

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst, Chair  
District 2 - Sarah Arnold, Vice-Chair  
District 3 - Roy Alaimo  
District 4 - Krista Joseph  
District 5 - Henry Dean



## BOARD MEETING AGENDA

County Auditorium  
500 San Sebastian View

Hunter S. Conrad, County Administrator  
David Migut, County Attorney

Tuesday, February 21, 2023, 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
- ❖ Proclamation Recognizing the 125th Anniversary of the Maria Jefferson Chapter of the National Society of the Daughters of the American Revolution
- ❖ Acceptance of Proclamation
- ❖ Public Safety Update
- ❖ Clerk of Court's Report
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda
- ❖ Public Comment is Time Certain from 11:30 AM - 12:00 PM, or at the conclusion of the Regular Agenda, whichever occurs first.

### **Presenter: Brandon J. Patty, Clerk of the Circuit Court and Comptroller**

1. **Presentation of the St. Johns County Surplus and OPEB Investment Portfolios.**  
The St. Johns County Board of County Commissioners Investment Policy, Section XVII Reporting, and OPEB Trust Investment Policy, Section XV, requires the Clerk, or designee, to prepare and submit a written report annually on all invested funds to the Board. Included in the report shall be a complete list of all invested funds, the name or type of security in which the funds are invested, the amount invested, the maturity date, earned income, the book value, the market value, and the yield on each investment. PFM Asset Management, LLC, is the County's investment advisor and has prepared the annual reports for the quarter ended September 30, 2022.

**Presenter: Vinette Godelia, Attorney, Stearns Weaver and Miller**  
**Staff Member: Jan Trantham, Senior Transportation Planner**

**District 2**

- 2. PFS MOD 2022-01 Amendment to Grand Oaks Concurrency and Impact Fee Agreement (Proportionate Fair Share Agreement - PFS AGREE 2018-03).** Southeast Development Partners, LLC (Applicant) has proposed an Amendment to the Concurrency and Impact Fee Credit Agreement (PFS AGREE 2018-03) for the Grand Oaks PUD to revise the required transportation mitigation and road impact fee credit amount (Amendment). The Grand Oaks Comprehensive Plan Amendment (COMPAMD 2016-08), PUD (PUD 2017-02), and Proportionate Fair Share Agreement (PFS AGREE 2018-03) were approved by the BCC on July 17, 2018, for the development of 999 single family units (maximum 674 non-age restricted and 325 age-restricted), 100,000 sq. ft. of commercial space and 50,000 sq. ft. of office space. PFS AGREE 2018-03 included the requirement to construct the 4-lane widening of SR 16 from San Giacomo to the eastern (main) entrance to the Grand Oaks development, approximately 3.1 miles. The estimated cost of the widening was approximately \$15,000,000. The required proportionate share was calculated to be \$10,132,643. The applicant proposed in the companion comprehensive plan amendment (COMPAMD 2016-08) to contribute an additional \$4,867,357 as a public benefit with no impact fee credit for a total of \$15,000,000 for transportation mitigation. Payments for each plat were required until the widening of SR 16 was designed (no more than 442 lots can be platted) and construction commenced (no more than 580 lots can be platted). Plats have been approved for 442 lots and mitigation totaling \$5,040,000 has been paid and is being held in escrow. The Applicant is requesting to amend PFS AGREE 2018-03 to remove the requirement to construct the widening of SR 16 and instead pay the remaining transportation mitigation to the County. The total transportation contribution of \$15,000,000 is being revised to include pre-construction costs/pond acquisitions of \$2,100,000; therefore, the total funds to be paid would be \$12,900,000. The Applicant is also requesting that the road impact fee credit amount be increased from \$10,132,643 to \$15,000,000. The Applicant is further requesting that the platting triggers associated with the design and commencement of construction of the widening of SR 16 be deleted.

**Presenter: Ellen Avery-Smith, Esq, Rogers Towers, PA**  
**Staff Member: Saleena Randolph, Planner**

**District 1**

- 3. Public Hearing \* MAJMOD 2022-06 ICI Middlebourne PUD.** Request for a Major Modification to the ICI Middlebourne PUD (Ord. 2018-29, as amended) to (i) add one land use, a Car Wash Facility, to the permitted uses within the PUD solely for the Gate Property; and (ii) add landscaping requirements and a related waiver for commercial and office parcels within the PUD property. The subject property is on an unaddressed parcel located on the north side of Longleaf Pine Parkway, approximately 650 feet south of Veterans Parkway. This item was recommended for approval by the Planning and Zoning Agency at their regularly scheduled public hearing on 10/06/2022, with a vote of 4 to 1. The Agency discussed the wetlands, trees on site, and the reduced buffer. This item was heard at the 11/01/2022 BCC meeting where a denial vote failed; the item was continued to a date uncertain until a 5-member Board was seated. The Board discussed the existing wetlands, proximity to the residential neighborhood, noise, and landscaping.

**Presenter: Matthew Terry/Owner**  
**Staff Member: Eric Clark, Engineer**

**District 1**

4. **Public Hearing \* NZVAR 2022-17 Century Acres.** NZVAR 2022-17 Century Acres, Request for a Non-Zoning Variance to Section 6.02.01.B.3 of the Land Development Code to allow for a newly created lot to take access from an existing easement within a platted subdivision and to Section 5.01.01.C for relief from platting requirements for the newly created lot, specifically located at 1665 Century Acres Lane.

**Presenter: Jazmine Valdivia**  
**Staff Member: Evan Walsnovich, Planner**

**District 3**

5. **Public Hearing \* REZ 2022-23: Little Catrell.** Request to rezone approximately 4.3 acres of land from Commercial, Intensive (CI) with three conditions (ORD 2018-32) to Commercial, Intensive (CI) with one condition.

**Presenter: Joseph L. Schonder**  
**Staff Member: Evan Walsnovich, Planner**

**District 5**

6. **Public Hearing \* REZ 2022-27 3766 Old Lewis Speedway.** Request to rezone approximately 0.4 acres of land from Industrial Warehouse (IW) and Residential, Single-Family (RS-3) to Residential, Single-Family (RS-3) to allow for a single-family residence.

**Presenter: Amy Ring, Special Projects Manager**

7. **Public Hearing \* Amendment to the Comprehensive Plan, Land Use Element A.1.11.1(m), reducing the percentage of minimum required dedicated workforce housing units from 40% to 30%. This is the Transmittal hearing.** This Comprehensive Plan amendment is a companion to an LDC amendment initiated by the Board at its regular meeting on October 18, 2022, and scheduled for the first hearing at the February 21, 2023, BCC meeting. This Comprehensive Plan amendment changes two references in Policy A.1.11.1(m) to the numeric percentage of minimum required dedicated workforce housing units in the Workforce Housing Zoning designation and is required to maintain consistency between land code regulations. This CP amendment transmittal was heard by the Planning and Zoning Agency on February 2, 2023, and was recommended for approval with a vote of 6-0. Included in the motion was a recommendation of the proposed changes to the LDC Section 5.11.00 presented by NEFBA.
8. **Public Hearing \* Amendment to LDC Article V, Section 5.11.00 - Workforce Housing Zoning Designation.** The proposed amendment to the Workforce Housing element of Land Development Code, Section 5.11.00 increases the Maximum Initial Sales Price to \$260,000 and decreases the minimum percentage of overall units to 30%. The Board of County Commissioners directed Growth Management to draft the amendment on October 18, 2022. The Planning and Zoning Agency recommended approval of the amendment with a 4-2 vote at its December 1, 2022 meeting.

**Presenter: Joseph Giammanco, PhD, Director, Emergency Management**

9. **Update on FEMA Category B Emergency Beach Berm for Hurricanes Ian and Nicole.** Hurricanes Ian and Nicole inflicted severe impacts on Florida, resulting in a presidential declaration for federal assistance. FEMA's Public Assistance program is a Federal grant to aid State and Local governments in returning a disaster area to pre-disaster conditions. The grant is provided to primarily address the repair and restoration of public facilities and infrastructure damaged or destroyed, or the restoration of services that were negatively impacted. This update is focused on FEMA's Category B Emergency Beach Berms. Specifically, eligible locations and volumes, resident easements, project cost, project funding, and project execution.

**Presenter: Jesse Dunn, Director, OMB**

- 10. FY 2024 Board of County Commissioners Budget Calendar and Initial Budget Guidelines.** This agenda item provides initial budget guidelines for the upcoming FY 2024 County budget process.

**Presenter: Joanne Spencer, Assistant to the Board of County Commissioners**

- 11. Consider appointments to the Health & Human Services Advisory Council (HHSAC).** The Health and Human Services Advisory Council's purpose is to evaluate human services programs in the community to ensure that the needs of the residents of St. Johns County are met. Currently, there are two (2) vacancies due to expired terms. A vacancy ad was placed and ran for (60) days. Please find attached for your review and consideration, a letter of recommendation from HHSAC and (17) applications: Dirk Lobenbruck Dist. 1, Kevin Kennedy Dist. 1, Brian Clark Dist. 1, Mary Kelly Dist. 1, Leslie Barstow Dist. 2, Marcus Williams Dist. 2, Kayla Collins Dist. 3, Susan Brown Dist. 4, Wendy Dittman Dist. 4, Steve Schoenly Dist. 4, Linda Shaub Dist. 4, Cara Seifart Dist. 4, Lucellie Wells-Johnson Dist. 5, Jorge Bertran Dist. 5, Nicole Patalano-Bice Dist. 5, Brittany Coronado Dist. 5, Shannon Nazworth Dist. 5.
- 12. Consider an appointment to the Tourist Development Council.** There is currently (1) one vacancy on the Tourist Development Council (TDC) due to the resignation of Kathy Fleming, who served as a non-accommodation member. Based on the TDC membership requirements laid out in F.S. 125.0104, the vacant seat may be held by either an accommodations representative or a non-accommodations representative. Please see attached for your review and consideration, a recommendation from the TDC and (14) applications: Brian Clark Dist. 1, Sarina Wiechens Dist. 1, Marty McEachean Dist. 1, Mary Kelly Dist. 1, Irving Kass Dist. 2, Holly Donohoe Dist. 3, Jeanetta Cebollero Dist. 3, Natalia Plyam Dist. 4, Constance Fontaine Dist. 5, Dr. Arthur Field Dist. 5, Nicholas Primrose Dist. 5, Kevin Geddings Dist. 5, Jan Marle Chesterton Dist. 5, Benjamin Brandao Dist. 5.
- 13. Consider an appointment to the Housing Finance Authority.** Currently, there is one (1) vacancy on the Housing Finance Authority due to the resignation of Andrew Evener. The vacancy ad was placed and ran for (60) days. Please find attached for your review and consideration a letter of recommendation from the Housing Finance Authority and four (4) applications: Kevin Kennedy Dist. 1, Brian Clark Dist. 1, Jeff Mason Dist. 4, Amber Reeder Dist. 4.
- 14. Consider appointments to the Affordable Housing Advisory Committee (AHAC).** Currently, there are two (2) vacancies on the Affordable Housing Advisory Committee (AHAC). One vacancy is due to the resignation of Gregory Burke and the second vacancy is due to the expired term of Tracy Hayes. A vacancy ad was placed and ran for (4) months. Please find attached for your review and consideration, a letter of recommendation letter and (8) applications: Kevin Kennedy Dist. 1, Brian Clark Dist. 1, Gregory Burke Dist. 2, Constance Fontaine Dist. 5, Amber Reeder Dist. 5, Brittany Coronado Dist. 5, Orville Dothage Dist. 5, Maryanne Kolisnyk Dist. 5.

**\*\*\*The following item is time certain to be heard at 5:01 PM\*\*\***

**Presenter: Amy Ring, Special Projects Manager**

- 15. Public Hearing \* Second Reading - LDC Amendments - Veterinary Office, Animal Hospital in Office and Professional Services Use category.** In response to a citizen inquiry, on September 20, 2022, the Board of County Commissioners directed staff to draft an amendment allowing Veterinary Offices in the Office and Professional Services Use category. The Planning and Zoning Agency recommended approval of this item in a 5-0 vote on December 15, 2022. This item was heard for the first reading at the regular BCC meeting on February 7, 2023. At that time the Board voted 5-0 in favor of the motion to hold the final hearing on the amendments at the regularly scheduled BCC meeting on February 21, 2023, and to include additional changes to LDC 6.08.04.C and 6.08.04.E increasing the distance between Non-enclosed Buildings and Confinement yards and property zoned or used for residential purposes.

- ❖ Public Comment
- ❖ Commissioners' Reports
- ❖ County Administrator's Report
- ❖ County Attorney's Report

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Tuesday, February 21, 2023 9:00 AM

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## CONSENT AGENDA

1. **Motion to approve the Cash Requirement Report.** *For more information, contact Lon Stafford, Director of Financial Support at 904 819-3622*
2. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the **final plat for Ravenswood Village.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
3. Motion to approve the **Assignment of the Greenbriar Helow Development Agreement (HBIS).** *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
4. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms and authorizing the County Administrator, or designee, to execute a **Lease Agreement with Victoria Crossing Apartments, LP on behalf of St. Johns County.** *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
5. Motion to adopt Resolution 2023-\_\_\_\_\_, declaring certain County-owned property as **surplus, and authorizing the sale of the property to an adjoining property owner pursuant to provisions set forth in Section 125.35(2), Florida Statutes, and authorizing the Chair to execute a County Deed upon sale of the property.** *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
6. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting a **Bill of Sale and Schedule of Values, Final Release of Lien, and Warranty associated with the force main extension along State Road 207.** *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
7. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting an **Easement for Utilities, Final Release of Lien, Warranty and Bill of Sale, and Schedule of Values associated with the water, sewer, pump station, sewer force mains, and reuse systems to serve Courtney Oaks & Courtney Chase – Silverleaf Parcels 7A-7B located off St. Johns Parkway.** *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
8. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the term, conditions, provisions, and requirements of the **state-funded Grant Agreement with the Florida Department of Transportation to receive \$8,000,000 for construction and CEI for CR2209;** authorizing the Chair to execute the Agreement on behalf of the County, and amending the FY 2023 budget to recognize and appropriate grant revenue in the amount not to exceed \$8,000,000 within the FY 2023 Transportation Trust Fund Budget (State Grant 1114-55305). *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*

9. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or designee, to **award Bid No: 23-26; Sheriff's Fleet Services and Supply Facility to DiMare Construction** as the lowest, responsive, responsible bidder, and to execute a contract in substantially same form and format as attached hereto for completion of the project as specified in Bid No. 23-26, for a lump sum amount of \$6,044,000.00. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
10. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or designee, to **award Bid No: 23-35; Longleaf Pine Parkway Widening to Baker Constructors, Inc.** as the lowest, responsive, responsible bidder; to execute a contract in substantially same form and format as attached, which only authorizes the completion of Phase I, until such time as the County receives payments from Developer Agreement NOs: 2022-01 and 2022-02 in amounts sufficient to proceed with Phases II and III, for a total lump sum amount of \$14,899,000.00; and to recognize and appropriate unanticipated revenue of \$19,270,890 in proportionate fair share fund and prepaid impact fees. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
11. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or his designee, to **award Bid No: 23-31; St. Johns County Combined Fire Station 11 & Sheriff's Office Southwest Operations (Base Bid, Alternate #1, and Alternate #2) to DiMare Construction Co.**, as the lowest, responsive, responsible local bidder, and to execute a contract in substantially same form and format as attached hereto for completion of the project as provided in Bid No. 23-31, for a lump sum cost of \$7,456,000.00. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
12. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or his designee, to **piggyback the State of Florida Department of Transportation Contract No. CAJ69 to award Misc. No. 23-113; Inspection of Traffic Signal Mast Arms (TSMA) and High Mast Light Poles (HMLP) with Kisinger Campo & Associates, Corp** through and until July 13, 2023. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*
13. Motion to declare the attachments as **surplus** and authorize the County Administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 18.1 and Florida Statute 274. *For more information, contact Jaime Locklear, Asst. Director of Purchasing at 904 209-0158*
14. Motion to adopt Resolution 2023-\_\_\_\_\_, **recognizing and appropriating \$100,000 in unanticipated SHIP disaster funds from the Florida Housing Finance Corporation within the Fiscal Year 2023 Budget**, and authorizing the County Administrator, or designee, upon a finding of legal sufficiency by the Office of the County Attorney, to execute all documents necessary for the acceptance and use of the funds. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
15. Motion to adopt Resolution 2023-\_\_\_\_\_, **recognizing and appropriating unanticipated revenue in the General Fund Recreation Facilities Maintenance Department in the amount of \$35,000.** *For more information, contact Ryan Kane, Director at 904 209-0324*
16. Motion to adopt Resolution 2023-\_\_\_\_\_, **approving four applications for Major Impact Special Events to take place on April 9, 2023, at Vilano Beach, Surfside Park, Mickler's, and Crescent Beach for sunrise Easter Services.** *For more information, contact Ryan Kane, Director at 904 209-0324*

17. Motion to adopt Resolution 2023-\_\_\_\_\_, **approving the template Utility Transmission Capacity Reservation Agreement and Reclaimed Water Unit Connection Fee Refund Agreement for the Outlet Mall Boulevard reclaimed water main project** in the forms attached thereto; authorizing the County Administrator, or designee, to execute individual agreements on behalf of the County in substantially the same form and format as attached; and instructing the Clerk to file executed Utility Transmission Capacity Reservation Agreements in the public records. *For more information, contact Colin Groff, Utility Director at 904 209-2703*
18. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of a **Sewer Unit Connection Refund Agreement between St. Johns County, Florida, and Richmond American Homes, LLC**, for the provision of utility sewer unit connection fee refund and authorizing the County Administrator, or designee, to execute the agreement on behalf of St. Johns County. *For more information, contact Colin Groff, Utility Director at 904 209-2703*
19. Motion to adopt Resolution 2023-\_\_\_\_\_, approving terms, provisions, conditions, and requirements of **Amendment 1 to State Revolving Fund Loan Agreement DW550130**, and authorizing the Chair to execute the amendment on behalf of St. Johns County. *For more information, contact Colin Groff, Utility Director at 904 209-2703*
20. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms and authorizing the County Administrator, or designee, to execute a **Memorandum of Understanding between St Johns County and S.A.F.E. Pet Rescue, Inc.** *For more information, contact Paul Studivant, Animal Control Manager at 904 209-0748*
21. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms, conditions, provisions, and requirements of an **Agreement for Fire Rescue and Emergency Services with PGA Tour, Inc.**; and authorizing the County Administrator, or designee, to execute the agreement on behalf of St. Johns County. *For more information, contact Bradley Bulthuis, Senior Assistant County Attorney at 904 209-0805*
22. Motion to approve **minutes:**
  - 02/07/23, BCC Regular

