

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

District 1 – Cyndi Stevenson

District 2 – Ron Sanchez

District 3 – William (Bill) A. McClure

District 4 – Jay Morris, Chair

District 5 – Rachael L. Bennett, Vice-Chair



## REGULAR MEETING AGENDA

County Auditorium  
500 San Sebastian View

Michael D. Wanchick, County Administrator

Patrick F. McCormack, County Attorney

**TUESDAY, OCTOBER 21, 2014 – 9:00 A.M.**

❖Please be sure all cellular devices are silenced 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 designating November 2014 as Pancreatic Cancer Awareness Month*
- ❖ *Acceptance of Proclamation*
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

### **Presenter – Danielle Handy, Planner**

#### **District 4**

- 1. Public Hearing – NOPC 2014-04 Caballos del Mar DRI.** The applicant is seeking a Notice of Proposed Change to the Caballos del Mar Development of Regional Impact (DRI) in order to combine and reconfigure several vacant, Tour-owned parcels. The Caballos del Mar DRI was approved in July 1975 and contains approximately 3,670 acres of land. The portion of the DRI that is subject to the proposed modifications consists of approximately 185.5 acres of vacant land. The Planning and Zoning Agency recommended approval of the request at its August 7, 2014 meeting.

### **Presenter – Danielle Handy, Planner**

#### **District 4**

- 2. Public Hearing – MAJMOD 2014-10 PGA.** The applicant is seeking a Major Modification to the Players Club PUD in order to combine and reconfigure several vacant, Tour-owned parcels. In addition to modifying the Master Development Plan Map, the Applicant is seeking waivers to various provisions of the Land Development Code. The Palm Valley Architectural Review Committee recommended approval of the request with one suggested condition at its July 23, 2014 meeting. Further, the Planning and Zoning Agency recommended approval at its August 7, 2014 meeting.

**Presenter – Teresa Bishop, AICP, Planning Division Manager**

**District 1**

- 3. Public Hearing – CDD 2014-01 Trout Creek – Community Development District (CDD).** The Trout Creek Community Development District (CDD) petition is a total of 997 acres. This CDD is not conterminous with the Ashford Mills DRI project boundary area containing a total of 1,521 acres. The majority of the land left out of the Trout Creek CDD boundary is designated as wetlands within the Ashford Mills DRI. The Ashford Mills DRI was approved for 2,633 dwelling units; 250,000 square feet retail; 30,000 square feet general office; 37 acres of parks; and approximately 26.8 acres for a K-8 school site. The Trout Creek CDD proposes to provide infrastructure improvements including, master stormwater system, water and sewer system, roadway improvements, master utilities (electrical), recreation improvements, landscaping and hardscape Improvements. In addition the CDD requests additional recreation and security powers pursuant to Florida Statutes 190.012 (2).

**District 1**

- 4. Public Hearing – MAJMOD 2014-03 Durbin Crossing PUD.** The applicant is requesting to add one right-in access point onto St. Johns Parkway, one right-in and right-out access point onto Longleaf Pine Parkway and provide a driveway across the powerline easement for connection of Village Center. At this time, the connection points are conceptual and require County permitting prior to construction. These additional driveways provide for better connectivity and traffic circulation throughout the Town Center. The Planning and Zoning Agency recommended approval at its September 18, 2014 meeting.

**Presenter – Michael Roberson, Senior Planner**

**District 1**

- 5. Public Hearing – COMPAMD 2013-07 Julington Lakes.** This is the adoption hearing for Comprehensive Plan amendment application 2013-07, Julington Lakes. The request is to amend the Future Land Use Map designation for 598 acres of land from Rural Silviculture to Residential-B, and to add a text amendment to limit the maximum number of residential units to 512. The property is located on Longleaf Pine Pkwy and west of Veteran's Park. This amendment has a companion application (PUD 2013-13) to rezone to Planned Unit Development. The Board of County Commissioners approved this amendment for transmittal at the May 20, 2014 hearing. The applicant has acknowledged any lack of school capacity will be mitigated through a Proportionate Share agreement. The Planning and Zoning Agency recommended adoption of the request at the September 18, 2014 meeting by a vote of 5 to 0.

**District 1**

- 6. Public Hearing - PUD 2013-13 Julington Lakes.** Request to rezone 598 acres from Open Rural (OR) to Planned Unit Development (PUD) to allow up to 512 single-family units. Staff recommends approval of the request, upon approval of the three waivers, based on consistency with the Future Land Use designation of Residential-B, consistency with development trends in the area and compatibility with surrounding properties. Approval of this application is contingent upon approval of the companion application (COMPAMD 2013-07) to change the Future Land Use from Rural Silviculture to Residential-B. The Planning and Zoning Agency recommended approval of the request at its September 18, 2014 meeting by a vote of 5 to 0. The motion included approval of the requested waivers.

**Presenter – Phong T. Nguyen, Manager Transportation Development Division**

**District 3**

- 7. Public Hearing – DEVAGRMOD 2014-01 SR 207 Corridor Improvement Group Development Agreement Modification (Key Parcel PUD).** The SR 207 Corridor Improvement Group (CIG) Development Agreement was approved by the Board of County Commissioners in 2006 for fourteen projects collectively known as the SR 207 Corridor Improvement Group, LLC. The agreement mitigates for cumulative project impacts to the SR 207, Wildwood Drive, SR 312, Holmes Blvd. and US 1 area by constructing improvements at the SR 312/US 1 intersection (top priority) and funding nine (9) other transportation improvements to be constructed by the County in priority order. The request for modification of the SR 207 Corridor Improvement Group Development

Agreement seeks to remove the remaining transportation mitigation amount for the Key Parcel PUD based on changed conditions and existing transportation capacity in the project impact area; and to acknowledge the amount already paid to be full satisfaction of the mitigation required under the SR 207 CIG Development Agreement thus maintaining the existing road impact fee credit of \$148,742.00. Two public hearings are required to modify a Development Agreement. The second public hearing is scheduled before the BCC on November 4, 2014.

**District 3**

- 8. Public Hearing – DEVAGRMOD 2014-02 SR 207 Corridor Improvement Group Development Agreement Modification (Deerchase Drive Parcel PUD).** The SR 207 Corridor Improvement Group (CIG) Development Agreement was approved by the Board of County Commissioners in 2006 for fourteen projects collectively known as the SR 207 Corridor Improvement Group, LLC. The agreement mitigates for cumulative project impacts to the SR 207, Wildwood Drive, SR 312, Holmes Blvd. and US 1 area by constructing improvements at the SR 312/US 1 intersection (top priority,) and funding nine (9) other transportation improvements to be constructed by the County in priority order. The request for modification of the SR 207 Corridor Improvement Group Development Agreement seeks to remove the remaining transportation mitigation amount for the Deerchase Drive Parcel PUD based on changed conditions and existing transportation capacity in the project impact area; and to acknowledge the amount already paid to be full satisfaction of the mitigation required under the SR 207 CIG Development Agreement thus maintaining the existing road impact fee credit of \$148,742.00. Two public hearings are required to modify a Development Agreement. The second public hearing is scheduled before the BCC on November 4, 2014.

**Presenter – Georgia Katz, Senior Planner**

**District 5**

- 9. Public Hearing – NOPC 2014-01 St. Augustine Centre.** This is a proposed Notice of Proposed Change (NOPC) to the St. Augustine Centre DRI Development Order and Map. The property is located on SR 16 east of I-95. This request is to add a Conversion Table to exchange uses within the DRI to provide flexibility to respond to market demands; add Residential use to Map H Area H that currently allows Light Industrial uses and to allow up to 70 single family homes; and, to add Hotel to Map H Area that is allowed by PUD to provided consistency between the map and text. The Planning and Zoning Agency recommended approval by a unanimous vote of 5-0 on September 18, 2014.

**District 5**

- 10. Public Hearing – MAJMOD 2013-14 St. Augustine Centre.** This is a proposed Major Modification to the St. Augustine Centre PUD Text and Map. The property is located on SR 16 east of I-95. This request is to add a Conversion Table to exchange uses within the DRI to provide flexibility in response to market demands. The request also adds Residential use to Map H Area H that currently allows Light Industrial and up to 70 single family homes; and adds Hotel to Map H Area that is allowed by PUD to provided consistency between the map and text. Also, two waivers, one to allow a third entry sign and the other to allow this sign to be 170', an additional 20 square feet beyond the allowed 150 square feet. The Planning and Zoning Agency recommended approval by a vote of 3-2 on September 18, 2014.

**Presenter – Paolo S. Soria, Assistant County Attorney**

- 11. Public Hearing – Second Hearing of Ordinance amending Ordinance 2011-46, Sale or Service to Persons under Twenty-One of Alcoholic Beverages, to strengthen penalties and enforcement of the ordinance to more easily suspend or revoke an establishment's Special Use Permit.** Ordinance 2011-46, the St. Johns County Sale or Service to and/or the Consumption or Allowance of Consumption by Person Under Twenty-One of Alcoholic Beverages Ordinance, passed and enacted December 20<sup>th</sup>, 2011, provides certain penalties for establishments that sell or serve alcohol to persons under 21. In addition to a monetary civil fine and up to thirty (30) days imprisonment for continuous violations, the Ordinance permits the County Administrator to suspend or revoke the establishment's Special Use Permit or Business Tax Receipt for the sale or

consumption of alcoholic beverages when a certain number of citations have been issued within a two-year period and upon a finding of willful and wanton conduct supporting the citations. The Office of the County Attorney was directed to address under-aged drinking concerns. This Ordinance amends the Enforcement and Penalties section of Ordinance 2011-46 in order to strengthen the enforcement of the ordinance and to make the ordinance consistent with Florida Statutes. The amendment eliminates the ability to revoke a business license receipt, eliminates the language requiring a finding of continuous willful and wanton conduct, allows consideration of violations of the state law regarding sale or service of alcohol to persons under 21, and reduces from three (3) to two (2) the number of citations or violations within a two-year period before suspension or revocation of the establishment's Special Use Permit.

**Presenter – David M. Migut, Senior Assistant County Attorney**

**12. Public Hearing - First reading of Secondhand Dealers Ordinance.** Chapter 538, Florida Statutes regulates secondhand dealers. Pursuant to section 538.17, Florida Statutes, the County may enact additional regulations regarding secondhand dealers. Ordinance 1981-16, which is the County's current ordinance regulating secondhand dealers, is out of date and inconsistent with state law. This ordinance has been drafted to repeal and replace Ordinance 1981-16. This ordinance establishes recordkeeping requirements for secondhand dealers, requires a minimum holding period of 30 days for secondhand dealers, and allows law enforcement inspection of secondhand dealer premises. The proposed changes will update the County's regulations to be applicable to current times to help protect the health, safety, and welfare of St. Johns County.

**Presenter – Patrick McCormack, County Attorney**

**13. Reimbursement of reasonable attorney's fees pertaining to FEC complaint.** A complaint was made to the Florida Elections Commission pertaining to alleged violation of the Florida Elections law by a County official. The complaint was fully reviewed by the Florida Elections Commission which concluded that the complaint was legally insufficient. In accordance with FEC procedures, an additional time period was provided to the complainant to provide additional material to correct the insufficiency but none was provided, and the case was closed. St. Johns County Ordinance 91-12 provides for reimbursement of reasonable attorney's fees incurred when a St. Johns County official or employee successfully defends from a civil, criminal, and/or ethical investigation that arose out of and in connection with their scope of county duties, serving a public purpose. The total amount of legal fees for the matter was \$2,500.

**Doug Timms, Director, Office of Management & Budget**

**14. Golf Course Debt Refunding and Change to Special Revenue Fund Classification.**

**Presenter – Melissa A. Lundquist, Assistant to the Board of County Commissioners**

**15. Consider an appointment to the Health & Human Services Advisory Council.**

- ❖ **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

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TUESDAY, OCTOBER 21, 2014

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## CONSENT AGENDA

1. **Approval of the Cash Requirement Report.** *For information, contact Allen MacDonald, County Finance Director at 819-3669, and a copy of this report is available in the County Commission office.*
2. **Minutes:**
  - None
3. Motion to adopt a Resolution accepting two **Easements for Utilities** for water service **along Adams Acres Road** off County Road 214. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*
4. Motion to adopt a Resolution accepting **Grant of Easements** from certain property owners to St. Johns County **for maintenance of drainage facilities located off Capo** Island Road. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*
5. Motion to adopt a Resolution accepting an **Easement for Utilities** for water and sewer service **to Island Villas Condominium on Pope Road**. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*
6. Motion to adopt a Resolution **accepting a Bill of Sale and Schedule of Values for the water and sewer lines serving Las Calinas** Parcel 3A Unit 2 Phase 2B. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*
7. Motion to adopt a Resolution approving the **Special Warranty Deed** and accepting property to complete the **widening of Race Track Road** as provided in the October 7, 2014 Impact Fee Credit Agreement with Winslow Farms, Ltd. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*
8. Motion to adopt a Resolution approving the terms and authorizing the County Administrator, or designee, to execute **Contract Agreements with occupants and owners of mobile homes located on County property for security purposes**. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*
9. Motion to adopt a Resolution **accepting an Easement for Utilities for the water meters** to serve the residents of Villas of Casa Bay and accepting a Bill of Sale conveying all personal property associated with the offsite water and sewer lines. *For information, contact Mary Ann Blount, Land Management Systems Director, at 209-0726.*

10. Motion to adopt a Resolution approving the **final plat for Addison Park at Town Center**. *For information, contact Valerie Pacetti, Application Review Supervisor, Operations Division at 209-0720.*
11. Motion to adopt a Resolution approving the **final plat for Riverwood by Del Webb Phase 3B Unit 1**. *For information, contact Valerie Pacetti, Application Review Supervisor, Operations Division at 209-0720.*
12. Motion to adopt a Resolution approving the **final plat for Riverwood by Del Webb Phase 3A Unit 3**. *For information, contact Valerie Pacetti, Application Review Supervisor, Operations Division at 209-0720.*
13. Motion to adopt a Resolution approving the **final plat for Greenleaf Lakes Phase 3**. *For information, contact Valerie Pacetti, Application Review Supervisor, Operations Division at 209-0720.*
14. Motion to adopt a Resolution approving the **final plat for Bartram Creek Boulevard**. *For information, contact Valerie Pacetti, Application Review Supervisor, Operations Division at 209-0720.*
15. Motion to adopt a Resolution **setting a Public Hearing date of November 18, 2014 at 9:00 am to hear a request for the vacation of a portion of Palm Valley Road**. *For information, contact Benjamin Powelson, Transportation Development, at 209-0666.*
16. Motion to approve the **Crescent Key School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2014-06)**. *For information, contact Phong T. Nguyen, Manager Transportation Development Division, at 209-0110.*
17. Motion to adopt a Resolution approving the terms, provisions, conditions, and requirements of a **Memorandum of Agreement** between the City of Atlantic Beach, Clay County Utility Authority, City of Gainesville, City of Jacksonville Beach, JEA, City of Neptune Beach, Town of Orange Park, and St. Johns County **to assess groundwater resource sustainability in Northeast Florida** and authorizing the County Administrator, or his Designee to execute on behalf of St. Johns County, any documents associated with this project. *For information, contact Gordon Smith, Utility Engineering Manager, at 209-2709.*
18. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to **award Bid No. 14-24R US 1 and Health Park Boulevard Signal Replacements** Re-Bid to J. D. Hinson Electric Contracting Co., Inc. as the lowest responsive, responsible bidder in the amount of \$437,115.00 and to execute an agreement in substantially the same form and format as attached to bid documents. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
19. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to negotiate with and enter into an **agreement with the top ranked firm, Alcalde & Fay for Federal Lobbying Services as provided in RFP 14-85R**; and if an agreement cannot be reached, to negotiate and enter into an agreement with the next successively ranked respondent(s) until an agreement is reached. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*
20. Motion to adopt a Resolution authorizing the County Administrator, or his designee, to enter into negotiations with, and if negotiations are successful, enter into contract with the top four (4) ranked firms for **Mechanical and Electrical Engineering Services**. If an agreement cannot be reached with one or more of the top four (4) ranked firms, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached with four (4) respondents. *For information, contact Dawn Cardenas, Purchasing Manager, at 209-0152.*

21. Motion to approve the **transfer of General Fund Reserves in the amount of \$44,187 in order to expend the FY 2014-2105 Federal Election Activities grant** approved on August 19, 2014. *For information, contact Jesse Dunn, Office of Management & Budget, at 209-0568.*
22. Motion to approve the **amendment to the Fiscal Year 2015 Utility Services budget** as part of the reconciliation process that occurs annually to ensure compliance with the SJC BCC Administrative Code Section 200, per the attached schedule. *For information, contact Wade Schroeder, Office of Management & Budget, at 209-0570.*
23. Motion to approve a **transfer of \$20,000 from LETF Reserves (1194-59920) to be used for programs and services provided through Project SOS**, an organization which promotes healthy life style choices through counseling, mentorship, and life coaching services. *For information, contact David B. Shoar, St. Johns County Sheriff at 824-8304.*
24. Motion to adopt a Resolution approving the terms, conditions, provisions, and requirements for an extension to the **Letter of Agreement with Florida Drug Testing, Inc. to provide drug screening and related services (Adult Drug Court)** and authorizing the County Administrator, or his designee, to execute the Agreement on behalf of the County. *For information, contact Ralph Cumberbatch, at 827-5620.*
25. Motion to adopt a Resolution approving the terms, conditions, and requirements of the **Business Associate Agreement and Services Agreement between St. Johns County, Florida and Community Based Care Integrated Health, LLC**, for the purpose of coordinating the provision of Medicaid services to children in child welfare who are eligible Medicaid enrollees and authorizing the County Administrator, or his designee, to execute the Agreements on behalf of the County and **recognizing unanticipated revenue in the Community Based Care Fund in the amount of \$66,000** and appropriating to CBC Administration. *For information, contact Joy Andrew, Health and Human Services Director, at 209-6088.*
26. Motion to adopt a Resolution approving the terms, conditions, and requirements of **Amendment #2 to the Community Based Care contract # NJ206** between St. Johns County, Florida and the State of Florida, Department of Children and Families, and authorizing the County Administrator, or designee, to execute Contract Amendment #2 on behalf of the County. This adds specific provision for human trafficking. *For information, contact Joy Andrew, Health and Human Services Director, at 209-6088.*
27. Motion to adopt a Resolution approving the terms, conditions, and requirements of the **Agreement between St. Johns County, Florida and Family Support Services of North Florida, Inc.** to provide certain child protection services previously performed by the Department of Children and Families (DCF), including adoption recruitment services in St. Johns and surrounding Counties, authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County. *For information, contact Joy Andrew, Health and Human Services Director, at 209-6088.*
28. Motion to adopt a Resolution approving the terms, conditions, and requirements of the **Agreement between St. Johns County, Florida and Family Support Services of North Florida, Inc.** to provide children's welfare services to youth in Duval and Nassau Counties, Florida authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County. *For information, contact Joy Andrew, Health and Human Services Director, at 209-6088.*
29. Motion to adopt a Resolution **approving the Library System's Notary Services policy and procedures.** Notary services will be provided to the public for a fee. *For information, contact Debra Rhodes Gibson, Library System Director, at 827-6926.*

30. Motion to approve the **total earned unused and undistributed revenue collected** for the 2013-2014 tax year. *For information, contact Dennis W. Hollingsworth, C.F.C., St. Johns County Tax Collector, at 209-2280.*

31. Proofs:

- a. Proof: Request for Bids – BID 15-10 – Proj 25 Communic Analyzer, published September 15, 2014 and September 22, 2014 in the St. Augustine Record.
- b. Proof: Notice of Meeting, HHS Eval Review Mtg – meeting September 29, 2014, published September 25, 2014 in the St. Augustine Record.
- c. Proof: Request for Bids – BID 15-05 – Lawn Maint – Utilities Prop, published September 19, 2014 and September 26, 2014 in the St. Augustine Record.
- d. Proof: Notice of Meeting, IAFF Negotiation Mtg – Meeting Schedule, published September 26, 2014 in the St. Augustine Record.
- e. Proof: Notice of Meeting – TPO Draft Cost Plan – Meeting October 6, 2014, published September 29, 2014 in the St. Augustine Record.