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 County Administration

David Migut, County Attorney

Tuesday, July 18, 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
- 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: Tyler Nolen, NEFRC Special Projects Coordinator

1. Presentation of the NEFRC Local Emergency Planning Committee First Responding Unit Exercises with St. Johns County Fire Rescue. On June 13-15, 2023, the Northeast Florida Regional Council's NEFL Local Emergency Planning Committee for Hazardous Materials conducted Initial Responding Unit exercises with St. Johns County Fire Rescue. These exercises were structured to educate non-hazardous materials team members with the basic knowledge of their capabilities to perform life safety rescues.

<u>Presenter: Doug Burnett, St. Johns Law Group</u> <u>Staff Member: Beverly Frazier, Assistant Director</u>

District 3

2. Waiver of Time Limits, pursuant to Section 9.04.05.C for PUD 2021-19 Bella **Terra.** On March 7, 2023, the Board of County Commissioners denied PUD 2021-19 Bella Terra with a 5/0 vote. The applicant is requesting to submit a new application for this property. Land Development Code Section 9.04.05.B states: Re-Application After Denial of Rezoning. Whenever the Board of County Commissioners has denied an application for the rezoning of land, no further application shall be filed for the same rezoning category of any part, or all of the same land for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land have been denied, no further application shall be filed for the same rezoning category of any part or all of the same land for a period of two (2) years from the date of such action denying the last application filed. Section 9.04.04.C. allows for a waiver of the above time limits and states: The time limits in Sections 9.04.05.A. and 9.04.05.B. above may be waived by the affirmative vote of a majority of the Board of County Commissioners when such action is deemed necessary to prevent injustice or to facilitate proper development of the County.

Presenter: Jessica Cappock, Esq.

Staff Member: Benjamin Powelson, Engineer

District 4

3. Public Hearing * NZVAR 2023-03 52 Whatley Ln (Paver Setback). Request for a Non-Zoning Variance to Section 6.04.06.F.7.b of the Land Development Code to allow for pavers to be located closer than three (3) feet to the side property line.

<u>Presenter: Matthew Lahti, Gulfstream Design Group, LLC.</u> Staff Member: Evan Walsnovich, Planner

District 2

4. Public Hearing * **CPA(SS) 2021-09 Little Florence Cove.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of 19.81 acres of land from Rural/Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the property to a maximum of five (5) single-family dwelling units, located South of SR 16/SR 13 N merger, approximately half mile east of the Shands Bridge.

<u>Presenter: Karen M. Taylor, Land Planner</u> Staff Member: Justin Kelly, Senior Planner

District 3

5. Public Hearing * REZ 2023-01 RV & Boat Storage of St. Augustine. A request to rezone approximately 4.2 acres of land located on the west side of US 1 South between Bella Terra Drive and Watson Road from Office Professional (OP) to Commercial Intensive (CI) with conditions to limit the use to RV/Boat Storage, Accessory Residential, Cultural or Institutional uses, Neighborhood Business or Commercial uses, General Business uses, or Offices and Professional uses, and increased buffer and screening standards. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on June 1, 2023, and was recommended for approval, 4-0.

Presenter: Corryn George, Environmental Supervisor

6. Discussion item - St. Johns County Land Development Code tree protections. At its March 21, 2023, regular meeting, the Board directed staff to bring forward a discussion item regarding the St. Johns County Land Development Code tree protections.

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

7. Fiscal Year 2024 Recommended Budget. The annual County budget process requires a number of steps, ranging from its preparation through adoption. Florida Statutes (F.S. 129.03(3) and F.S. 200.065, Truth in Millage ("TRIM") requirements) specify that a balanced Recommended Budget must be submitted to the Board of County Commissioners as the next step in the budget process. The Fiscal Year 2024 Recommended Budget has been balanced with expenditures and adequate reserves within each County fund equal to projected fund revenues. County Administration's Recommended Budget represents a funding level that can reasonably assure the achievement of St. Johns County's operational needs while minimizing the tax impact on its citizenry. A Fiscal Year 2024 Recommended Budget Workbook will be provided to the County Commission in July. In addition, an electronic version of the workbook may be found on the County's website at: www.sjcfl.us/OMB. As part of their regular meeting on August 1, 2023, the County Commission will establish the tentative Millage rates for the County's TRIM mailing and establish a date, time and place of the first public hearing for the adoption of the Fiscal Year 2024 Annual Budget. This information is placed on Department of Revenue DR-420 forms and forwarded to the Property Appraiser. Those forms provide the basis for the "TRIM" notice mailed by the Property Appraiser to property owners in St. Johns County. For practical purposes, once the tentative Millage rates are set, they can still be decreased but not increased.

Presenter: Bradley Bulthuis, Senior Assistant County Attorney

8. Proposed Settlement of Carr, Riggs & Ingram, LLC Litigation. St. Johns County ("County") has brought suit against Carr, Riggs & Ingram, LLC ("CRI") in Case No. CA20-1331 in the Circuit Court in and for St. Johns County relating to the auditing services provided by CRI. Pursuant to court order, representatives of the County and CRI participated in mediation on June 22, 2023 and produced a tentative mediation settlement agreement, subject to approval of the Board of County Commissioners. A copy of the mediation settlement agreement is attached to this agenda item for review and consideration.

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

- 9. Consider appointments to the North Coastal Design Review Board (NCDRB). Currently, there are three (3) vacancies on the North Coastal Design Review Board (NCDRB) due to an expired term, a resignation and an alternate member (Jean Miller) being appointed as a regular member. A vacancy ad was placed and ran for (7) weeks. Members are required to be a St. Johns County resident who have shown an interest in the history and design of the North Coastal and Vilano Community, residing within the North Coastal Overlay District; or within the Vilano Town Center Mixed Used Overlay District. Attached for your review and consideration are (2) qualifying applications and a recommendation letter from the NCDRB; Mary Sullivan Dist. 5, Jane Norton Dist. 5.
- 10. Consider an appointment to the Ponte Vedra Zoning & Adjustment Board. Currently, there is one (1) vacancy on the Ponte Vedra Zoning and Adjustment Board (PVZAB). This vacancy is due to Cynthia Ware declining her March 7, 2023 appointment. A vacancy ad was placed and ran for (6) weeks. Please find for your review and consideration a recommendation letter and one (1) application: Anthony Peduto Dist. 4

Presenter: Steve Livingstone

11. Project Shamrock Unsolicited Proposal. The County received an unsolicited proposal from Project Shamrock sharing their vision of developing a recreational and sporting facility in St. Johns County. Project Shamrock will present this proposal to the Board.

Presenter: Lex Taylor, Deputy County Attorney

12. Review and consideration of the resignation of the County Administrator and the proposed separation agreement and general release; appointment of an Interim County Administrator; to provide direction to draft a contract for an Interim County Administrator; and to provide direction for the process of identifying a permanent County Administrator. For the Board's review and consideration is the Resignation Letter of Hunter S. Conrad as County Administrator for St. Johns County submitted on June 29, 2023. A copy of Hunter S. Conrad's resignation letter and proposed Separation Agreement and General Release are attached. Additionally, the Office of the County Attorney and the Human Resources Department seek Board direction regarding the appointment of an Interim County Administrator to perform the functions and duties specified in section 125.74, Florida Statutes and St. Johns County Ordinance No. 2010-47 (each as amended); and to further perform other duties as the Board may assign from time to time. The Office of the County Attorney will seek direction to draft an employment contract for the new interim County Administrator. The Human Resources Department also seeks Board direction regarding filling the full-time position of County Administrator on a permanent basis.

The public hearing for REZ 2023-02 St. Marks Industrial is being continued to a date uncertain. The application will be re-advertised and noticed once a hearing date is scheduled

- **❖** Public Comment
- Commissioners' Reports
- County Administration Report
- County Attorney's Report

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BOARD MEETING AGENDA

County Auditorium 500 San Sebastian View County Administration

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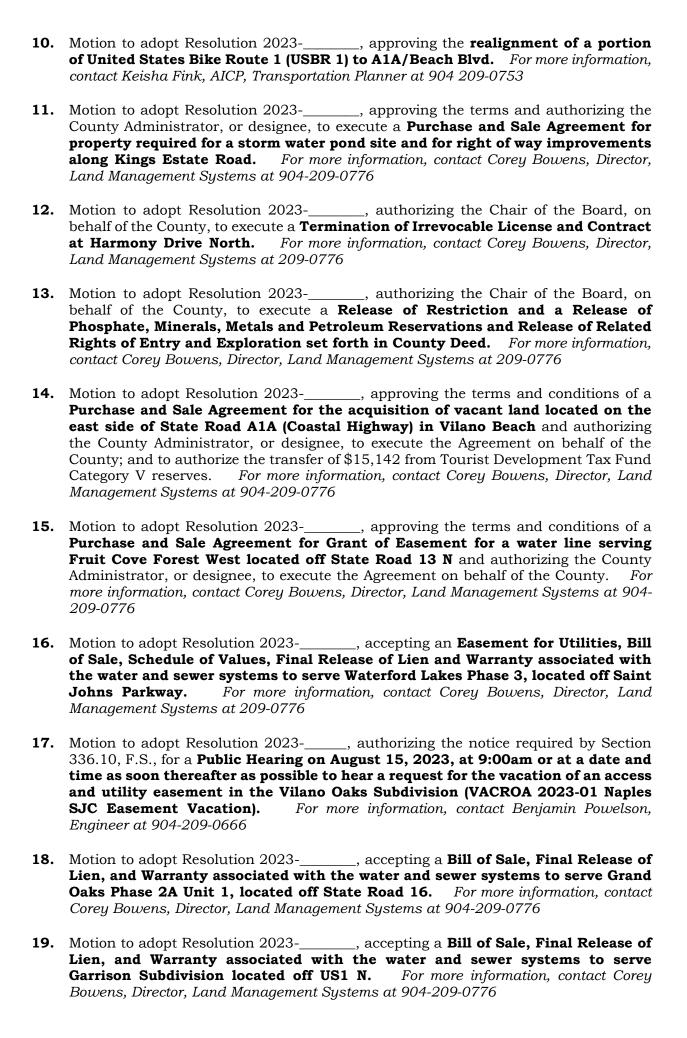
Tuesday, July 18, 2023, 9:00 AM

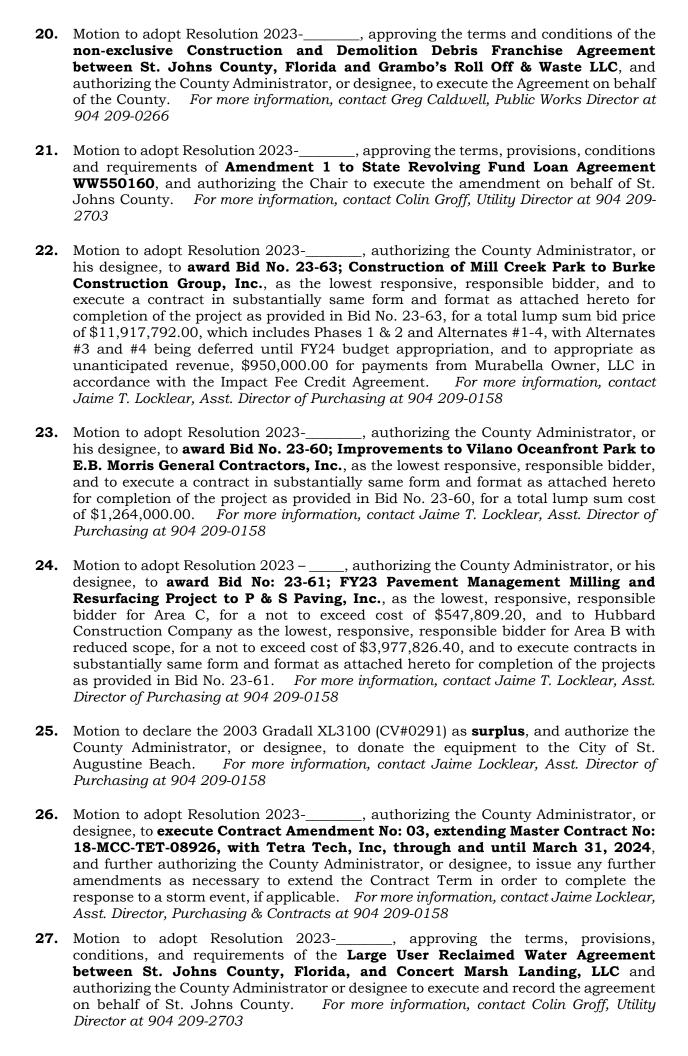
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CONSENT AGENDA

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1.	Motion to approve the Cash Requirement Report. For more information, contact Donna Echegoyen, Accounts Payable Supervisor at 904 819-3658
2.	Motion to adopt Resolution 2023, approving the final plat for Rivertown - Bald Cypress Lane and Bee Balm Lane. For more information, contact Kelly Schley, Application Review Supervisor at 904-209-0720
3.	Motion to adopt Resolution 2023, approving the final plat for Stillwater Phase 1C - Replat of Tract "CC". For more information, contact Kelly Schley, Application Review Supervisor at 904-209-0720
4.	Motion to adopt Resolution 2023, approving the transfer of \$371,530.00 in park impact fee credits from the Marshall Creek PUD to the Stokes Landing Workforce Housing Development finding the request consistent with Florida Statute. For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611
5.	Motion to adopt Resolution 2023, approving the transfer of \$292,240.00 in park impact fee credits from the Marshall Creek PUD to the Bridgewater PUD finding the request consistent with Florida Statute. For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611
6.	Motion to approve the Greenbriar Helow PUD/HBIS Property School Concurrency

- **6.** Motion to approve the **Greenbriar Helow PUD/HBIS Property School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-02).** For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611
- 7. Motion to approve the Momentum Twin Creeks School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-04). For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611
- **8.** Motion to approve a **transfer** in the amount of \$40,000 of Bus Advertising Revenues from the Transit Grant Department Reserve account to the Transit Grant Department Equipment account to cover the cost of unanticipated mid-year purchase of bus security cameras. For more information, contact Rachel Garvey, Transit Grants Specialist at 904 209-0630
- **9.** Motion to approve **PFS AGREE 2022-03** and authorize the County Administrator to execute the Momentum Twin Creeks Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code. For more information, contact Jan Tranthm, Senior Transportation Planner at 904 209-0611





28. Motion to approve a **transfer** in the amount of \$175,000 from General Fund Reserve to the County Attorney account to cover outside legal expenses. For more information, contact David Migut, County Attorney at 209-0805 29. Motion to adopt Resolution 2023-_____, authorizing the Chair to execute an interlocal agreement, in substantially the same form and format as attached, with the City of Jacksonville, approving the terms and conditions for improvements on property located on the municipal boundary within both the City of Jacksonville and St. Johns County County. For more information, contact David Migut, County Attorney at 904-209-0815 **30.** Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to close Rock Springs Farm Park until Rock Springs Farms Homeowners Association Major Modification is heard by the Board or until November 1, 2023, whichever comes first. For more information, contact Jalisa Ferguson, Assistant County Attorney at 904 209-0805 31. Motion to adopt Resolution 2023-_____, authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application seeking funding assistance through the Office of Criminal Justice Grants - Florida Department of Law Enforcement - Edward Byrne Memorial Justice Assistance Grant -Countywide (JAG-C) Program FY 2022 on behalf of the County. information, contact Robert A. Hardwick, Sheriff at 904 810-6602 32. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee to execute and submit an application to the Florida Division of Emergency Management 2023/2024 Hurricane Legislative Appropriation **Program**, on behalf of the County, for projects that may qualify for funding. For more information, contact Westly Woodward, Principal Resiliency Planning Analyst at 904 209-0615 33. Motion to adopt Resolution 2023-_____, recognizing \$7,299.00 in additional grant funds within the County's fiscal year 2022-2023 budget as unanticipated revenue and appropriating the grant funds to the Housing Department for the housing counseling program, and approving and authorizing the County Administrator, or designee, to execute and deliver an amendment to the Fiscal Year 2022 Housing Counseling Grant Agreement between the County and HUD. For more information, contact Shawna Novak, Health and Human Services Director at 904 209-0770 34. Motion to adopt Resolution 2023-_____, recognizing a \$400 donation from Gail Threet as unanticipated revenue and allocating the funds for use in the FY23 Recreation Programs Special Events budget to purchase food for summer camp at Solomon Calhoun Community Center. For more information, contact Ryan Kane, Director at 904 209-0324 35. Motion to adopt Resolution 2023-_____, recognizing a \$500 reimbursement from The Bass Pro Shops and Cabela's Grant Donation program as unanticipated revenue and appropriating to Recreation Programming Operating Supplies. For more information, contact Ryan Kane, Director at 904 209-0324 **36.** Motion to adopt Resolution 2023-_____, authorizing the use of not more than \$50,000.00 from Tree Bank Funds that was originally intended for the Alpine Groves Restoration Project, for the landscaping project at St Johns County Pier Volleyball Courts and parking lot, and authorizing the County Administrator or designee to execute any and all paperwork associated with, or necessary to accomplish, the landscaping project. For more information, contact Ryan Kane, Director at 904 209-0324

- **37.** Motion to approve Resolution 2023-______, authorizing the County Administrator, or designee, to **amend the Interlocal Agreement with the City of St. Augustine Beach** to provide for law enforcement activities on beaches situated within the City's municipal limits, effective immediately for the 2023 fiscal year, adding an amount not to exceed \$25,000 for the 2023 fiscal year and increasing the annual not to exceed to \$200,000 for the 2024 Fiscal Year; and to authorize the transfer of \$25,000 from Beach Services Fund. For more information, contact Ryan Kane, Parks & Recreation Director at 904 209-0324
- **38.** Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee, to **apply for a grant opportunity with the Department of Financial Services on behalf of the County**, recognizing that if approved the State will provide 75% of the equipment cost and the County will be required to contribute 25% of the total cost. For more information, contact Jeremy Robshaw, Assistant Chief at 904 209-1750
- 39. Motion to adopt Resolution 2023-_______, approving the terms, conditions, and requirements of a grant agreement with the Florida Division of Emergency Management in the amount of \$105,806.00 through the Emergency Preparedness & Assistance Grant, authorizing the County Administrator or his designee to execute the grant agreement on behalf of the County, and recognizing and appropriating with the FY2023 General Fund Emergency Management Department. For more information, contact Joseph Giammanco, Director at 904-824-5550
- **40.** Motion to authorize the **transfer** of General Fund Reserves in the amount of \$417,850, to the Economic Development Department for the Evaluation and Appraisal Review. For more information, contact David Kiernan, County Economist at 904 209-0544

41. Motion to approve minutes:

• 06/20/23, BCC Regular

42. Proofs:

Proof: Notice of public hearing, Establishment of Ordinance relating to Workforce Housing Zoning Designation, held on June 6, 2023, published May 23, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-41, Construction of Emergency Berms – FEMA CAT B Post Hurricane Ian and Nicole – South Portion, published on May 11, 2023, and May 18, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-54R, Sale of Real Property Located at 1135 Harmony Drive South, St. Johns County, FL 32259, published on May 12, 2023, and May 19, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-61, FY23 Pavement Management Milling and Resurfacing Project, published on April 26, 2023, and May 3, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-63, Construction of Mill Creek Park, published on May 10, 2023, and May 17, 2023, in The St. Augustine Record.

Proof: Notice of hearing, Establishment of Ordinance relating to a slow speed minimum wake boating restricted area within a portion of Pablo Creek, published on May 10, 2023 in The St. Augustine Record.

Proof: Public Notice, Legal Ad Display, relating to the FY 2024 Administrator's Budget Workshop Schedule, published on May 17, 2023, in the St. Augustine Record. Proof: Notice of a Special Public Meeting, to announce and hold a special private attorney-client meeting, published on May 30, 2023, in The St. Augustine Record.

Proof: Notice of Receipt, unsolicited proposal for a public-private partnership to manage cultural events for St. Johns County, RFP No. 23-58, published on April 25, 2023, and May 2, 2023, in The St. Augustine Record.

Proof: Public Notice, 2022 Value Adjustment Board, published on May 30, 2023, in The St. Augustine Record.