record*
 - b. Proof: Request for Proposals, RFP No. 20-56; Welding and Fabrication Services, published on March 16, 2020, and March 23, 2020, in *The St. Augustine Record*
 - c. Proof: Request for Proposals, RFP No. 20-25R; Santa Maria Boulevard Drainage Improvements, published on March 16, 2020, and March 23, 2020, in *The St. Augustine Record*
 - d. Proof: SA Request for Qualifications, RFQ No. 20-55; Tier II Site Specific Environmental Review(s) for CDBG-DR Restore St. Johns Program, was published on March 18, 2020, and March 25, 2020, in *The St. Augustine Record*

- e. Proof: Request for Bids, Bid No. 20-46; Park and Playground Equipment, published on March 16, 2020, and March 23, 2020, in *The St. Augustine Record*
- f. Proof: Request for Proposals, RFP No. 20-37; Emergency Repair Services for Sub-Standard Housing, published on March 19, 2020, and March 26, 2020, in *The St. Augustine Record*
- g. Proof: Request for Proposals, RFP No. 20-38; Rehabilitation Services for State Housing Initiatives Partnership (SHIP) Program, published on March 19, 2020, and March 26, 2020, in *The St. Augustine Record*
- h. Proof: Request for Bids, Bid No. 20-57; Towing Services, published on March 19, 2020, and March 26, 2020, in *The St. Augustine Record*
- i. Proof: SA Request for Qualifications, RFQ No. 20-39; Hydrogeological Services for the Closed Tillman Ridge Phase II Landfill, was published on March 24, 2020, and March 31, 2020, in *The St. Augustine Record*
- j. Proof: Request for Bids, Bid No. 20-60; Waste Tire Removal & Disposal / Recycling Services, published on April 2, 2020, and April 9, 2020, in *The St. Augustine Record*
- k. Proof: Request for Bids, Bid No. 20-65; Purchase of one 53' Refrigeration Trailer, published on April 13, 2020, in *The St. Augustine Record*
- l. Proof: Notice of Public Hearing on Vacation of Certain Streets, Alleyways, Easements or Roads; Ancient City Construction Vacation 1st Rd., published on April 17, 2020, in *The St. Augustine Record*
- m. Proof: Notice of Public Hearing; SA Legal Retail 040720, LDC, BCC, published on March 24, 2020, in *The St. Augustine Record*
- n. Proof: Notice of Hearing; Notice of Public Hearing, Matanzas Minimum Wake Zone, published on March 27, 2020, in *The St. Augustine Record*
- o. Proof: Notice of Hearing; Notice of Public Hearing, Matanzas Minimum Wake Zone, published on April 10, 2020, and April 17, 2020, in *The St. Augustine Record*

(05/19/20 - 8 - 9:31 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Dean requested to add an update on the tourism industry as Regular Agenda Item 10.

(05/19/20 - 8 - 9:32 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Johns, seconded by Dean, carried 5/0, via roll call vote, with Blocker participating remotely, to approve the Regular Agenda, as amended, adding Item 10.

The meeting moved to Regular Agenda Item 10.

(05/19/20 - 8 - 11:08 a.m.)

1. PUBLIC HEARING - COMPAMD 2019-05 DURBIN PARK (ADOPTION). COMPREHENSIVE PLAN AMENDMENT TO AMEND COMPREHENSIVE PLAN SITE SPECIFIC POLICY A.1.11.1(M)(8)(O), TO PROVIDE FOR HOSPITAL USES AND REDUCED SCENIC EDGE FOR NON-RESIDENTIAL USES ALONG PORTIONS OF EAST PEYTON PARKWAY WITH ENHANCED LANDSCAPING IN THOSE SPECIFIC AREAS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE ADOPTION OF COMPAMD 2019-05, DURBIN PARK, WITH A 6-0 VOTE, ONE MEMBER RECUSED FROM VOTING. THE AGENCY DISCUSSED ITEMS 6, 7 AND 8 TOGETHER. THE AGENCY DISCUSSED THE SIMILARITIES OF THE EXISTING DURBIN PAVILION, THE ADDITION OF RESIDENTIAL USES, THE CONTINUATION OF COMMERCIAL USES, THE ADDITION OF THE HOSPITAL, AND THE PROPOSED TRANSPORTATION IMPROVEMENTS AND THE LONG-TERM COST TO ST.

JOHNS COUNTY. THE APPLICANT AND STAFF ADDRESSED THE COMMENTS. NO GENERAL PUBLIC COMMENTS WERE PRESENTED AT THE HEARING. PLEASE SEE GROWTH MANAGEMENT DEPARTMENT REPORT FOR PROJECT DETAILS

Proof of publication of the notice of a public hearing on COMPAMD 2019-05, Durbin Park, was received, having been published in *The St. Augustine Record* on March 20, 2020.

(11:09 a.m.) Dr. Leon Hayley, CEO of UF Health and Dean of the University of Florida, College of Medicine, provided information on the partnership with Flagler Health Plus.

(11:12 a.m.) Jason Barrett, CEO of Flagler Health Plus, spoke on the importance of having the ability to provide additional services to St. Johns County residents and creating an additional 1,800 jobs, over the next five years.

(11:17 a.m.) Dean met on January 28, March 11, and March 30 with Ellen Avery-Smith and Drew Frick; they discussed the proposal of the roadway. Blocker met with Ellen Avery-Smith and Jason Barrett, to discuss the scope of the project. Waldron met on January 23, March 12, and March 26, with Ellen Avery-Smith, Drew Frick, and Phong Nguyen to discuss the roadways, Flagler Hospital use, and the scope of the project; and had phone conversations with Nancy Pulsfas, regarding the project with Flagler Hospital. Johns met on January 23, March 12, and March 26 with Ellen Avery-Smith and Drew Frick to discuss the roadway improvements, potential traffic impacts, economic development benefits to the community, and the need for the project; and received phone calls from Jason Barrett, and staff; they discussed the services that would be provided. Smith met at Flagler Hospital, in 2019, with Ellen Avery-Smith and Jason Barrett, and discussed the introduction of the project; met on January 23 with Ellen Avery-Smith, Drew Frick, and Phong Nguyen and discussed the scope of the project, and introduction of the development agreement options; met on March 12 with Drew Frick, Ellen Avery-Smith, Palolo Soria, Phong Nguyen, Alice Morris, and Mike Roberson to discuss amendments to the development agreement, the history and intent of the project, and the School Board's perception; met on March 26 with Drew Frick, Ellen Avery-Smith, and Paolo Soria, they discussed Flagler Hospital's desires to compete for market share, and the request for the development agreement exchange.

(11:23 a.m.) Teresa Bishop, AICP, Planning Division Manager, presented details on Items 1 and 4, via PowerPoint, including the 37 request waivers for the planned unit development.

(11:30 a.m.) Phong Nguyen, Transportation Manager, presented details on Items 2 and 3, via PowerPoint.

(11:38 a.m.) Smith questioned what triggered the beginning of Phase 2B. Phong explained that in phase 2A the entitlement was only allowed to be built for 340,000 square feet of office park and 375,000 square feet of hospital, and once beyond that, Phase 2B would trigger phase two B. Discussion ensued on Tax Increment Financing (TIF), and Transportation Trust Fund (TTF) funding, and the road capacity charge ordinance.

(11:42 a.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, representing the applicant, presented additional information on the item, via PowerPoint.

(11:52 a.m.) **Motion by Johns, seconded by Waldron, carried 5/0, via roll call vote, with Blocker participating remotely, to enact Ordinance No. 2020-18, approving the adoption of COMPAMD 2019-05, Durbin Park, subject to four findings of fact.**

ORDINANCE NO. 2020-18

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA; AMENDING THE 2025 ST. JOHNS COUNTY COMPREHENSIVE PLAN, ORDINANCE 2010-38, AS AMENDED; AMENDING SITE SPECIFIC POLICY A.1.11.1(M)(8)(O) FOR THE PROPERTY KNOWN AS DURBIN CREEK NATIONAL, DESIGNATED INTENSIVE COMMERCIAL (IC) AND CONTAINED WITHIN A DESIGNATED URBAN SERVICE AREA, LOCATED SOUTH OF RACE TRACK ROAD, WEST OF I-95; SITE SPECIFIC POLICY A.1.11.1(M)(8)(O), IS AMENDED TO PROVIDE FOR HOSPITAL USES, REDUCED BUFFERING FOR NON-RESIDENTIAL USES ADJACENT TO WEST PEYTON PARKWAY AND EAST PEYTON PARKWAY, AND PROVIDE ENHANCED LANDSCAPING IN THOSE AREAS, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR FINDINGS OF CONSISTENCY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

(05/19/20 - 10 - 11:08 a.m.)

2. PUBLIC HEARING - DEVAGRMOD 2019-01, DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT MODIFICATION (SECOND READING). THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS FOR THE PROPOSED MODIFICATION TO THE DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT THAT WAS APPROVED IN 2015, AND FIRST AMENDED IN 2016. DURBIN CREEK NATIONAL, LLC (APPLICANT), HAS PROPOSED TO MODIFY THE PHASING SCHEDULE AND CORRESPONDING TRANSPORTATION COMMITMENTS TO ACCOMMODATE THE PROPOSED DURBIN PARK PUD, LOCATED ON THE EAST SIDE OF SR 9B. THE APPLICATION HAS BEEN REVISED SINCE THE FIRST BCC HEARING ON MARCH 17, 2020, TO SPLIT PHASE 2 INTO PHASE 2A AND 2B BECAUSE OF THE CURRENT STATE OF THE ECONOMY. THE REQUEST ALSO INCLUDES A LAND USE EXCHANGE TO CONVERT 534,545 SQ. FT. OF OFFICE PARK SPACE TO 1,266 ADDITIONAL APARTMENT UNITS, AND 375,000 SQ. FT. OF HOSPITAL USES, WITH NO INCREASE IN THE PROJECT'S EXTERNAL TRAFFIC. THE PROPOSED CHANGES INCLUDE REVISING THE PROJECT DEVELOPMENT PHASING TO ACCELERATE DEVELOPMENT ENTITLEMENT; REVISING THE TRANSPORTATION COMMITMENTS TO INCLUDE A PHASED CONSTRUCTION OF EAST PEYTON PKWY FOR THE NEW PHASE 2A, COMBINE RACE TRACK ROAD FOUR-LANE WIDENING INTO ONE PHASE FROM BARTRAM PARK BLVD. TO BARTRAM SPRINGS PKWY INSTEAD OF TWO PHASES, AND REMOVING THE REQUIREMENT TO SIX-LANE RACE TRACK RD. AT BUILD OUT. TWO PUBLIC HEARINGS ARE REQUIRED TO MODIFY A DEVELOPMENT AGREEMENT. THE FIRST PUBLIC HEARING WAS HELD ON MARCH 17, 2020. THERE ARE THREE COMPANION APPLICATIONS: A COMPREHENSIVE PLAN AMENDMENT, DURBIN PARK PLANNED UNIT DEVELOPMENT, AND AMENDMENT TO THE DURBIN CREEK NATIONAL ROAD CAPACITY CHARGE ORDINANCE, THAT WILL BE HEARD CONCURRENTLY WITH THIS DEVELOPMENT AGREEMENT

Proof of publication of the notice of a public hearing on DEVAGRMOD 2019-01, Amendment to Development Agreement for Durbin Park National, LLC, was received, having been published in *The St. Augustine Record* on March 20, 2020.

Discussion occurred during Regular Agenda Item 1; Items 1 through 4 were heard concurrently.

(11:52 a.m.) **Motion by Johns, seconded by Dean, carried 5/0, via roll call vote, with Blocker participating remotely, to approve the Second Amendment to Durbin Creek National Development Agreement (DEVAGRMOD 2019-01), finding the proposed modification is consistent with the St. Johns County Comprehensive Plan and Land Development Code, according to the red folder item that was received during the meeting.**

(05/19/20 - 11 - 11:08 a.m.)

3. PUBLIC HEARING - AMENDMENT TO DURBIN CREEK NATIONAL ROAD CAPACITY CHARGE ORDINANCE 2015-06. THE SUBJECT ROAD CAPACITY CHARGE ORDINANCE (RCC), IS ONE OF TWO IMPLEMENTING ORDINANCES OF THE DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT. THE OTHER IS THE DURBIN TAX INCREMENT ORDINANCE 2015-05. BOTH ORDINANCES PROVIDE A FINANCING MECHANISM FOR FUNDING THE ROADWAY IMPROVEMENTS REQUIRED BY THE DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT. THE RCC ORDINANCE SUSPENDS THE NORMAL TRANSPORTATION IMPACT FEE IN THE SAME GEOGRAPHIC AREA AS THE DURBIN CREEK NATIONAL URBAN SERVICE AREA, DEVELOPMENT AGREEMENT AND TAX INCREMENT ORDINANCE. IT IMPOSES A ROAD CAPACITY CHARGE INSTEAD OF THE ROAD IMPACT FEE FOR DEVELOPMENT WITHIN THE SAME AREA. UPON PAYMENT, THE ROAD CAPACITY CHARGE GOES INTO THE ST. JOHNS COUNTY TRANSPORTATION TRUST FUND, ALONG WITH THE TAX INCREMENT TO FUND REQUIRED TRANSPORTATION IMPROVEMENTS IN THE AREA. THE PROPOSED AMENDMENT TO THE DURBIN CREEK NATIONAL ROAD CAPACITY CHARGE ORDINANCE ADDS THE HOSPITAL USE, INCORPORATES THE LAND USE CONVERSION REQUESTED TO ACCOMMODATE THE PROPOSED DURBIN PARK PUD PLAN OF DEVELOPMENT (DECREASE OFFICE; INCREASE RESIDENTIAL AND ADD HOSPITAL), AND UPDATES THE ANTICIPATED REVENUE TO \$12,862,873, BASED ON THE REVISED PLAN OF DEVELOPMENT. THE PROPOSED AMENDMENTS ARE CONSISTENT WITH THE MODIFICATION TO THE DURBIN CREEK NATIONAL DEVELOPMENT AGREEMENT (DEVAGRMOD 2019-01). THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON APRIL 16, 2020, AND RECOMMENDED APPROVAL WITH A 5-1 VOTE (ONE MEMBER RECUSED FROM VOTING)

Proof of publication of the notice of a public hearing on a Road Capacity Charge Ordinance was received, having been published in *The St. Augustine Record* on March 23, 2020.

Discussion occurred during Regular Agenda Item 1; Items 1 through 4 were heard concurrently.

(11:53 a.m.) **Motion by Johns, seconded by Dean, carried 5/0, to enact Ordinance No. 2020-19, via roll call vote, with Blocker participating remotely, amending the Durbin Creek National Road Capacity Charge Ordinance 2015-06; finding the ordinance consistent with the St. Johns County Comprehensive Plan and the Land Development Code.**

ORDINANCE NO. 2020-19

AN ORDINANCE [OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,] AMENDING ROAD CAPACITY CHARGES WITHIN THE PROPERTY ENCOMPASSED BY THE DEVELOPMENT AGREEMENT BETWEEN DURBIN CREEK NATIONAL, LLC, AND THE COUNTY; AMENDING THE FEE SCHEDULE FOR THE CALCULATION OF THE ROAD CAPACITY CHARGES; INCORPORATING THE DEFINITIONS IN THE DEVELOPMENT AGREEMENT INTO THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE

(05/19/20 - 12 - 11:08 a.m.)

4. PUBLIC HEARING - PUD 2019-12, DURBIN PARK PUD. A REQUEST TO REZONE APPROXIMATELY 1,281 ACRES OF LAND FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW FOR A MIXED-USE PROJECT THAT INCLUDES COMMERCIAL RETAIL, OFFICE, HOTEL, HOSPITAL, AND MULTI-FAMILY RESIDENTIAL USES. THE SUBJECT PROPERTY IS LOCATED ON RACE TRACK ROAD, EAST AND WEST OF I-95 ALONG SR 9B. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE ADOPTION OF COMPAMD 2019-05, DURBIN PARK, WITH A 5-1 VOTE, ONE MEMBER RECUSED FROM VOTING. THE AGENCY DISCUSSED ITEMS 6, 7 AND 8 TOGETHER. THE AGENCY DISCUSSED THE SIMILARITIES OF THE EXISTING DURBIN PAVILION, THE ADDITION OF RESIDENTIAL USES, THE CONTINUATION OF COMMERCIAL USES, THE ADDITION OF THE HOSPITAL, AND THE PROPOSED TRANSPORTATION IMPROVEMENTS AND THE LONG-TERM COST TO ST. JOHNS COUNTY. THE APPLICANT AND STAFF ADDRESSED THE COMMENTS. THERE WAS NO GENERAL PUBLIC COMMENTS PRESENTED AT THE HEARING. PLEASE SEE GROWTH MANAGEMENT STAFF REPORT FOR PROJECT DETAILS

Proof of publication of the notice of a public hearing on PUD 2019-12, Durbin Park, was received, having been published in *The St. Augustine Record* on March 20, 2020.

Discussion occurred during Regular Agenda Item 1; Items 1 through 4 were heard concurrently.

(11:53 a.m.) **Motion by Johns, seconded by Dean, carried 4/1, via roll call vote, with Waldron dissenting and Blocker participating remotely, to enact Ordinance No. 2020-20, PUD 2019-12, Durbin Park, subject to nine findings of fact, as provided in the staff report.**

ORDINANCE NO. 2020-20

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

(05/19/20 - 12 - 11:55 a.m.)

5. ST. JOHNS COUNTY, FLORIDA, SPECIAL OBLIGATION REVENUE NOTE, SERIES 2020A AND 2020B, RELATED TO USACE BEACH PROJECT. ON MARCH 19, 2019, THE BOARD APPROVED THE PROJECT PARTNERSHIP

AGREEMENT WITH THE U.S. ARMY CORPS OF ENGINEERS (ARMY CORPS), FOR THE CONSTRUCTION OF THE COASTAL STORM RISK MANAGEMENT PROJECT, IN PORTIONS OF THE SOUTH PONTE VEDRA AND VILANO BEACH REACHES, AND ALSO AUTHORIZED A FINANCING TEAM TO PREPARE NECESSARY FINANCING DOCUMENTS FOR THE CONSTRUCTION OF THE PROJECT. AS THE ARMY CORPS PROCESS REQUIRES PAYMENT WITHIN 7 DAYS OF PROVIDING NOTICE TO THE COUNTY OF THE NON-FEDERAL SHARE OF THE PROJECT, THIS ITEM IS TO APPROVE THE LENDER FOR THE BORROWING. THE COUNTY WILL CLOSE ON THE BORROWING WITHIN THE REQUIRED 7 DAYS NOTICE FROM THE ARMY CORPS, CURRENTLY ANTICIPATED IN JUNE 2020. THE RECOMMENDED PROPOSAL IS THROUGH BANK OF AMERICA, N.A. IT IS ALSO RECOMMENDED THAT THE COUNTY ISSUE A SERIES A AND SERIES B TO ADDRESS THE ABILITY TO PREPAY ALL, OR A PORTION OF THE BORROWING UPON RECEIVING REIMBURSEMENT FROM STATE GRANT FUNDS

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

Morris left the meeting at 11:56 a.m.

(12:10 p.m.) **Motion by Dean, seconded by Blocker, carried 3/2, via roll call vote, with Smith and Johns dissenting, and Blocker participating remotely, to adopt Resolution No. 2020-186, accepting the proposal from Bank of America, N.A.; approving the form of a loan agreement; and authorizing the issuance of the St. Johns County, Florida, Taxable Special Obligation Revenue Notes, Series 2020A and Series 2020B, in an aggregate principal amount of not to exceed \$22,000,000.**

RESOLUTION NO. 2020-186

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE PROPOSAL OF BANK OF AMERICA, N.A., TO PROVIDE THE COUNTY WITH A TERM LOAN IN ORDER TO FINANCE COSTS OF THE BEACH AND DUNE RENOURISHMENT PROJECTS FOR VILANO BEACH AND THE SOUTH PONTE VEDRA BEACHES; APPROVING THE FORM OF A LOAN AGREEMENT; AUTHORIZING THE ISSUANCE OF THE ST. JOHNS COUNTY, FLORIDA, TAXABLE SPECIAL OBLIGATION REVENUE NOTE, SERIES 2020A AND ST. JOHNS COUNTY, FLORIDA, TAXABLE SPECIAL OBLIGATION REVENUE NOTE, SERIES 2020B, PURSUANT TO SUCH LOAN AGREEMENT IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$22,000,000 IN ORDER TO EVIDENCE SUCH LOAN; AUTHORIZING THE REPAYMENT OF SUCH NOTES FROM A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES; DELEGATING CERTAIN AUTHORITY TO THE CHAIRMAN, THE COUNTY ADMINISTRATOR, CLERK, AND OTHER OFFICERS OF THE COUNTY, FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF THE LOAN AGREEMENT, THE NOTES AND VARIOUS OTHER DOCUMENTS WITH RESPECT THERETO; AND

**PROVIDING FOR AN EFFECTIVE DATE FOR THIS
RESOLUTION**

(12:11 p.m.) Dean spoke on a beach renourishment project for Ponte Vedra Beach and Vilano Beach.

(12:11 p.m.) **Motion by Dean, seconded by Blocker, carried 3/2, with Smith and Johns dissenting, and Blocker participating remotely, to fund up to \$500,000 from Category 5 Bed Tax, if available, toward the Ponte Vedra Beach and Vilano Beach renourishment project.**

Waldron questioned whether the funding for the project was available in Category 5. Dunn explained the available funding in Category 5 was \$1.2 million.

The meeting recessed at 12:16 p.m. and reconvened at 1:00 p.m., with all commissioners (Blocker participating remotely), Conrad, Bradley, Andrews, McCormack, Morris, and Deputy Clerk Natasha McGee in attendance.

(05/19/20 - 14 - 1:00 p.m.)

6. PUBLIC HEARING - REZ 2020-01, CONTENT A1A PROPERTIES. REQUEST TO REZONE APPROXIMATELY .74 ACRES OF LAND FROM COMMERCIAL GENERAL (CG) TO RESIDENTIAL, SINGLE FAMILY (RS-3) TO ALLOW FOR THREE SINGLE FAMILY HOMES

Proof of publication of the notice of a public hearing on REZ 2020-01, Content A1A Properties, was received, having been published in *The St. Augustine Record* on March 20, 2020.

Board ex parte disclosures: Waldron disclosed a site visit and a received email, dated May 19, 2020, from a resident across the street from the subject property.

Justin Kelly, Planner, presented the details of the proposed request, via PowerPoint.

(1:04 p.m.) Bill Miller, 288 Desoto Road, representing the applicant, provided additional comments on the intent to sell as primary residences.

(1:07 p.m.) Dean spoke on the compatibility of the subject property.

(1:07 p.m.) **Motion by Waldron, seconded by Dean, carried 5/0, via roll call vote, to enact Ordinance No. 2020-21, a request to rezone approximately .74 acres of land from Commercial General (CG) to Residential, Single Family (RS-3); based on four findings of fact, as provided in the Staff Report.**

ORDINANCE NO. 2020-21

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF COMMERCIAL,
GENERAL (CG) TO RESIDENTIAL, SINGLE FAMILY
(RS-3); MAKING FINDINGS OF FACT; REQUIRING
RECORDATION; AND PROVIDING AN EFFECTIVE
DATE**

(05/19/20 - 14 - 1:08 p.m.)

7. PUBLIC HEARING - REZ 2020-03, FLAGLER BOULEVARD. REQUEST TO REZONE APPROXIMATELY 3.7 ACRES OF LAND FROM OPEN RURAL (OR)

AND INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI) TO ALLOW FOR FUTURE COMMERCIAL USES; LOCATED ON U.S. HIGHWAY ONE, NORTH OF CHASEWOOD DRIVE, AND SOUTH OF ST. AUGUSTINE ROAD. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM AT THE APRIL 16, 2020, REGULAR MEETING, AND VOTED 7-0 TO RECOMMEND APPROVAL OF THE REZONING, AS SUBMITTED. NO PUBLIC COMMENT WAS PROVIDED. PLEASE SEE GROWTH MANAGEMENT STAFF REPORT FOR PROJECT DETAILS

Proof of publication of the notice of a public hearing on REZ 2020-03, Flagler Boulevard, was received, having been published in *The St. Augustine Record* on March 20, 2020.

(1:09 p.m.) Megan Kuehne, Planner, presented the details of the proposed request, via PowerPoint. She noted that the future right-of-way, located on the southern portion of the proposed request, was owned by the County.

(1:12 p.m.) Karen Taylor, 77 Saragossa Street, representing the applicant, provided additional details of the request, via PowerPoint.

(1:16 p.m.) Smith questioned Taylor on the construction of the flyover.

(1:17 p.m.) Motion by Dean, seconded by Blocker, carried 5/0, via roll call vote, to enact Ordinance No. 2020-22, REZ 2020-03, Flagler Boulevard, to rezone approximately 3.7 acres of land from Open Rural (OR) and Industrial Warehouse (IW) to Commercial Intensive (CI), based upon four findings of fact.

ORDINANCE NO. 2020-22

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) AND INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(05/19/20 - 15 - 1:18 p.m.)

8. PUBLIC HEARING - AMENDMENT TO ARTICLE IV, SECTION 4.01.05.E AND ARTICLE XII, DEFINITION OF PROTECTED TREE OF THE LAND DEVELOPMENT CODE. LAND DEVELOPMENT CODE AMENDMENTS TO ARTICLES IV AND XII TO REVISE TREE ENFORCEMENT REQUIREMENTS THAT INCLUDE A TIERED APPROACH FOR UNAUTHORIZED TREE REMOVAL, A TIME DELAY FOR DEVELOPMENT APPROVALS, A FINE FOR SPECIMEN TREE REMOVAL, A PER ACRE FINE FOR UNAUTHORIZED CLEARING WHEN TREE INCHES LOST CANNOT BE DETERMINED. THE BOARD OF COUNTY COMMISSIONERS DISCUSSED THESE PROPOSALS ON OCTOBER 15, 2019, DECEMBER 17, 2019, AND MARCH 3, 2020. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM AT THEIR REGULARLY SCHEDULED MEETING ON APRIL 16, 2020, AND RECOMMENDED APPROVAL, WITH A 6 - 1 VOTE

Proof of publication of the notice of a public hearing on an Amendment to Article IV, Section 4.01.05.E, and Article XII, Definition of Protected Tree of the Land Development Code, was received, having been published in *The St. Augustine Record* on March 20, 2020.

Jan Brewer, Environmental Division Manager, presented the details of the proposed amendments, regarding fines for unauthorized tree removal or land clearing, via PowerPoint.

(1:25 p.m.) Sacha Martin, 133 Coastal Hollow Circle, presented photos on clear cutting, *Exhibit A*, and spoke in opposition to unauthorized tree removal.

(1:28 p.m.) Janet Patten, 7265 A1A South, representing the St. Johns County Civic Association Roundtable, provided additional recommendations for the revision of the tree ordinance.

(1:31 p.m.) Jen Lomberk, Matanzas Riverkeeper, 291 Cubbedge Road, provided additional recommendations for the revision of the tree ordinance.

(1:34 p.m.) Sharlene Vincent, 2314 Vista Cove Road, spoke on her concerns regarding unauthorized tree removal, with a focus on fines.

(1:37 p.m.) Dianne Battle, 631 Sweetwater Branch Lane, provided additional recommendations for the revision of the tree ordinance.

(1:39 p.m.) Ed Slavin, P.O. Box 3084, spoke in opposition to unauthorized tree removal.

(1:42 p.m.) Maureen Long, 1821 Castile Street, spoke on expanding the protection of the trees, via PowerPoint.

(1:46 p.m.) Shirley Bonner, 138 Marshside Drive, provided additional recommendations for the revision of the tree ordinance.

(1:48 p.m.) Beth Breeding, Silverfield Development, 10175 Fortune Parkway, Jacksonville, Florida, on behalf of herself and a representative from the Northeast Builders Association, spoke in support of unauthorized tree removal fines. She also requested additional public participation on any future amendments to the ordinance.

(1:49 p.m.) Dean spoke in support of the amendments to the proposed ordinance. He stated he was in support of increased fines and a six-month delay in the permit application process. He also recommended future discussion on additional amendments to the ordinance.

(1:50 p.m.) Blocker recommended additional public participation on any future amendments to the ordinance.

(1:52 p.m.) **Motion by Dean, seconded by Blocker, carried 5/0, via roll call vote, to enact Ordinance No. 2020-23, amending Article IV, Section 4.01.05.E.3, and Article XII of the Land Development Code, finding the modification consistent with Florida Law and the St. Johns County Comprehensive Plan.**

ORDINANCE NO. 2020-23

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE 99-51, AS AMENDED, AMENDING ARTICLE IV, SECTION 4.01.05.E.3 'REMEDIES FOR PROTECTED TREE REMOVAL WITHOUT A PERMIT'; AMENDING ARTICLE XII 'DEFINITIONS' FOR PROTECTED TREE DEFINITION; PROVIDING A SAVINGS CLAUSE;

PROVIDING FOR MODIFICATION DURING PUBLIC HEARING; PROVIDING FOR INCLUSION AND CODIFICATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CORRECTION OF SCRIVENERS ERRORS; PROVIDING FOR LIBERAL CONSTRUCTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

(1:53 p.m.) Morris left the meeting.

(05/19/20 - 17 - 1:53 p.m.)

9. REQUEST TO RELEASE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS LIEN ON 210 S. NASSAU STREET. ON JULY 1, 2004, THE ST. JOHNS COUNTY BOARD OF ADJUSTMENTS AND APPEALS ENTERED AN ORDER (ATTACHED), IN THE AMOUNT OF \$2,439.36, FOR THE ABATEMENT OF THE STRUCTURE AT 210 S. NASSAU STREET IN ST. JOHNS COUNTY (SEE MAP ATTACHED), WHICH WAS RECORDED AS A LIEN AGAINST THE PROPERTY. AS OF APRIL 24, 2020, THE AMOUNT OF THE LIEN, INCLUDING PRINCIPAL AND INTEREST, WAS ESTIMATED TO BE \$5,527.52. THE COUNTY HAS RECENTLY BEEN REQUESTED BY THE CURRENT PROPERTY OWNER TO COMPLETELY RELEASE THE LIEN. THE OWNER ADVISES THAT THE PROPERTY IS UNDER CONTRACT FOR SALE TO THE NEIGHBORING PROPERTY OWNER AT 230 SOUTH NASSAU FOR \$5,000 (SEE ATTACHED DRAFT CLOSING STATEMENT). AS REFLECTED IN THE EMAILS ATTACHED TO THIS AGENDA ITEM, THE OWNER BELIEVES THE RELEASE WOULD BE IN THE PUBLIC INTEREST BECAUSE THE PROPERTY WILL BE RETURNED TO BENEFICIAL USE. THE OWNER ALSO NOTES THAT THE SALE PRICE IS LESS THAN THE AMOUNT OF THE LIEN AND THAT HIS HUSBAND, WITH WHOM HE OWNS THE PROPERTY, IS A 100 PERCENT DISABLED VETERAN. FINALLY, THE OWNER ALSO PROPOSES TO DONATE TO THE COUNTY FOR PUBLIC USE ANOTHER LOT HE OWNS ON ERVIN STREET (SEE MAP ATTACHED). COUNTY STAFF HAVE NOT IDENTIFIED A NEED FOR THE ERVIN STREET PROPERTY; HOWEVER, STAFF HAS INSTEAD RECOMMENDED THE OWNER SHOULD CONSIDER PAYING OFF SOME AMOUNT OF THE LIEN. PURSUANT TO SECTION 169.09(3), FLORIDA STATUTES, THE BOARD IS VESTED WITH THE SOLE AUTHORITY TO REDUCE OR SATISFY CODE ENFORCEMENT LIENS AND MAY APPROVE OR REJECT THE REQUEST HERE

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

(1:58 p.m.) Discussion by the Board and Bulthuis ensued on the property appraiser's property value, entitlement for one single family unit, the conveyance of the Ervin Street property, and financial information/cost on both properties, specifically the deed and tax fees. Bulthuis noted that the current owner was not the property owner at the time of the underlined violation.

(2:01 p.m.) Janet Dennis, 230 South Nassau Street, stated she was currently under contract to purchase the lot under consideration. She explained how the lien was discovered, how the property had become littered with trash, and requested that the Board approve the request.

(2:03 p.m.) Bulthuis provided additional comments on the seller's lack of knowledge of the existing lien and a prior code enforcement violation for trash.

(2:04 p.m.) **Motion by Smith, seconded by Johns, carried 5/0, via roll call vote, to reject request for release of Construction Board of Adjustments and Appeals lien for 210 South Nassau Street.**

(2:05 p.m.) *Bulthuis requested Board consensus to research a procedure that would allow comparable items to be brought to the Board, as a first instance, in a standard form that may be accompanied with a recommendation by the issuing board (Construction Board of Adjustment and Appeals). He stated that the procedure would allow an in-depth review of an item, by the issuing board, before being presented to the Board. Consensus was given.*

(2:08 p.m.) The Board moved to Commissioner' Reports.

(05/19/20 - 18 - 9:33 a.m.)

10. TOURISM INDUSTRY UPDATE AND FUNDING REQUEST

Dean provided an overview of the item, including the current employment rate in St. Johns County, due to COVID-19.

(9:39 a.m.) Richard Goldman, Visitor and Convention Bureau (VCB), presented details on the funding request, via PowerPoint.

(9:48 a.m.) Tracy Upchurch, City of St. Augustine Mayor, spoke on the ripple effect of tourism dollars, and the City's process for deep cleaning the downtown area.

(9:51 a.m.) Smith questioned if the City of St. Augustine's Council was willing to contribute to the marketing efforts. Upchurch explained that himself, as well as other taxpayers, had already contributed to the County.

(9:52 a.m.) Sherry Badger, 2772 S. Collins Avenue, spoke against bringing tourists back to the county with concerns on public safety, and spending money on personal protective equipment.

(9:53 a.m.) Irving Kass, 997 Garrison Drive, Tourist Development Council member, was concerned with being able to keep his employees due to the decrease in funds, the decrease in marketing, and the increased demand in the marketplace.

(9:56 a.m.) Charles Cox, President, San Sebastian Winery, spoke on bringing jobs back to the citizens in the county.

(9:58 a.m.) Tom Reynolds, 50 Brigantine Court, spoke on the \$2 million request not being enough to promote advertising and suggested adding an additional \$3 million.

(10:01 a.m.) Ed Slavin, P.O. Box 3084, agreed with Irving Kass on having a sustainable tourism industry; and spoke against the \$2 million request with concerns of there not being enough information.

(10:05 a.m.) Mark Nighbor, 100 South Park Blvd., St. Johns County Chamber of Commerce Chairman, spoke in support of the \$2 million request.

(10:07 a.m.) Lisa McGreevy, 703 Pinehurst Place, spoke in support of the request on behalf of citizens wanting to return to work.

(10:09 a.m.) Danny Berenberg, 712 Mill Stream Road, Ponte Vedra Beach, Tourist Development Council Chairman, supported the \$2 million request.

(10:11 a.m.) Tricia Burns, 655 Sun Down Circle, spoke in regards to lifting the unconstitutional ban of short-term rentals with no restrictions.

(10:13 a.m.) Tom Dolan, 42 Valencia Street, representing Meehan's Irish Pub and Seafood House, was concerned with the future of restaurants and hotels.

(10:15 a.m.) Joe Mcanarney, 1005 Blackberry Lane, spoke in support of the request.

(10:17 a.m.) Johns questioned who was considered a target audience, the geographic target location, and the timing of marketing. Goldman explained that they were targeting "purpose-pursuers" through data analysis and that they would be advertising throughout the state and southeast, beginning June 1. Discussion ensued on when visitors could be expected to return and what attractions would be open for them to visit, due to COVID-19 closures. Goldman said they would be marketing outdoor activities, not major events.

(10:29 a.m.) Smith questioned the current hotel occupancy, compared to this time last year. Goldman said it was 28% for May 2020, and in the 90-percentile for the same time last year. The projections for the upcoming Memorial Day weekend were around 45%.

(10:33 a.m.) Discussion ensued on Category 5 Tourist Development Tax (TDT) dollars, with Jesse Dunn, Director, Office of Management and Budget, explaining that the beginning balance for Category 5 was \$1,545,937, after a reallocation from other categories. Tera Meeks, Director, Tourist Development Council, explained that Category 5 was called Tourism Assets and could be used to fund a variety of projects, programs, and promotions.

(10:35 a.m.) Waldron asked how much bed tax was projected to be collected over the next five months. Meeks said that the projections ranged from \$9.9 million to \$11.8 million. Goldman commented on bed tax projection variables. Blocker supported the funding request. Discussion ensued on the current marketing budget levels.

(10:46 a.m.) Motion by Dean, seconded by Blocker, failed 2/3, via roll call vote, with Smith, Johns, and Waldron dissenting, and Blocker participating remotely, authorizing the allocation of \$2 million in general fund reserves to provide for destination marketing to promote St. Johns County as a tourist destination, in accordance with the plan presented by the St. Johns County Visitors and Convention Bureau on May 19, 2020; and authorizing the county administrator to execute a contract amendment governing expenditure of the funds.

Various funding options, unrestricted general fund reserves and projected bed tax collections were discussed.

(11:01 a.m.) Motion by Dean, seconded by Waldron, carried 5/0, via roll call vote, with Blocker participating remotely, to authorize the advance of \$2 million in general fund reserves to provide for destination marketing to promote St. Johns County as a tourist destination, in accordance with the plan presented by the St. Johns County Visitors and Convention Bureau on May 19, 2020; authorizing the county administrator to execute a contract amendment governing expenditure of the funds; and authorizing repayment of the funds from Tourist Development Tax revenues, as amended: (11:03 a.m.) **Motion by Blocker, seconded by Dean, carried 5/0, via roll call vote, with Blocker participating remotely, to amend the motion, on the table, to include a tourist development tax revenue payback period of five years from Category 1 funds.**

The meeting moved to Regular Agenda Item 1.

(05/19/20 - 20 - 2:08 p.m.)
COMMISSIONERS' REPORTS

Commissioner Dean

Dean stated that he would not be attending the first day (May 20, 2020) of the 2020 budget hearings, due to a previous scheduled appointment.

Commissioner Blocker

(2:09 p.m.) *Blocker provided additional comments on unauthorized tree removal, with respect to the County and excessive regulations. He requested Board consensus directing staff to review St. Johns County ordinances, and to coordinate with surrounding counties, the Florida Department of Transportation, and the St. Johns River Water Management District to determine whether local ordinances were impacting tree preservation. Consensus was given.*

Commissioner Waldron

(2:11 p.m.) Waldron congratulated the 2020 graduates of St. Johns County. He also congratulated Commissioner Johns on completing the Florida Association of Counties (FAC) Advanced County Commissioner Level II course.

(2:20 p.m.) Subsequently, Waldron requested that staff communicate and explain the Local State of Emergency to the public.

Commissioner Johns

(2:13 p.m.) Johns spoke on the FAC Advanced County Commissioner Level II course. *He also spoke on Tesla's CEO Elon Musk and the potential relocation of Tesla's corporate headquarters. He requested Board consensus to adopt a resolution encouraging the relocation to St. Johns County. Discussion ensued. Consensus was given.* Conrad responded that the resolution would be presented to the Board on June 2, 2020.

Commissioner Smith

(2:19 p.m.) Smith made the following meeting announcements: 1) Board of County Commissioners special meeting May 26, 2020, at the St. Johns County Administration Building, and 2) the St. Johns County Fiscal Year 2021 Administrator's Budget workshops on May 20-22, 2020, at the St. Johns County Agricultural Center.

(05/19/20 - 20 - 2:21 p.m.)
COUNTY ADMINISTRATOR'S REPORT

No report.

(05/19/20 - 20 - 2:21 p.m.)
COUNTY ATTORNEY'S REPORT

No report.

(05/19/20 - 20 - 2:21 p.m.)
CLERK OF COURT'S REPORT

No report.

(05/19/20 - 20 - 2:21 p.m.)
ADJOURN

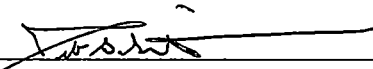
With there being no further business to come before the Board, Smith adjourned the meeting at 2:21 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 579025, totaling \$920 (05/06/20)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 579026-579056, totaling \$29,377.84 and Voucher Nos. 50194-50219, totaling \$35,058.27 (05/06/20)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 579057-579067, totaling \$4,041.82 and Voucher Nos. 50220-50222, totaling \$755.11 (05/07/20)
4. St. Johns County Board of County Commissioners Voucher Nos. 50223-50224, totaling \$8,767.68 (05/07/20)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 579068-579069, totaling \$796.70 (05/07/20)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 579070-579186, totaling \$1,358,388.87 and Voucher Nos. 50225-50270, totaling \$723,367.45 (05/11/20)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 579184-579194, totaling \$4,104 and Voucher Nos. 50271-50281, totaling \$9,397 (05/13/20)
8. St. Johns County Board of County Commissioners Check Register, Check No. 579195, totaling \$1,150.70 (05/14/20)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 579196-579376, totaling \$1,216,977.85 and Voucher Nos. 50282-50340, totaling \$2,587,425.38 (05/18/20)

Approved _____ June 16 _____, 2020

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Jeb S. Smith, Chair

ATTEST: BRANDON PATTY, CLERK

By: 
Deputy Clerk

