

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst  
District 2 - Jeb S. Smith  
District 3 - Paul M. Waldron  
District 4 - Jeremiah R. Blocker, Chair  
District 5 - Henry Dean, Vice Chair



## BOARD MEETING AGENDA

County Auditorium  
500 San Sebastian View

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

Tuesday, August 17, 2021 9:00 AM

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*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 Joseph Henry Hankerson as St. Johns County's First Known African American Postmaster
- ❖ Acceptance of Proclamation
- ❖ Public Safety Update
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

**Presenter: Bill Brinkley, General Manager Republic Services**

**Staff Member: Greg Caldwell, Public Works Director**

1. **Republic Services Presentation on Yard Waste Collection.** Republic Services will provide an update for Commissioners and the public on the current status of Residential Yard Waste Collection in the north service area.

**Presenter: Ellen Avery-Smith, Esq. Rogers Towers P.A.**

**Staff Member: Teresa Bishop, AICP, Planning Division Manager**

2. **Public Hearing \* COMPAMD 2020-02 Adler Creek (Transmittal).** **District 2** Transmittal hearing for COMPAMD 2020-02 Adler Creek Comprehensive Plan Amendment to change the Future Land Use Map designation from Rural/Silviculture (R/S) and Parks and Recreation to Residential-C and Conservation (CV) with a Text Policy Amendment limiting the residential dwelling units to 1,682 for approximately 733 acres. There is no non-residential proposed with this amendment. The property is located east of Pacetti Road, south of Scaff Road and west of the future CR 2209 (St. Johns Parkway). The Planning and Zoning Agency recommended the proposed amendment be transmitted with 4-2 vote. The Agency discussed the construction of CR 2209, Adler Creek Parkway, density of the project in relation to the surrounding area, and drainage in the area.

**Presenter: Karen M. Taylor**

**Staff Member: Justin Kelly, Senior Planner**

**District 2**

- 3. Public Hearing \* CPA (SS) 2020-07 Six Mile Creek Outpost.** Request for a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation of approximately 8.38 acres of land located at the corner of CR 13 N and Joe Ashton Road, from Rural/Silviculture (R/S) to Rural Commercial (RC). This item was heard by the Planning and Zoning Agency (PZA) at their regularly scheduled public hearing on July 15, 2021. The Agency voted unanimously to recommend approval, 6-0.

**District 2**

- 4. Public Hearing \* PUD 2021-02 Six Mile Creek Outpost.** Request to rezone approximately 8.38 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow up to 56,000 square feet of commercial uses and an RV/Boat Storage Facility. This item was heard by the Planning and Zoning Agency (PZA) at their regularly scheduled public hearing on July 15, 2021. The Agency voted unanimously to recommend approval, 6-0.

**Presenter: Imad Hamameh, Applicant**

**Staff Member: Saleena Randolph, Planner**

**District 5**

- 5. Public Hearing \* REZ 2021-14 Hamameh Dealership.** Request to rezone approximately 0.15 acres of land, out of an available 1.08 acres, from Commercial, Neighborhood (CN) to Commercial, Intensive (CI) with conditions to allow for supporting infrastructure for a proposed car dealership, specifically lot 5 located at 333 State Road 16. This item was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on August 5, 2021, and was recommended for approval by a vote of 6-0.

**Presenter: Brian E Kientz, Connelly & Wicker Inc.**

**Staff Member: Jacob Smith, Senior Planner**

**District 4**

- 6. Public Hearing \* NZVAR 2021-10 Eventide Lot 12.** Request for a Non-Zoning Variance to Land Development Code, Section 4.01.06.B to allow a Retaining Wall in lieu of a minimum 25-foot natural, vegetative building setback to the Upland Buffer, specifically located at 216 Sea Glass Way.

**Presenter: William H. Freeman, CDBG-DR Chief Engineer**

**District 3**

- 7. Public Hearing \* MAJMOD 2021-04 Victoria Crossing.** Request for a Major Modification to the Supportive Housing Initiative PUD (Ordinance 2015-24) to allow transitional housing and/or workforce/affordable housing, to increase the maximum height of buildings from 35 feet to 40 feet, to decrease the amount of units from 100 to 96, and to change the project name to Victoria Crossing. The subject property is located at 1850 State Road 207. This item was heard before the Planning and Zoning Agency at their regularly scheduled public hearing on August 5, 2021, and was recommended for approval by a vote of 6-0. Please see the Growth Management Staff Report for project details.

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

8. **Public Hearing \* COMPAMD 2021-11 Property Rights Element.** Transmittal Hearing for a Comprehensive Plan Text amendment to include a Property Rights Element in compliance with Section 163.3199(6)(i), Florida Statutes (2021). House Bill 59 amends the Community Planning Act to require local governments to include a private property rights element in their comprehensive plan. The bill was signed by the Governor and went into effect on July 1, 2021. The new statutory language requires St. Johns County to adopt this new element “by the earlier of the date of its adoption its next proposed plan amendment that is initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan.” Section 163.177(6)(i), Florida Statutes (2021). The new statutory language also requires the inclusion of specific language in the property rights element. The proposed Policy I. Property Rights Element, incorporates the required statutory language in Objective I.1.1. The existing property rights language in Objective A.1.16 of the Land Use Element is relocated and renumbered in Objective I.1.2. The Florida Department of Economic Opportunity (DEO) interprets the new language to require adoption of the new property rights element before the adoption of any comprehensive plan amendment, including large scale and small scale amendments requested by private property owners.

**Presenter: Joseph Cearley, Special Projects Manager**

9. **Public Hearing \* Second Reading - Land Development Code Amendments- Family Farms.** Land Development Code Amendment – Family Farms. The attached draft ordinance proposes modifications to the text of Sections 5.04.02. “Design Rule”, 5.04.06 “Exemptions to PRD Requirements”, and 6.08.17 “Family Farms”. The Planning and Zoning Agency heard this item at a regularly scheduled public hearing on July 15, 2021 where they voted unanimously to approve with a 6-0 vote.
10. **Public Hearing \* Comprehensive Plan Amendments - Family Farms.** Comprehensive Plan Text Amendment – Adoption Hearing. The attached draft ordinance proposes modifications to the text of A - Future Land Use Element, Policies A.1.6.1, A.1.6.2, A.1.6.3, and A.1.6.4 of the Comprehensive Plan. These amendments provide a mechanism for Family Farms to terminate after seven (7) years and also reduce the required minimum lot size within the Agricultural-Intensive (A-I) and Rural/Silviculture (R/S) Future Land Use Map designations. The Planning and Zoning Agency heard this item at a regularly scheduled public hearing on July 15, 2021 where they voted unanimously to approve with a 6-0 vote.
11. **Public Hearing \* Second Reading - Land Development Code Amendments - Workforce Housing.** Land Development Code Amendment – Workforce Housing. The attached draft ordinance proposes modifications to the text of Sections 5.11.00 “Workforce Housing Zoning designation” and Article XII, “Definitions.” The Planning and Zoning Agency heard this item at a regularly scheduled public hearing on July 15, 2021, and voted unanimously to recommend approval with a 6-0 vote. There was some discussion on which option to utilize for a metric that would be inserted into the formula to determine the Maximum Sales Price of a unit and the Planning and Zoning Agency chose to recommend Option #2. First Reading of the proposed amendments was considered by the Board on August 3, 2021.

- 12. Public Hearing \* Comprehensive Plan Amendments - Workforce Housing.** Comprehensive Plan Text Amendment – Adoption Hearing. The attached draft ordinance proposes modifications to the text of A - Future Land Use Element (Policy A.1.11.1.m) of the Comprehensive Plan. These amendments amend Policy A.1.11.1.m regarding the maximum sales price for Workforce Housing units. PLANNING AND ZONING AGENCY: The Planning and Zoning Agency heard this item at a regularly scheduled public hearing on July 15, 2021, and voted unanimously to recommend approval with a 6-0 vote. There was some discussion on which option to utilize for a metric that would be inserted into the formula to determine the Maximum Sales Price of a unit and the Planning and Zoning Agency chose to recommend Option #2.

**Presenter: Patrick F. McCormack, County Attorney**

- 13. Amendment to Board's Rules & Policies concerning request for funding.** After Board discussion, OCA has drafted language to amend the Board's Rules & Policies adding language pertaining to funding requests. Rule 4.304 Request for Funding, Limitation Request for Board approval of funding for any particular matter shall be placed on the published regular agenda or consent agenda. Any funding request that is not so published shall be limited to \$5,000 or less. Nothing herein shall limit the Board from revising and approving a published request for funding after Board consideration and public comment.

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

**District 1**

- 14. Request to Release Construction Board of Adjustment and Appeals Lien on 256 Village Green Avenue.** On October 19, 2020, the St. Johns County Construction Board of Adjustments and Appeals entered a Lien Order (attached) in the amount of \$41,189.00 for the abatement of the structure at 256 Village Green Avenue in St. Johns County, which was recorded as a lien against the property. The owners of the property had requested that the County demolish the structure after it had been severely damaged as a result of a fire and had executed hold harmless agreements to place the costs of demolition as a lien on the property. The Cunningham Creek Plantation Property Owners Association, Inc. ("POA") has requested that the County agree to accept \$20,000 in full satisfaction of the lien, as the POA intends to foreclose on the property due to delinquent assessments and to use proceeds of the sale for major upgrades to the community. (The request the POA president is attached to this agenda item.) The POA is requesting that the lien be reduced only if the POA takes title of the property, not another purchaser, and not if it remains with the current owners. 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.

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

- 15. Consider appointments to the Health & Human Services Advisory Council.** There are currently two vacancies on the Health & Human Services Advisory Council (HHSAC). These vacancies are due to the resignation of Dr. Tina D' Alessandro and Ms. Kelly Battell. These vacancies require the appointment of a professional from the disciplines in Health & Human Services. Please find attached for your review and consideration a letter of recommendation from the Health and Human Services Advisory Council and three applications: Allen Drozd - District 3, Kim Elmore - District 3, and Lorraine Keith - District 5.

- 16. Consider appointments to the South Anastasia Design Review Board.** Currently there are five vacancies on the South Anastasia Design Review Board (3 regular & 2 alternate). All five vacancies are due to expired terms. Some of these vacancies have been advertised multiple times since their occurrence, with the latest vacancy advertisement being placed in April 2021. Please note due to lack of a quorum, the South Anastasia Design Review Board (SADRB) has been unable to meet. In light of not being able to obtain a quorum, staff is requesting appointments be made without recommendations from SADRB. Please find attached for review and consideration three applications: Stephen Lieberman - District 3, Austin Martin - District 3, and Janet Patten - District 3.
- 17. Consider appointments to the Affordable Housing Advisory Committee (AHAC).** The purpose of the Affordable Housing Advisory Committee (AHAC) is to review established policies, procedures, ordinances, land development regulations, and the adopted local government comprehensive plan to recommend specific action or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. Currently there are three vacancies on the Affordable Housing Advisory Committee (AHAC). The vacancies are due to the expired terms of Bill Lazar, Harry Maxwell, and Karl Vierck. All three vacancies were advertised in January of 2021. The vacancies are required to be filled by St. Johns County residents who are: 1) engaged as a not for profit provider of affordable housing, 2) engaged actively as a real estate professional, and 3) engaged as a for profit provider of affordable housing. Please find attached for your review and consideration a recommendation letter from the AHAC and four applications: Bill Lazar - District 3, Harry Maxwell - District 3, Ellen Rogers - District 4, and Karl Vierck - District 3.
- 18. Consider appointment to the Tourist Development Council.** There is currently one vacancy on the Tourist Development Council due to the expired term of Mrs. Diane Mataraza. The vacancy may be filled by either a non-accommodation tourism related representative or an owner/operator of a tourist accommodation subject to the bed tax. The vacancy was advertised in April 2021 for a four week span. Please find attached for review and consideration a letter of recommendation from the Tourist Development Council and sixteen applications. Accommodations applicants: Shannon Dearin - District 1, Irving Kass - District 2, Bill McClure - District 3, Charles Robles - District 5, and Stephanie Wyland - District 3. Non-Accommodations applicants: Zachary Cole - District 3, Kathy Fleming - District 5, Kathy Hiester - District 4, Peter Karpen - District 4, Kimberly Keen - District 3, Terran McGinnis - District 5, Victor Raymos - District 1, Albert Syeles - District 5, Thomas Walsh - District 5, Christopher Waters - District 1, and Sarina Wiechens - District 1.

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

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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 819-3622*
- 2. Motion to adopt Resolution 2021-\_\_\_\_\_**, approving the **final plat for Seaside Vista.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
- 3. Motion to adopt Resolution 2021-\_\_\_\_\_**, approving the **final plat for Watersong at Rivertown – Phase Two-B.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
- 4. Motion to adopt Resolution 2021-\_\_\_\_\_**, approving the **final plat for Stillwater Phase 1B.** *For more information, contact Nichole Bradley, Application Review Supervisor at 209-0603*
- 5. Motion to adopt Resolution 2021-\_\_\_\_\_**, approving the **final plat for Silverleaf 29B-1.** *For more information, contact Nichole Bradley, Application Review Supervisor at 209-0720*
- 6. Motion to adopt Resolution 2021-\_\_\_\_\_**, to approve and adopt the St. Johns County **2021 Transit Development Plan major update**, and authorizing the County Administrator or his designated representative to execute any other related documents and take any other actions necessary in connection with the submittal of the Transit Development Plan to the Florida Department of Transportation. *For more information, contact Rachel Garvey, Transit Grants Specialist at 904 209-0630*
- 7. Motion to adopt Resolution 2021-\_\_\_\_\_**, authorizing the notice required by Section 336.10, F.S., for a Public Hearing on September 21, 2021 at 9:00 a.m. or at a date and time as soon thereafter as possible to hear a request for the vacation of an unopened/unimproved right-of-way within the **Ocean Grove Subdivision (VACROA 2021-07 Escambia St Roadway Vacation).** *For more information, contact Jeffrey Petrie, Engineer at 209-0672*

8. Motion to adopt Resolution 2021-\_\_\_\_\_, authorizing the notice required by Section 336.10, F.S., for a Public Hearing on September 21, 2021 at 9:00 a.m. or at a date and time as soon thereafter as possible to hear a request for the vacation of an unopened/unimproved alley within the **Anastasia Park Subdivision (VACROA 2021-02 Bushnell Alleyway)**. *For more information, contact Benjamin Powelson, Engineer at 209-0666*
9. Motion to adopt Resolution 2021-\_\_\_\_\_, approving the terms and conditions of a **Communication Tower Lease Agreement, along with the provisions of a Memorandum of Lease, with Cello Partnership d/b/a Verizon Wireless**, and authorizing the County Administrator, or designee, to execute the Lease Agreement and Memorandum on behalf of the County. *For more information, contact Gail Oliver, Director, Land Management Systems at 209-0770*
10. Motion to adopt Resolution 2021-\_\_\_\_\_, authorizing the Chair of the Board, on behalf of the County, to execute and deliver to the State of Florida Department of Transportation a **Perpetual Easement and Subordination of County Utility Interests** over a portion of **S. Holmes Boulevard in connection with the State Road 313 Transportation Project**. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
11. Motion to adopt Resolution 2021-\_\_\_\_\_, accepting Grant of Easements to St. Johns County required for the **S. Holmes Boulevard CDBG Drainage Project**. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
12. Motion to adopt Resolution 2021-\_\_\_\_\_, approving the terms and conditions of two **purchase and sale agreements** and authorizing the County Administrator, or designee, to execute the agreements on behalf of the County for the **S. Holmes CDBG Drainage Project**. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*
13. Motion to adopt Resolution 2021-\_\_\_\_\_, approving the terms and authorizing the County Administrator, or designee, to execute a **Lease Agreement with Home Again St. Johns** allowing them to continue to occupy the property that Salvation Army conveyed to St. Johns County for future affordable housing. *For more information, contact Gail Oliver, Director, Land Management Systems at 209-0770*
14. Motion to adopt Resolution 2021-\_\_\_\_\_, accepting the second of three Easements for Utilities needed for installation of a **sewer force main connecting Dobbs Road and Old Moultrie Road**. *For more information, contact Gail Oliver, Director, Land Management Systems at 209-0770*
15. Motion to adopt Resolution 2021-\_\_\_\_\_, declaring certain County owned property located on State Road 207 as **surplus property** and authorizing advertisement for sealed bids pursuant to Florida Statute 125.35. *For more information, contact Gail Oliver, Land Management Systems Department at 904 209-0770*

16. Motion to authorize the Utility Department to submit two **grant applications** to the Florida Department of Economic Opportunity through the Rebuild Florida Mitigation General Infrastructure Program for the SR207 Water Reclamation Facility Expansion and the Manhole and Lift Station Rehabilitation project. *For more information, contact Frank Kenton, Assistant Utility Director at 904 209-2705*
17. Motion to adopt Resolution 2021 –\_\_\_\_\_, authorizing the County Administrator, or his designee, to **award Bid No: 21-101; Signalization Replacement at Intersection of US 1 / Lewis Point Road / St. Augustine South Drive – HMGP 4283-011-R to Chinchor Electric, Inc.**, 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 provided in Bid No. 21-101, for a lump sum cost of \$609,696.50. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*
18. Motion to adopt Resolution 2021-\_\_\_\_\_, authorizing the County Administrator, or his designee, to award **Bid 21-76: Players Club WRF to Sawgrass WRF Interconnects to TB Landmark Construction, Inc.**, as the lowest, responsive, responsible bidder, and to execute an agreement in substantially the same form and format as attached for the completion of the project as provided in Bid No. 21-76, for a Not-to-Exceed price of \$1,715,335.00. *For more information, contact Jaime Locklear, Asst Director of Purchasing & Contracts at 904 209-0158*
19. 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 308 and Florida Statute 274. *For more information, contact Jaime Locklear, Asst. Director Purchasing & Contracts at 904 209-0158*
20. Motion to adopt Resolution 2021-\_\_\_\_\_, amending the FY 2021 to recognize and appropriate insurance proceeds (1111-36402) in an amount not to exceed \$64,130 within the FY 2021 Transportation Trust Fund Budget (1125-54605 \$39,130 & 1125-56400 \$25,000) for the **purchase of a Traffic Signal Conflict Monitor** and various traffic signal maintenance items. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
21. Motion to adopt Resolution 2021-\_\_\_\_\_, authorizing the Chair to execute the State of Florida **CARES Act Local Government Funding Program Notice of Program Closeout** in substantially the same form and format as attached hereto. *For more information, contact Jesse Dunn, Director, OMB at 904 209-0568*
22. Motion to adopt Resolution 2021-\_\_\_\_\_, recognizing and appropriating the U.S. Small Business Administration **Shuttered Venue Operators Grant** in the amount of \$5,984,568 within the Fiscal Year 2021 Cultural Events Division Fund. *For more information, contact Jesse Dunn, Director, Office of Management at 209-0568*
23. Motion to adopt Resolution 2021- \_\_\_\_\_, authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application seeking funding assistance through the U.S. Department of Justice - **Office of Justice Programs FY 2021 Edward Byrne Justice Assistance Grant (JAG)** and authorizing the Chair of the Board of County Commissioners to execute the attached Certifications and Assurances on behalf of the County. *For more information, contact Robert A. Hardwick, Sheriff, Sheriff at 904 209-1478*



24. Motion to adopt Resolution 2021-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of FDEP Agreement Number 19SJ2 and authorizing the County Administrator, or designee, to execute the **Grant Agreement for the Ponte Vedra Beach Hurricane Irma Recovery**, along with any supplemental documentation, on behalf of the County. *For more information, contact Damon Douglas, Coastal Manager at 209-0794*
25. Motion to adopt Resolution 2021-\_\_\_\_\_, authorizing the Chair to execute local government certifications for **SFY 18/19, FY 19/20, & 20/21 SHIP annual reports**. *For more information, contact Roberto Ortiz, Housing and Community Services Manager at 904 827-6894*
26. Motion to adopt Resolution 2021-\_\_\_\_\_, awarding an **Affordable Housing Grant to Ability Housing, Inc.**, in the amount of \$460,000.00, in conjunction with funding from the FHFC Low Income Housing Tax Credit program (LIHTC) to create 80 or more affordable rental units, directing the Office of the County Attorney to prepare a grant agreement for consideration by the Board at a future meeting, and authorizing the Chair to execute the attached Florida Housing Finance Corporation Local Government Verification of Contribution Grant Form on behalf of the County. *For more information, contact Joseph Cone, Assistant Director Health and Human Services at 904 209-6089*
27. Motion to adopt Resolution 2021-\_\_\_\_\_, authorizing the County Administrator, or designee, to execute an agreement with the City of St. Augustine, in substantially the same form and format as attached hereto, providing funding to operate the Downtown **St. Augustine Visitor Information Center** and conduct tourist-related programming. *For more information, contact Tera Meeks, Director, Tourism & Cultural Development at 904 209-4428*
28. Motion to adopt Resolution 2021-\_\_\_\_\_, approving the recognition and appropriation of received **FY 2021 library donations** in the amount of \$895 amending the FY 2021 Budget. *For more information, contact Shelby Dixon, Administrative Coordinator at 827-6931*
29. Motion to approve **minutes**:
- 08/03/2021, BCC Regular