

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

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



## BOARD MEETING AGENDA

County Auditorium  
500 San Sebastian View

Hunter S. Conrad, County Administrator  
Patrick F. McCormack, County Attorney

Tuesday, May 19, 2020 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 May 17 - 23, 2020 as National Public Works Week
- ❖ Proclamation Recognizing May 6, 2020 as St. Augustine Giving Day
- ❖ Proclamation Recognizing May 2020 as National Nurses Month
- ❖ Acceptance of Proclamations
- ❖ Public Comment
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

### **Presenter - Teresa Bishop, AICP, Planning Division Manager**

#### **District 1**

1. **Public Hearing \* COMPAMD 2019-05 Durbin Park (Adoption).** Comprehensive Plan Amendment to amend Comprehensive Plan Site Specific Policy A.1.11.1(m)(8)(o) to provide for hospital uses and reduced scenic edge for non-residential uses along portions of East Peyton Parkway with enhanced landscaping in those specific areas. The Planning and Zoning Agency recommended approval of the adoption of COMPAMD 2019-05 Durbin Park with a 6-0 vote, one member recused from voting. The Agency discussed items 6, 7 and 8 together. The Agency discussed the similarities of the existing Durbin Pavilion, the addition of residential uses, the continuation of commercial uses, the addition of the hospital, and the proposed transportation improvements and the long-term cost to St. Johns County. The applicant and staff addressed the comments. No general public comments were presented at the hearing. Please see Growth Management Department Report for project details.

**Presenter - Phong Nguyen, Transportation Development Manager**

**District 1**

2. **Public Hearing \* DEVAGRMOD 2019-01 Durbin Creek National Development Agreement Modification (Second Reading).** This is the second of two required public hearings for the proposed modification to the Durbin Creek National Development Agreement that was approved in 2015 and first amended in 2016. Durbin Creek National, LLC (Applicant) has proposed to modify the phasing schedule and corresponding transportation commitments to accommodate the proposed Durbin Park PUD located on the east side of SR 9B. The application has been revised since the first BCC hearing on March 17, 2020 to split Phase 2 into Phase 2A and 2B because of the current state of the economy. The request also includes a land use exchange to convert 534,545 sq. ft. of office park space to 1,266 additional apartment units and 375,000 sq. ft. of hospital uses with no increase in the project's external traffic. The proposed changes include revising the project development phasing to accelerate development entitlement; revising the transportation commitments to include a phased construction of East Peyton Pkwy for the new Phase 2A, combine Race Track Road 4-lane widening into one phase from Bartram Park Blvd. to Bartram Springs Pkwy instead of two phases, and removing the requirement to 6-lane Race Track Rd at build out. Two public hearings are required to modify a Development Agreement. The first public hearing was held on March 17, 2020. There are three companion applications, a Comprehensive Plan Amendment, Durbin Park Planned Unit Development, and amendment to the Durbin Creek National Road Capacity Charge Ordinance, that will be heard concurrently with this Development Agreement.

**Presenter - Phong Nguyen, Transportation Development Manager**

**District 1**

3. **Public Hearing \* Amendment to Durbin Creek National Road Capacity Charge Ordinance 2015-06.** The subject Road Capacity Charge Ordinance (RCC) is one of two implementing ordinances of the Durbin Creek National Development Agreement. The other is the Durbin Tax Increment Ordinance 2015-05. Both ordinances provide a financing mechanism for funding the roadway improvements required by the Durbin Creek National Development Agreement. The RCC ordinance suspends the normal transportation impact fee in the same geographic area as the Durbin Creek National Urban Service Area, Development Agreement and Tax Increment Ordinance. It imposes a road capacity charge instead of the road impact fee for development within the same area. Upon payment, the road capacity charge goes into the St. Johns County Transportation Trust Fund along with the tax increment to fund required transportation improvements in the area. The proposed amendment to the Durbin Creek National Road Capacity Charge Ordinance adds the hospital use, incorporates the land use conversion requested to accommodate the proposed Durbin Park PUD plan of development (decrease office; increase residential and add hospital), and updates the anticipated revenue to \$12,862,873 based on the revised plan of development. The proposed amendments are consistent with the modification to the Durbin Creek National Development Agreement (DEVAGRMOD 2019-01). The Planning and Zoning Agency heard this item on April 16, 2020 and recommended approval with a 5-1 vote (one member recused from voting).

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

**District 1**

4. **Public Hearing \* PUD 2019-12 Durbin Park PUD.** A request to rezone approximately 1,281 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a mixed use project that includes commercial retail, office, hotel, hospital, and multi-family residential uses. The subject property is located on Race Track Road, east and west of I-95 along SR 9-B. The Planning and Zoning Agency recommended approval of the adoption of COMPAMD 2019-05 Durbin Park with a 5-1 vote, one member recused from voting. The Agency discussed items 6, 7 and 8 together. The Agency discussed the similarities of the existing Durbin Pavilion, the addition of residential uses, the continuation of commercial uses, the addition of the hospital, and the proposed transportation improvements and the long-term cost to St. Johns County. The applicant and staff addressed the comments. There was no general public comments presented at the hearing. Please see Growth Management Staff Report for project details.

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

5. **St. Johns County Florida Special Obligation Revenue Note, Series 2020A and 2020B - Related to USACE beach project.** On March 19, 2019, the Board approved the Project Partnership Agreement with the U.S. Army Corps of Engineers (Army Corps) for the construction of the Coastal Storm Risk Management Project in portions of the South Ponte Vedra and Vilano Beach reaches and also authorized a financing team to prepare necessary financing documents for the construction of the project. As the Army Corps process requires payment within 7 days of providing notice to the County of the non-Federal share of the project, this item is to approve the lender for the borrowing. The County will close on the borrowing within the required 7 days notice from the Army Corps, currently anticipated in June 2020. The recommended proposal is through Bank of America, N.A. It is also recommended that the County issue a Series A and Series B to address the ability to prepay all or a portion of the borrowing upon receiving reimbursement from state grant funds.

**Presenter - Justin Kelly, Planner**

**District 3**

6. **REZ 2020-01 Content A1A Properties.** Request to rezone approximately .74 acres of land from Commercial General (CG) to Residential, Single-Family (RS-3) to allow for three (3) single-family homes.

**Presenter - Megan Kuehne, Planner**

**District 4**

7. **REZ 2020-03 Flagler Boulevard.** Request to rezone approximately 3.7 acres of land from Open Rural (OR) and Industrial Warehouse (IW) to Commercial Intensive (CI) to allow for future commercial uses; located on U.S. Highway One, north of Chasewood Drive, and south of St. Augustine Road. The Planning and Zoning Agency heard this item at the April 16, 2020 regular meeting and voted 7-0 to recommend approval of the rezoning as submitted. No public comment was provided. Please see Growth Management Staff Report for project details.

**Presenter - Jan Brewer, Environmental Division Manager**

8. **Public Hearing \* Amendment to Article IV, Section 4.01.05.E and Article XII, Definition of Protected Tree of the Land Development Code.** Land Development Code amendments to Articles IV and XII to revise tree enforcement requirements that include a tiered approach for unauthorized tree removal, a time delay for development approvals, a fine for Specimen tree removal, a per acre fine for unauthorized clearing when tree inches lost cannot be determined. The Board of County Commissioners discussed these proposals on October 15, 2019, December 17, 2019, and March 3, 2020. The Planning and Zoning Agency heard this item at their regularly scheduled meeting on April 16, 2020 and recommended approval with a 6 - 1 vote.

**Presenter - Bradley Bulthuis, Senior Assistant County Attorney**

**District 1**

9. **Request to Release Construction Board of Adjustment and Appeals Lien on 210 S. Nassau Street.** On July 1, 2004, the St. Johns County Board of Adjustments and Appeals entered an Order (attached) in the amount of \$2,439.36 for the abatement of the structure at 210 S. Nassau Street in St. Johns County (see map attached), which was recorded as a lien against the property. As of April 24, 2020, the amount of the lien, including principal and interest, was estimated to be \$5,527.52. The County has recently been requested by the current property owner to completely release the lien. The owner advises that the property is under contract for sale to the neighboring property owner at 230 S. Nassau for \$5,000 (see attached draft closing statement). As reflected in the emails attached to this agenda item, the owner believes the release would be in the public interest because the property will be returned to beneficial use. The owner also notes that the sale price is less than the amount of the lien and that his husband with whom he owns the property is a 100% disabled veteran. Finally, the owner also proposes to donate to the County for public use another lot he owns on Ervin Street (see map attached). County staff have not identified a need for the Ervin Street property, however. Staff has instead recommended the owner should consider paying off some amount of the lien. Pursuant to section 169.09(3), Florida Statutes, the Board is vested with the sole authority to reduce or satisfy code enforcement liens and may approve or reject the request here.

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

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Tuesday, May 19, 2020 9:00 AM

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## CONSENT AGENDA

1. **Motion to approve the Cash Requirement Report.** *For more information, contact Lon Stafford, County Chief Financial Officer at 819-3622*
2. Motion to adopt Resolution 2020-\_\_\_\_\_, authorizing the County Administrator to execute the **Impact Fee Credit Agreement with KB Home Jacksonville, LLC (IFA 2020-01)** with a total park impact fee credit of \$137,000.00 *For more information, contact Victoria Kutney, Transportation Planner at 209-0753*
3. Motion to adopt Resolution 2020-\_\_\_\_\_, approving the terms and conditions of a **CARES Act grant application** and authorizing the County Administrator to submit the 5307 CARES Act grant application to the Federal Transit Administration, recognizing the revenues for the St. Johns County Transit revenue and expenditure budgets for FY 20, and authorizing the County Administrator or his authorized designee to execute any other documents or funding adjustments and all other documents as may be required. *For more information, contact Rachel Garvey, Transit Grants Specialist at 904 209-0630*
4. Motion to Adopt Resolution 2020-\_\_\_\_\_, accepting a **Deed of Dedication from Southeast Land Ventures, LLC., to St. Johns County** as required in the Grand Oaks Concurrency and Impact Fee Credit Agreement for CR2209 right-of-way. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
5. Motion to adopt Resolution 2020-\_\_\_\_\_, accepting a **Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values** conveying all personal property associated with the water system to serve **Home2Suites Hotel** located off State Road 16. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
6. Motion to adopt Resolution 2020-\_\_\_\_\_, approving the terms and conditions of a **Transfer and Maintenance Agreement between the Florida Department of Transportation and St. Johns County** in connection with the replacing/widening of the Race Track Road Bridge over I-95 and authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*

7. Motion to adopt Resolution 2020-\_\_\_\_\_, accepting a **Final Release of Lien, Warranty, Easement for Utilities and a Bill of Sale** conveying all personal property associated with the water, sewer and reuse systems to serve **Windward Ranch Phase Thirteen** located off State Road 16. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
8. Motion to adopt Resolution 2020-\_\_\_\_\_, accepting a **Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values** conveying all personal property associated with the sewer system to serve **Southpark Mobile Home Park** located off U.S. Highway 1 South. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
9. Motion to adopt Resolution 2020-\_\_\_\_\_, approving a **Temporary Assignment of Easement from St. Johns County to JEA** and authorizing the Chair of the Board to execute the Assignment on behalf of the County. *For more information, contact Gail Oliver, Land Management Systems Director at 209-0770*
10. Motion to adopt Resolution 2020-\_\_\_\_\_, accepting a **Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values** conveying all personal property associated with the sewer system to serve **5390 & 5394 A1A South**. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
11. Motion to Adopt Resolution 2020-\_\_\_\_\_, accepting a **Deed of Dedication from MCG Moultrie, LLC to St. Johns County** as required in the Moultrie Oaks Townhomes PUD Concurrency and Impact Fee Credit Agreement for Old Moultrie Road right-of-way. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
12. Motion to adopt Resolution 2020-\_\_\_\_\_, approving the terms and authorizing the County Administrator, or designee, to execute a **purchase and sale agreement to acquire additional property for the Sheriff's Office future training facility**. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
13. Motion to adopt Resolution 2020-\_\_\_\_\_, approving terms, conditions, provisions, and requirements of **License to Use /Hold Harmless Agreement with JEA regarding Electric Reliability Project along Race Track Road**; authorizing County Administrator, or designee, to execute the License to Use/Hold Harmless Agreement. *For more information, contact Neal Shinkre, PE, Director of Public Works at 209-0117*
14. Motion to adopt Resolution 2020-\_\_\_\_\_, authorizing the County Administrator, or designee, to piggyback the **City of Titusville Contract # 19-P-25** and enter into an agreement, in substantially the same form and format as attached, with **Governmentjobs.com d/b/a NEOGOV, to provide Applicant Tracking Services for SJC Personnel Services**. *For more information, contact Leigh Daniels, Assistant Purchasing Manager at 209-0154*

15. Motion to adopt Resolution 2020-\_\_\_\_\_, approving and adopting the **St. Johns County Local Mitigation Strategy Plan** as described herein, and authorizing the St. Johns County Director of Emergency Management to timely notify the Florida Division of Emergency Management of the date of the County's approval and adoption of the Plan. *For more information, contact Kelly Wilson, Coordinator, Emergency Management at 904 824-5550*
16. Motion to adopt Resolution 2020-\_\_\_\_\_, approving and authorizing the County Administrator or his designee to submit a **completed application for the on U.S. Department of Justice Coronavirus Emergency Supplemental Funding Grant**. *For more information, contact Joseph Giammanco, Disaster Recovery and Grants Director at 209-0152*
17. Motion to execute and issue the **Certificate of Public Convenience and Necessity Mayo Clinic Jacksonville Transport**, effective until May 19, 2023. *For more information, contact Jeremy Robshaw, Fire Rescue Deputy Chief at 904 209-1750*
18. Motion to adopt Resolution 2020-\_\_\_\_\_, approving the terms, conditions and requirements to **Amendment #22 to the Community Based Care contract NJ206 between St. Johns County, Florida and the State of Florida, Department of Children and Families**, which inserts Attachment II-F, Schedule of Funds for Fiscal Year 2019--2020, dated April 6, 2020, and authorizing the County Administrator, or designee to execute the Contract Amendment #22 on behalf of the County. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
19. Motion to adopt Resolution 2020-\_\_\_\_\_, authorizing the **Sheriff of St. Johns County, Florida**, or designee, to submit an **application seeking funding assistance through the Florida Department of Law Enforcement Federal Fiscal Year 2018-19 Edward Byrne Memorial Justice Assistance Grant (JAG)** and authorizing the Chair to execute the attached Certificate of Participation on behalf of the County. *For more information, contact Andrea Urda, Senior Finance Specialist at 904 810-6626*
20. **Motion to approve minutes:**
  - April 21, 2020 BCC Special
  - April 21, 2020 BCC Regular
  - April 28, 2020 BCC Special
21. **Proofs:**

Proof: Request for Proposals, RFP NO.: 20-47 Supply of Polymer, published on March 16, 2020, and March 23, 2020, in the St. Augustine Record.

Proof: Request for Proposals, RFP NO.: 20-56 Welding and Fabrication Services, published on March 16, 2020, and March 23, 2020, in the St. Augustine Record.

Proof: Request for Proposals, RFP NO.: 20-25R Santa Maria Boulevard Drainage Improvements, published on March 16, 2020, and March 23, 2020, in the St. Augustine Record.

Proof: SA Request for Qualifications, RFQ NO.: 20-55 Tier II Site Specific Environmental Review(s) for CDBG-DR Restore St. Johns Program, was published on March 18, 2020 and March 25, 2020, in the St. Augustine Record.

Proof: Request for Bids, Bid NO.: 20-46 Park and Playground Equipment, published on March 16, 2020, and March 23, 2020, in the St. Augustine Record.

Proof: Request for Proposals, RFP NO.: 20-37 Emergency Repair Services for Sub-Standard Housing, published on March 19, 2020, and March 26, 2020, in the St. Augustine Record.

Proof: Request for Proposals, RFP NO.: 20-38 Rehabilitation Services for State Housing Initiatives Partnership (SHIP) Program, published on March 19, 2020, and March 26, 2020, in the St. Augustine Record.

Proof: Request for Bids, Bid NO.: 20-57 Towing Services, published on March 19, 2020, and March 26, 2020, in the St. Augustine Record.

Proof: SA Request for Qualifications, RFQ NO.: 20-39 Hydrogeological Services for the Closed Tillman Ridge Phase II Landfill, was published on March 24, 2020 and March 31, 2020, in the St. Augustine Record.

Proof: Request for Bids, Bid NO.: 20-60 Waste Tire Removal & Disposal / Recycling Services, published on April 2, 2020, and April 9, 2020, in the St. Augustine Record.

Proof: Request for Bids, Bid NO.: 20-65 Purchase of One (1) 53' Refrigeration Trailer, published on April 13, 2020, in the St. Augustine Record.

Proof: Notice of Public Hearing on Vacation of Certain Streets, Alleyways, Easements or Roads; Ancient City Construction Vacation 1st Rd., published on April 17, 2020, in the St. Augustine Record.

Proof: Notice of Public Hearing; SA Legal Retail 040720 LDC BCC, published on March 24, 2020, in the St. Augustine Record.

Proof: Notice of Hearing; Notice of Public Hearing, Matanzas Minimum Wake Zone, published on March 27, 2020, in the St. Augustine Record.

Proof: Notice of Hearing; Notice of Public Hearing, Matanzas Minimum Wake Zone, published on April 10, 2020 and April 17, 2020, in the St. Augustine Record.