

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

District 1 - James K. Johns  
District 2 - Jeb S. Smith  
District 3 - Paul M. Waldron, Vice-Chair  
District 4 - Jay Morris  
District 5 - Henry Dean, Chair



## BOARD MEETING AGENDA

County Auditorium  
500 San Sebastian View

Michael D. Wanchick, County Administrator  
Patrick F. McCormack, County Attorney

Tuesday, April 17, 2018 9:00 AM

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*Please be sure all cellular devices are turned off for the duration of the County Commission Meeting*

## REGULAR MEETING

- ❖ Call to Order by Chair
- ❖ Roll Call by the Clerk of the Court
- ❖ Invocation
- ❖ Pledge of Allegiance
- ❖ Proclamation recognizing Tale Tellers of Saint Augustine 25th Anniversary
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

### **Presenter - Melissa Glasgow, Director of Economic Development**

#### **District 5**

- 1. Rulon Company Economic Development Incentive Request.** The St. Johns County Economic Development Agency (Agency) has received an application from Rulon Company (Applicant), for economic development incentives to construct a 27,000 square foot addition to their 85,000 square foot office/manufacturing building located at 2000 Ring Way in the World Commerce Center. The Applicant manufactures acoustic ceiling and wall wood panels and relocated to St. Johns County in 2006. They have grown successfully during this time, and currently employ 139 people in St. Johns County. This project represents a proposed expansion of an existing operation to accommodate additional sales and business growth. If approved, the company intends to maintain their local employment base and hire 20 new employees at an average wage of \$40,500 within the next three years. After the Agency received the application, the applicant subsequently withdrew their request for confidentiality. The project scored 6 points under the 'Existing Industry' category of the County's Business Incentive Program, which makes it eligible for expedited permitting and an economic development grant of up to 100% of fees paid to the County by the applicant (Impact Fees and Water/Sewer Connection Fees) and four years Ad Valorem taxes paid by the applicant (general County portion) on capital improvements and tangible personal property. Completion of the project is anticipated by the last quarter of calendar year 2018. With this schedule, the first annual grant payment would be anticipated during FY 20. The total estimated value of the incentive is \$129,238. In accordance with Program requirements, the Agency is required to review the application and make a written report to the Board of County Commissioners. Staff recommends support of this incentive application.

**Presenter - Benjamin Powelson, Engineer**

**District 5**

- 2. Public Hearing \* VACROA 2017-03 - a Public Hearing to vacate a portion of Lester & Bay Streets.** The applicant requests the vacation of portions of Lester & Bay Streets, located within Ponce De Leon Heights and Shepard & Crosby Subdivision. Based on staff's review, traffic patterns will not be negatively impacted, and no party will be unreasonably affected by the requested vacation.

**Presenter - Eric Clark, Engineer**

**District 2**

- 3. Public Hearing \* NZVAR 2016-03 Oakridge Trail Parcels.** NZVAR 2016-03 Oakridge Trail Parcels, a request for a non-zoning variance from the Land Development Code, Section 6.04.07.B.1, to allow for three (3) additional units to take access from an existing easement that already provides access for two or more units. The subject properties are located on Oakridge Trail a private easement within the confines of the private development Six Mile Creek North, within the World Golf Village area and Pacetti Road.

**Presenter - Casey Keough, Planner**

**District 5**

- 4. Public Hearing \* REZ 2017-21 1125 Commercial.** Request to rezone approximately 1.55 acres of land from Office Professional (OP) to Commercial Intensive (CI) with conditions to limit certain Uses otherwise allowed by Right or by Special Use Permit. The subject property is located at 1125 State Road 16 on the south side of State Road 16, east of Four Mile Road and west of Kenton Morrison Road. The Planning and Zoning Agency recommended approval of the rezoning on March 15, 2018 with a 4-0 vote.

**Presenter - Beverly Frazier, Senior Supervising Planner**

**District 2**

- 5. Public Hearing \* MAJMOD 2017-18 Mill Creek Hardware PUD.** Request for a Major Modification to incorporate an additional 1.14 acres adjacent to the approved Mill Creek Hardware Planned Unit Development to accommodate buffers, stormwater facilities, and preservation of specimen trees while maintaining 45,000 square foot of commercial space. The subject property is approximately 11.13 acres in area and is located south of State Road 16. The Planning and Zoning Agency recommended approval with a 3-0 vote at the March 15, 2018 meeting. Details for the modification request are provided within the Growth Management staff report along with the revised Master Development Plan.

**Presenter - Neal Shinkre, P.E., Public Works Director**

**District 5**

- 6. Porpoise Point Erosion Issues.** The Porpoise Point Community was severely impacted by Hurricane Irma. Existing drainage issues have been further exacerbated by the severe sand dune erosion that has occurred at the end of Porpoise Point Drive. Since most of the erosion occurred on federally owned lands, County Staff has reached out to the US Army Corps of Engineers (USACE) to identify the cause of erosion and seek necessary solutions to address the erosion. The USACE has referenced a Continuing Authorities Program (CAP) as a funding mechanism to better understand the erosion. Staff will provide a brief presentation to the BCC and seek approval to request the USACE to study the erosion issue.

**Presenter - Neal Shinkre, P.E., Public Works Director**

- 7. Permit for an offshore source of beach sand for beach restoration projects.** On April 18, 2017, St. Johns County and the St. Augustine Port Waterway and Beach District (District) entered into an interlocal agreement to substitute the County in place of the District as the applicant for a permit to place sand from the St. Augustine inlet system on the beach between Florida Department of Environmental Protection (FDEP) monument R-84 and R-117. Based on recent discussions with the FDEP and the U.S. Army Corps of Engineers (USACE), the County will need to permit an offshore sand source instead. Performing the required engineering and environmental work necessary to permit the offshore sand source for future projects could take 12 to 18 months. An engineering firm would be selected by RFQ to assist in the application process, which could cost up to \$400,000 from existing beach nourishment funding. Securing the permit now will enable the County to respond to projects and funding opportunities over the coming years in a timely manner, including but not limited to the MSTU project currently under consideration, while avoiding the bottleneck of a lengthy permit process.

**Presenter - Tera Meeks, Director, Tourism and Cultural Development**

- 8. Staff seeks Board direction regarding the current tourist related services agreements with the St. Johns County Visitors and Convention Bureau, Inc. and the St. Johns Cultural Council, Inc., which are set to expire on September 30, 2018.** The County initially entered into an agreement with the St. Johns County Visitors and Convention Bureau, Inc. (VCB) on February 2, 2010, to provide professional advertising, marketing and promotional services aimed at attracting tourist and convention activity to the County. Since that time, the term of the agreement has been extended by amendment and the now current Extension Agreement (see attached). The current Extension Agreement expires on September 30, 2018, and provides for two year term extensions upon approval by the Board. For FY 2018, funding in the amount of \$4,448,612 is approved to provide services under the Agreement. The County initially entered into an agreement with the St. Johns Cultural Council, Inc. (Cultural Council) on July 1, 2011, to market the County as an arts, culture and heritage destination, manage the County's Arts and Culture Grant Program and to perform other tourist related duties as directed. Since that time, the term of the agreement has been extended by the now current Extension Agreement (see attached). The current Extension Agreement expires on September 30, 2018, and provides for two year term extensions upon approval by the Board. For FY 2018, funding in the amount of \$1,921,727 is approved to provide services under the Agreement. On February 26, 2018, the Tourist Development Council (TDC) reviewed each of the agreements and considered whether to: (1) extend the effective terms as provided in each of the agreements; (2) extend the effective term of each agreement, subject to amended revisions; or (3) allow each of the existing agreements to expire, and procure the services by issuing an RFP. By majority vote, the TDC recommends extending the effective term of each agreement, subject to the attached amended revisions. Here, Staff seeks Board direction in moving forward to secure the services.

**Presenter - Jesse Dunn, Director, Office of Management & Budget**

9. **Cost and Cost-Recovery Analysis for Beach Services.** Per a February 6, 2018 Commission meeting discussion, the Commission approved the exploration of cost and cost recovery for certain services including Beach Services, Parks & Recreational Services, Boat Ramp Services, and Library Services. The Office of Management & Budget is to present each service including any implied cost recovery. On April 17th, the Commission will consider Beach Services and the implied cost recovery mechanism through an off-beach parking fee. The Commission will revisit an analysis for off-beach parking, provided by Public Financial Management & Phillips Parking LLC in Fiscal Year 2016.

**Presenter - Paolo S. Soria, Sr Assistant County Attorney**

10. **Public Hearing \* Land Development Code Amendments - Final Hearing for Ban of Medical Marijuana Treatment Center Dispensing Facilities.** This is the final hearing for a proposed amendment to the St. Johns County Land Development Code, Ordinance 99-51, to ban Medical Marijuana Treatment Center Dispensing Facilities as allowed and authorized by Section 381.986.(11)(b)(1), Florida Statutes (2017). The Board of County Commissioners heard this item on March 20th, 2018. The Planning and Zoning Agency heard this item on April 5th, 2018. A ban on Dispensing Facilities does not ban Cultivation or Processing Facilities or ban at-home delivery of medical marijuana to qualified patients in St. Johns County. Marijuana is still illegal under federal law. Please see the Staff Report for additional information.

***\*\*Following items are scheduled to be heard starting at 2:00pm.\*\****

**Presenter - Valerie Stukes, Planner**

**District 5**

11. **Public Hearing \* PLNAPPL 2018-03 and PLNAPPL 2018-04 ( Village Garden FTP), an Appeal to the Planning and Zoning Agency approval of SUPMAJ 2017-21, a special use permit to allow consumption of Beer and Wine in connection with a mobile food park..** This is an Appeal filed pursuant to Land Development Code Section 2.03.02, Appeals From Decisions Of The Planning And Zoning Agency, filed by James and Maureen Long and .Barbara Olson and Paul Dixon. The Appeal requests the Board of County Commissioners reverse the decision rendered by the Planning and Zoning Agency and deny SUPMAJ 2017-21. The Planning and Zoning Agency considered the original request at their January 18, 2018 hearing. The request was approved by a five (5) to one (1) vote, with Mr. Brad Nelson dissenting. Mr. Rice was absent. Please refer to the Growth Management staff report for details.

**Presenter - Beverly Frazier, Senior Supervising Planner**

**District 4**

12. **Public Hearing \* PLNAPPL 2018-01 955 Ponte Vedra Blvd.** Request to appeal the decision by the Ponte Vedra Zoning and Adjustment Board on January 8, 2018, denying a request for Zoning Variance PVZVAR 2017-06 to allow for variances to Sections VIII.D, VIII.I.2.b, VIII.I.2.d, and VIII.N.1.i of the Ponte Vedra Zoning District Regulations to accommodate the construction of a single-family home seaward of the CCCL, specifically located at 955 Ponte Vedra Boulevard. The Ponte Vedra Zoning and Adjustment Board considered the request at their January 8, 2018 hearing. The request was denied by a 4-2 vote, with Mr. Scott and Mr. Patton dissenting. Please refer to the Growth Management staff report for details.

**Presenter - Gail Oliver, Land Management Systems Director**

**District 5**

- 13. Consider direction to Staff for accepting or declining a Bill of Sale for bulkhead improvements and stairs at the east end of Thirteenth Street in the North Beach Subdivision.** Following Hurricane Matthew several beachfront property owners in North Beach between Third Street and Twenty-Fourth approached the County to allow for construction of bulkheads across unopened County right-of-ways "ROW". The bulkheads are being constructed at the adjoining property owners expense in an effort to build a continuous bulkhead across their property and County ROW to prevent the "washout" effect providing protection for the homes, County ROW and ultimately State Road A1A (Coastal Highway). As part of the permit application to construct across the County ROW, an Indemnity Agreement is required to be executed by the property owner for maintenance of the bulkhead and indemnification for liability. The agreement further sets forth that it would terminate upon the conveyance of the bulkhead to the County and acceptance by the BOCC. Mr. Eric Berg is the property owner on each side of Thirteenth Street and has constructed a bulkhead and stairs is now requesting acceptance of such to release his liability and maintenance responsibilities as allowed for in the agreement. A portion of the stairs are located on both County ROW and Mr. Berg's property which would require an easement from Mr. Berg. Acceptance of private property or private improvements in the County Right-of-Way is at the sole discretion of the Board of County Commissioners. Staff is not seeking approval of the Resolution, but seeking policy direction from the Board of County Commissioners and, if directed, will prepare the necessary documents related to acceptance of the bulkhead improvements.

- ❖ Commissioners' Reports
- ❖ County Administrator's Report
- ❖ County Attorney's Report
- ❖ Clerk of Court's Report

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## CONSENT AGENDA

County Auditorium  
500 San Sebastian View

Michael D. Wanchick, County Administrator  
Patrick F. McCormack, County Attorney

Tuesday, April 17, 2018 9:00 AM

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## CONSENT AGENDA

- 1. Motion to approve the Cash Requirement Report.** *For more information, contact Allen MacDonald, County Finance Director at 819-3669*
- 2. Motion to adopt Resolution 2018-\_\_\_\_\_**, authorizing the County Administrator or designee to execute a **Memorandum of Understanding with the Florida Department of Law Enforcement** along with supplemental documents, in substantially the same form and format as attached hereto, **providing for a grant award** in the amount of \$2,500 to purchase an all-in-one **computer for use by the Medical Examiner's Office**; and amending the Fiscal Year 2018 budget to recognize and appropriate the grant funds as revenue within the Fiscal Year 2018 General Fund and Medical Examiner Department budgets *For more information, contact Koni Rogers, Administrative Coordinator at 904 209-0822*
- 3. Motion to adopt Resolution 2018-\_\_\_\_\_**, approving an **Impact Fee Transfer Indemnity Agreement with DI-FL No.1, LLC for the Morgans Cove Planned Unit Development.** *For more information, contact Paolo S. Soria, Sr. Assistant County Attorney at 904 209-0809*
- 4. Motion to adopt Resolution 2018-\_\_\_\_\_**, approving the **final plat for Windward Ranch Phase Eleven.** *For more information, contact Kelly Dobbing, Application Review Supervisor at 209-0603*
- 5. Motion to adopt Resolution 2018-\_\_\_\_\_**, approving the **final plat for Nocatee Landing Trail.** *For more information, contact David Suarez, Application Review Supervisor at 209-0720*
- 6. Motion to adopt Resolution 2018-\_\_\_\_\_**, approving the **final plat for PLAT 2018-05 Rivertown - Parcel 23 - Phase 1.** *For more information, contact David Suarez, Application Review Supervisor at 209-0720*
- 7. Motion to adopt Resolution 2018-\_\_\_\_\_**, authorizing the County Administrator, or designee, **to award RFP No: 18-06-Event Security Services, to Event Services America, Inc. d/b/a Contemporary Services Corporation**, as the highest ranked firm, and to enter into negotiations, and upon successful negotiation, execute a contract, in substantially the same form and format as attached, for performance of the services provided in RFP No: 18-06. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0158*

8. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or his designee, **to purchase Dow Membrane Elements Model. No. Filmtec BW30XFRLE-400/34 at a total price for \$318,920.00, from Dow Chemical Company**, as a single source provide of the specified membranes. *For more information, contact Jaime Locklear, Purchasing Manager at 209-0158*
  
9. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or his designee, **to execute a fourth amendment to Master Contract No. 11-MAS-REP-01987**, in substantially the same form and format as attached hereto, providing for revised weekend hours of operation, a six-year renewal term and a reduction in rate. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0159*
  
10. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or his designee, **to piggyback the NJPA Cooperative Contract # 120617-CAT**, and execute a Purchase Order in the amount of \$105,903.63, to **Ring Power Corporation for the purchase of one (1) Caterpillar C13 350kW 1800RPM Diesel Engine Generator Set for Combined Fire Station 5/11**. *For more information, contact Jaime Locklear, Purchasing Manager at 904 209-0159*
  
11. Motion to adopt Resolution 2018-\_\_\_\_\_, approving the **exchange of real property** as specifically described in the deeds attached hereto, and as authorized in Section 125.37, F.S. **for completion of the right turn lane from Russell Sampson Road north onto St. Johns Parkway**. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
  
12. Motion to adopt Resolution 2018-\_\_\_\_\_, authorizing the County Administrator, or designee, **to execute non-exclusive option agreements** in substantially the same form and format as the attached hereto, with each of the **developers identified above in order to meet VA requirements for responding to its solicitation for lease proposals**; and subject to the VA's award of the project, authorizing the County Administrator, or designee, to execute a ground lease with the selected party, in substantially the same form and format as attached hereto, along with all supplemental documentation required for completion of the project. *For more information, contact Damon Douglas, Project Manager at 209-0794*
  
13. **Local Mitigation Strategy Annual Report for the Community Rating System annual recertification of the 510 Floodplain Management Plan criteria as required by the Federal Emergency Management Agency**, for credit under the Community Rating System (CRS). This is for informational purposes. *For more information, contact Kelly Wilson, Emergency Management Coordinator at 904 824-5550*
  
14. Motion to adopt Resolution 2018-\_\_\_\_\_, approving the terms, conditions, and requirements of the agreement between St. Johns County, Florida and **Tonier Cain for trauma informed systems training in an amount not to exceed \$14,000** and authorizing the County Administrator, or designee, to execute the agreement substantially in the same form as attached on behalf of the County. *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*

15. Motion to approve transfer of \$185,000 from Impact Fee Zone A Contingency Reserve to Improvements O/T building for the construction of the **Pacetti Bay Neighborhood Park**. *For more information, contact Billy Zeits, Assistant Director at 209-0322*
  
16. **Motion to transfer \$1,093,000 from the Health Insurance Fund Reserves** to account for the HRA funds associated with the High Deductible Health Plan (HDHP) enrollment for the 2018 benefit year (January 1 to December 31, 2018). *For more information, contact Stacey Stanish, Director, Administrative/Support Services at 904 209-0545*
  
17. Motion to adopt Resolution 2018-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of FDEP Agreement Number 17SJ2 and authorizing the County Administrator, or designee, to execute the **Grant Agreement for the St. Augustine Beach Renourishment Project, along with any supplemental documentation, on behalf of the County**. *For more information, contact Neal Shinkre, P.E., Public Works Director at 904 209-0266*
  
18. **Proofs:**
  - a) Proof: Notice of Hearing, March 6, 2018, Impact Fee Ordinance, published on February 23, 2018, in the St. Augustine Record.
  - b) Proof: Notice of Meeting, Insurance Committee Monthly Meeting, published on March 1, 2018, in the St. Augustine Record.
  - c) Proof: Request for Bids, Bid No.: 18-43; St. Johns County Permit Center First Floor Renovations, published on March 1, 2018, and March 8, 2018, in the St. Augustine Record.
  - d) Proof: Notice of Action, Debbies Way Resolution was published in St. Augustine Record on March 8<sup>th</sup>, 2018.
  - e) Proof: Notice of Hearing, February 20, 2018, Debbies Way Vacation published on February 6<sup>th</sup>, 2018, in the St. Augustine Record.
  - f) Proof: Request for Bids, Bid No.: 18-45; Vilano Beach Boat Ramp Dock Repairs, published on March 5, 2018, and March 12, 2018, in the St. Augustine Record.