

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, March 20, 2018 9:00 AM

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
- ❖ 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

1. **Presentations by St. Johns County Economic Development Partner Organizations.** St. Johns County has agreements with the University of North Florida Small Business Development Center (SBDC) and the St. Johns County Chamber of Commerce/JAXUSA Regional Economic Development Partnership to support economic development programs that assist new and existing businesses, help attract new industry, and promote economic opportunities for the county. Representatives from these three organizations will make presentations to update the Board of County Commissioners on their economic development-related programs and activities for St. Johns County.

Presenter - Shannon Acevedo, Senior Supervising Planner

2. **Public Hearing * REZ 2017-14 Welding for St Johns.** Request to rezone approximately 2 acres from Open Rural (OR) to Commercial, Warehouse (CW) to allow for light manufacturing and welding repair, located at 450 South Holmes Boulevard. **District 2**

Presenter - Valerie Stukes, Planner

3. **Public Hearing * PUD 2016-24 Murabella Plaza.** Request to rezone approximately 4 acres from Open Rural (OR) to Planned Unit Development (PUD) to allow for 37,310 square feet of commercial development. The Uses proposed within this PUD are neighborhood commercial uses, office professional uses and cultural institutional uses. The subject property is located in the southwest quadrant of Pacetti Road and State Road 16, adjacent to AutoZone. For more detail, please review the staff report attached. On February 1, 2018 the Planning and Zoning Agency voted 7-0 to recommend approval. **District 2**

Presenter - Cynthia A. May, Senior Planner

District 4

4. **Public Hearing * REZ 2017-23 Palm Valley Gardens III.** REZ 2017-23 Palm Valley Gardens III, a request to rezone approximately 1.92 acres of land from Open Rural (OR) to Residential, Single Family - 2 (RS-2) at 244 & 248 Canal Boulevard to allow for the reconfiguration of four existing non-conforming lots of record into three lots that will conform with the requirements for parcels in RS-2 Zoning Districts. The Planning and Zoning Agency held a Public Hearing on February 15, 2018 and voted 6-0 in favor of recommending approval.

District 4

5. **Public Hearing * MAJMOD 2017-25 Canal Boulevard Shops PUD.** Request for a Major Modification to the Canal Boulevard Shops PUD (Ordinance Number 2010-30) to add Restaurant as an Allowable Use, revise the waivers, and provide for changes to the MDP text and map. The Major Modification would amend the MDP map to change the overall site development configuration and reduce the building footprint from 8,100 square feet in two structures to 5,600 square feet in one structure, allowing for a "Quality Restaurant" use in addition to the Neighborhood Commercial uses previously permitted by the PUD. Perimeter buffers and enhanced screening standards are proposed, with waivers requested to reduce the required front yard for parking. The subject property is located on Canal Boulevard in the Palm Valley Overlay District and subject to the standards prescribed in the Land Development Code Section 3.06.00 and review by the Architectural Review Committee (ARC), which was scheduled for January 24, 2018. The Planning and Zoning Agency held a Public Hearing on February 15, 2018 and voted 6-0 in favor of recommending approval.

Presenter - Georgia Katz, Senior Planner

District 1

6. **Public Hearing * CDD 2017-05 Parkland Preserve Community Development District (CDD).** Request to establish the Parkland Preserve CDD consisting of approximately 267 acres, generally located in the Northeast Quadrant of I-95 and International Golf Parkway (IGP). The subject property is within the St. Johns DRI and zoned Interchange Parcels PUD. The PUD allows for age restricted residential uses. The CDD proposes 363 single family age restricted (SFAR) residential units. The CDD proposes to fund the construction, operation and maintenance of storm water, potable water, sanitary sewer, roads, recreational amenity and landscaping. The Petitioner estimates approximately \$16,018,652 in costs. The establishment of the CDD does not obligate the County to ownership, operation or maintenance of any infrastructure.

Presenter - Beverly Frazier, Senior Supervising Planner

District 4

7. **Public Hearing * Ponte Vedra Zoning District Regulations Amendments - Sections I, III, IV, V, VIII and XII..** This is the adoption hearing for amendments to Sections I, III, IV, V, VIII and XII of the Ponte Vedra Zoning District Regulations (PVZDR). These amendments have been requested by the Ponte Vedra Beach community and the Ponte Vedra Zoning and Adjustment Board (PVZAB) directed staff to proceed with revisions to provide clarification and assistance with violation enforcement. In addition, Staff has updated provisions for consistency with the Land Development Code regulations and the Development Review Manual application process. The Ponte Vedra Zoning and Adjustment Board recommended approval of the proposed amendments by 5-0 vote at the December 4, 2017 regular meeting.

Presenter - Gail Oliver, Land Management Systems Director

District 2

- 8. Consider the Acquisition of 1,994 Acres for Mitigation and Passive Recreation along the St. Johns River and McCullough Creek from the Jacksonville Port Authority.** The Jacksonville Port Authority (JAXPORT) has an interest in selling to the County 1393.67 acres of land with frontage on the St. Johns River, State Road 13 and McCullough Creek. JAXPORT also has an interest in conveying or long term leasing, at no cost to the County, 600.11 acres of land under a Conservation Easement surrounded by the above mentioned 1393.67 acre parcel. The parcel has a major potential for passive recreational activities including trails, which is described as a need in the recent review and update of the St. Johns County Parks and Recreation Master Plan. The parcel further has the potential to provide an estimated 200+ mitigation credits and was recently targeted for acquisition as a Regional Offsite Mitigation Area (ROMA) site due to a projected 70 SJRWMD credit and 80 Army Corps of Engineers credit deficit in wetland mitigation credits for future County projects in Mitigation Basin 8. The total purchase price is \$4,459,744 dollars. Tree Bank Fund has available funding of \$2,490,000 dollars. The remaining balance (including closing cost) is \$2,040,000 dollars. Proceeds resulting from timber sales are estimated at \$1,000,000 within approximately one year following the closing and the remaining \$1,000,000 in approximately ten years. There is also potential for Florida Communities Trust (FCT) Grant funding for 75% reimbursement within 2 years of acquisition should a grant be applied for and approved.

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

- 9. State Revenue Sharing Half Cent Sales Tax Re-Allocation to '09 Sales Tax Debt Service and a General Fund transfer to 11 Flagler Estates Refunding Bond Debt Service to cover FY 2018 interest rate increases due to tax reform legislation changes.** Tax reform legislation became effective on January 1, 2018 via the Tax Cuts and Jobs Act of 2017. The legislation includes certain provisions that have a negative impact on existing and future debt issuances for local governments. Current impacts include interest rate increases on the County's Sales Tax Revenue and Refunding Bond, Series 2009 and Redevelopment Revenue Refunding Note (Flagler Estates Project), Series 2011 debt issuances. Please see attached memorandum from OMB regarding tax reform legislation impacts on existing and future county debt issuances. Also, see attached letter from BBT Bank and revised debt service schedule.
- 10. Recommended Approach to Property Tax Reform.** With Property Tax Reform (known as Amendment 1, the Homestead Exemption Increase Amendment) on the ballot in Florida as a constitutional amendment on November 6, 2018, County Administration, through the Office of Management & Budget, is recommending a two-year approach to the budget to moderate the effects.

Presenter - Paolo Soria, Senior Assistant County Attorney

- 11. Public Hearing * Land Development Code Amendment - First reading of Ban on Medical Marijuana Treatment Center Dispensing Facilities.** This is a first reading of an amendment to the St. Johns County Land Development Code to ban Medical Marijuana Treatment Center (MMTC) Dispensing Facilities. On February 20th, this Board directed staff to implement a ban on MMTC Dispensing facilities as allowed and permitted by section 381.986 (11), Florida Statutes. Dispensing Facilities are the retail component of a Medical Marijuana Treatment Center similar to pharmacies. This places Dispensing Facilities as a prohibited use in all zoning districts and zoning categories. This ban on Dispensing Facilities does not affect the cultivation, processing, or delivery of Medical Marijuana in St. Johns County by a MMTC licensed with the State. Marijuana is illegal under Federal Law. This item is scheduled for recommendation by the Planning and Zoning Agency on April 5, 2017 and for a second hearing before the BCC on April 17, 2018.

Presenter - Rebecca C. Lavie, Senior Assistant County Attorney

12. Discussion on lobbyist regulations. At the February 6 Board of County Commissioners meeting, the Board directed the County Attorney's Office to provide the Board with an overview of lobbying regulations from around the state as well as possible options for a St. Johns County lobbying ordinance. Florida law provides for the registration of lobbyists who lobby the State Legislature, executive agencies, the Constitutional Revision Commission, and the Water Management Districts. Although the State Code of Ethics for Public Officers and Employees (Chapter 112, Part III, Florida Statutes) does not contain lobbyist registration for local governments, Section 112.326, Florida Statutes permits counties to impose additional requirements by ordinance. This office has reviewed lobbyist regulations put into place by other counties around the state and has found that these regulations typically address the following areas: (1) Registration of lobbyists (including disclosure of principals); (2) Disclosure of lobbyists' compensation and expenditures; (3) Contingency fees; (4) Tracking of lobbyists' contacts with public officials; (5) Treatment of attorney lobbyists; and (6) Lobbying in connection with competitive solicitations. This office seeks direction from the Board regarding preparation of an ordinance regulating lobbyist activity.

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

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CONSENT AGENDA

County Auditorium
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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-_____, approving the terms, conditions, provisions, and requirements of **St Johns County's State E-911 State Grant Application** and authorizing the Chair of the Board of County Commissioners to execute the Grant Application on behalf of the County. *For more information, contact Victoria Ogaga, E-911 Supervisor at 904 209-1478*
3. Motion to approve **PFS AGREE 2017-01** and authorize the County Administrator to execute the **Cordova Palms Concurrency and Impact Fee Credit Agreement**, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code. *For more information, contact Jan Trantham, Senior Transportation Planner at 209-0611*
4. Motion to adopt Resolution 2018-_____, authorizing the notice required by Section 336.10, F.S., for a Public Hearing on April 17, 2018 at 9:00am or at a date and time as soon thereafter as possible to hear a request for the vacation of a portion of Lester & Bay Street, located within Ponce De Leon Heights and the Shepard and Crosby Subdivision (**VACROA 2017-03 Lester & Bay Street**). *For more information, contact Benjamin Powelson, Engineer at 209-0666*
5. Motion to adopt Resolution 2018-_____, amending the Fiscal Year 2018 General Fund to include certain unanticipated revenue and authorizing its **expenditure on behalf of the Tax Collector**, approving the terms of an agreement with Strategic Sites-Clifford Commercial **to lease office space for the Tax Collector**, and authorizing the County Administrator, or designee, to execute the First Right of Offer and subsequent Lease Agreement on behalf of St. Johns County. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
6. 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*

7. Motion to adopt Resolution 2018-_____, approving the terms and conditions of the **Non-Exclusive Franchise Agreement for Construction and Demolition debris** between St. Johns County, Florida and **Sun State Disposal & Recycling, Inc.** and authorizing the County Administrator or designee to execute the Non-Exclusive Franchise Agreement on behalf of the County. *For more information, contact Wendy Hicks, Solid Waste Manager at 904 827-6982*
8. Motion to adopt Resolution 2018-_____, authorizing the County Administrator, or his designee, to **purchase twelve (12) new Lucas 3.0 Chest Compression Systems at a total price of \$150,210.56, from Physio-Control, Inc,** as the sole source provider of the specified systems. *For more information, contact Jaime Locklear, Assistant Purchasing Manager at 209-0158*
9. Motion to adopt Resolution 2018-_____, authorizing the County Administrator, or his designee, to **award RFQ 18-05; Contractor Qualification for As Needed Small Scale Construction, Renovation & Repair Services,** and to execute contracts in substantially same form and format as attached hereto with the following eighteen (18) firms: Burchfield Electric, Inc, Gruhn May, Inc, Kim's Electric, Inc, Mallen Construction, Inc, Young's Masonry, Inc, Thomas May Construction Company, Hager Construction Company, Lasa Construction, Inc, P & G Construction, Inc, Arnett Heating & Air Conditioning, Inc, B Hurd Realty, LLC dba Hurd Construction Management, W.W. Gay Mechanical Contractor, Inc, Bush Construction Company, Inc, B & S Signs, Inc, Sauer, Inc, Sea Tech of the Florida Keys, Inc, Yelton Construction Company, Inc, Core Construction Company of Jacksonville, Inc to perform services in accordance with RFQ 18-05, as authorized by Task Order. *For more information, contact Jaime Locklear, Assistant Purchasing Manager at 209-0158*
10. Motion to adopt Resolution 2018-_____, approving the terms, conditions, and provisions of a **Settlement Agreement and Release between St. Johns County and Sensus USA Inc,** and authorizing the County Administrator, or designee, to execute the Settlement Agreement and Release on behalf of the County. *For more information, contact Frank Kenton, Assistant Utility Director at 904 209-2705*
11. Motion to adopt Resolution 2018 - _____ approving the recognition and appropriation of **unanticipated insurance proceeds in the amount of \$86,405 & a General Fund Reserve Transfer in the amount of \$25,000 to the Recreation Facilities Department to cover insurance deductible and begin repair to Nocatee Community Park restroom.** *For more information, contact Mike Dalton, Director of Facilities Management at 904 209-0190*
12. Motion to adopt Resolution 2018-_____, creating and establishing the **Citizens Flood Mitigation Advisory Committee and adopting bylaws for the Committee.** *For more information, contact James Schock, Floodplain Management at 904 827-6806*
13. Motion to adopt Resolution 2018-_____, approving and adopting the **Community Rating System Watershed Master Plan for the Mill Creek Watershed.** *For more information, contact Jim Schock, Senior Plans Examiner at 904 827-6806*
14. Motion to adopt Resolution 2018-_____, approving the **St. Johns County Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Planning Project 2017-2018** final Program Status Report and final Financial Report. *For more information, contact Shawna Novak, Director at 904 209-6089*
15. Motion to adopt Resolution 2018-_____, approving the terms, conditions, and requirements of the agreement between **St. Johns County, Florida and ALIA** 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*

16. Motion to approve Minutes:

- 02/20/18, BCC Regular

17. Proofs:

- a) Proof: Notice of Meeting, St. Johns County Insurance Committee on 2/27/18, published on February 13, 2018, in the St. Augustine Record.
- b) Proof: Request for Bids, Bid No.: 18-47; Purchase of one 2019 Semi-Tractor Truck for the Road and Bridge Department, published on February 7, 2018, and February 14, 2018, in the St. Augustine Record.
- c) Proof: Notice of Action, Full Cost Accounting for Solid Waste Management Services, published on January 23, 2018, in the St. Augustine Record.
- d) Proof: Notice of Hearing, Zoning for Town of Hastings published on December 05, 2017, and January 31, 2018, in the St. Augustine Record.

