

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

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



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

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

Tuesday, December 7, 2021 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
- ❖ Florida Association of Counties Retirement Recognition for Patrick McCormack, Esq.
- ❖ BCC Retirement Recognition of Patrick McCormack, Esq.
- ❖ Proclamation recognizing the Hispanic Heritage Council of St. Johns County
- ❖ Proclamation recognizing the Language Exploration Enrichment program
- ❖ Acceptance of Proclamations
- ❖ 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

Presenter: Nicole Cubbedge, St Johns County School District

1. **Redistricting Update.** Every ten years after the Decennial Census, every state, county, city, town, and special district must redraw their district boundaries to reflect the changes in population. The St. Johns County Board of County Commissioners and the School Board have met and reviewed several redistricting options during public meetings held on August 25, 2021 and September 16, 2021. District staff will provide an update to the redistricting process for review and discussion. There were Community Meetings held on November 1, 2021 and November 2, 2021. The final redistricting plan will be presented for approval at a joint Board meeting on December 9, 2021.

Presenter: Doug Burnett, St. Johns Law Group

Staff Member: Saleena Randolph, Planner

District 1

2. **Public Hearing * MAJMOD 2021-15 Worthington Estates (Lot 180).** Request for a Major Modification to the Worthington Estates PUD (Ord. 2016-42) to convert a single parcel from Fill Mitigation uses to a Residential use in order to add one (1) single family unit, increasing the total number of units from 179 to 180. The request adds an Optional Density Bonus pursuant to LDC Sec. 5.10.04 and revises the MDP Map and MDP Text. The subject property is located on an unaddressed lot located on Scott Road. The Planning and Zoning Agency (PZA) will hear this request at a public hearing on November 18, 2021. The BCC Staff Report was due prior to the PZA hearing. The PZA recommendation will be provided at the BCC hearing. Please see the Growth Management Staff Report for project details.

Presenter: Shannon Acevedo, AICP, Matthew Design Group

Staff Member: Valerie Stukes, Senior Planner

District 3

3. **Public Hearing * MAJMOD 2020-11 Canopy Shores.** Request for a Major Modification to the St. Augustine Shores PUD (Ord. 79-73, as amended) to convert approximately 2.8 acres from permitted business uses to residential use in order to provide for ten (10) single-family lots specifically located east side of Shores Blvd north of Christina Drive and south of Deltona Blvd. At the Planning and Zoning Agency meeting on August 5, 2021, a motion to recommend denial for MAJMOD 2020-11 Canopy Shores failed with a 3-3 vote. At the BCC meeting on October 19, 2021 this item was recommended for continuance to the 12/7 BCC Agenda.

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

Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 2

4. **Public Hearing * COMPAMD 2020-02 Adler Creek (Adoption).** Adoption 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 (PZA) recommended the amendment be adopted with a 4-1 vote. The Agency heard public comments about drainage along Scaff Road and additional density in the overall area.

Presenter: Matthew Lahti, PE, Gulfstream Design

Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 2

5. **Public Hearing * CPA (SS) 2021-02 8000 CR 13.** CPA (SS) 2021-02 8000 C.R. 13 N, a request to amend the Comprehensive Plan from Rural/Silviculture (R/S) to Rural Commercial (RC) for approximately 9.99 acres, located at 8000 C.R.13 N. The Planning and Zoning Agency heard this item at a regularly scheduled public hearing on November 4, 2021 and voted 5-2 to recommend adoption. There were questions raised regarding wetland impacts for the nearby Six Mile Creek, and potential runoff from washing off boats at the facility. The applicant replied with how they will have semi-impervious surfaces, as well as a storm water system. There were also questions made about an existing mobile home currently on the property, as well as a septic tank. The applicant responded by saying that both of them would be removed pending commencement of this project, and that there are no proposed structures for the project. Please see Growth Management Staff Report for project details.

District 2

6. **Public Hearing * PUD 2021-01 8000 CR 13 N.** PUD 2021-01 8000 C.R. 13 N, a request to rezone approximately 9.99 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow RV/Boat Storage. The Planning and Zoning Agency recommended approval with a 6-1 vote at their November 4, 2021 regular meeting. The Planning and Zoning Agency heard this item at a regularly scheduled public hearing on November 4, 2021 and voted 5-2 to recommend adoption. There were questions raised regarding wetland impacts for the nearby Six Mile Creek, and potential runoff from washing off boats at the facility. The applicant replied with how they will have semi-impervious surfaces, as well as a storm water system. There were also questions made about an existing mobile home currently on the property, as well as a septic tank. The applicant responded by saying that both of them would be removed pending commencement of this project, and that there are no proposed structures for the project. Please see Growth Management Staff Report for project details.

Presenter: Lindsay Haga, England-Thims & Miller, Inc.

Staff Member: Jacob Smith, Senior Planner

District 4

7. **CPA(SS)21-11 San Pablo Road.** Request for a Small Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 19.17 acres of land from Rural/Silviculture (R/S) to Mixed Use District (MD). The Planning and Zoning Agency voted to recommend approval with a vote of 5 - 2 at their November 4, 2021 meeting.

District 4

8. **PUD 2021-13 San Pablo Road.** Request to rezone approximately 19.14 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a office/professional, institutional, and commercial uses. The Planning and Zoning Agency voted to recommend approval a vote of 5 - 2 at their November 4, 2021 meeting.

Presenter: Sina Venus, Applicant

Staff Member: Dick D'Souza, PE, Chief Engineer

District 4

9. **Public Hearing * VACROA 2021-03 - Public Hearing to vacate a portion of Old Dixie Highway which is to be used for a second phase of a flex development, St. Johns Commerce East.** The applicant requests a vacation of a section of unopened Old Dixie Highway; located immediately southeast of the Hilden Subdivision. The road will include a portion of Old Dixie Highway in parcel 023900-0002 as well as an additional portion which does not have an assigned parcel number. Based on staff's review, traffic patterns will not be negatively impacted, and no party will be unreasonably affected by the requested vacation.

Presenter: Sina Venus, Applicant

Staff Member: Valerie Stukes, Senior Planner

District 4

10. **Public Hearing * CPA(SS) 2021-03 St Johns Commerce East.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map Designation of less than 6.66 acres of land from Rural Silviculture (R/S) to Mixed Use District (MD). On October 21, 2021 the PZA unanimously recommended approval with a 5-0 vote.

District 4

11. **Public Hearing * PUD 2021-04 St. Johns Commerce East.** Request to rezone approximately 7.25 acres of land from Open Rural (OR) to Planned Unit Development (PUD) in order to allow for a new flex-warehouse development that will provide for a mix of uses. On October 21, 2021 the PZA unanimously recommended approval with a 5-0 vote.

District 5

- 12. Road Impact Fee Credit Transfer - Cordova Palms PUD (Cordova Palms Investment, LLC).** The standard language in the County's proportionate fair share and impact fee agreements allows for the assignment of unused road impact fee credits with approval of the County. Recent amendments to Section 163.31801(10), F.S., of the Impact Fee statute allow impact fee credit holders to assign and transfer unused credits to development projects within the County under certain circumstances. The statute applies to all unused impact fee credits regardless of whether they were established before the amendment. Cordova Palms Investment, LLC has requested transfer of a portion of the road impact fee credit awarded to the Cordova Palms PUD pursuant to Concurrency and Impact Fee Agreement between Cordova Palms Investment, LLC and St. Johns County, approved April 6, 2018, recorded in Book 4531 PG 1198, as amended February 16, 2021, recorded in Book 5182 PG 79 (Agreement attached for reference). The purpose of the Agreement is to recognize the developer's transportation contributions as providing significant benefit to the impacted transportation system in the area around the proposed project. The subject Agreement, as amended, provided for the provision of right-of-way and right-of way easement for SR 313 to FDOT (ROW and easement has been conveyed), and the construction of a portion of SR 313 at US 1, including the US 1/SR 313 intersection (currently under construction). The Cordova Palms PUD is located on the west side of US 1 North in Impact Fee District 2 and currently has an unused road impact fee credit balance of \$8,116,496. The request is to transfer \$1,064,683.84 of the road impact fee credit to the North Creek PUD, which is located on the east side of US 1 across from the Cordova Palms PUD and in the same Impact Fee District 2. Staff has no objection to the requested transfer and finds the request meets the purpose of the Agreement and requirements of Florida Statute.

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

- 13. Consider appointments to the Recreation Advisory Board.** Currently there are three (3) vacancies on the Recreation Advisory Board. These vacancies are due to expired terms and the passing of one member. The vacancies were advertised for a four-week span from September 8, 2021 through October 6, 2021. Please find attached for your review and consideration an email supplying a recommendation from the Recreation Advisory Board and eight applications: William L. Bowen - Dist. 3, John Eaton - Dist. 3, Edwin Encarnacion - Dist. 2, Cory Felton - Dist. 2, Justin William Palesotti - Dist. 5, Brandi Schmidt - Dist. 5, Lauren Watkins - Dist. 5 and Casey Van Rydam - Dist. 5.
- 14. Consider appointments to the Library Advisory Board.** Currently there are two vacancies on the Library Advisory Board. These vacancies are due to expired terms. The vacancies were advertised for a four-week span of July 14, 2021 through August 16, 2021. Please find attached for your review and consideration a recommendation letter from the Library Advisory Board and eight applications: Sarah Carlson - Dist.4, Anne Challis - Dist.2, Amy Demi - Dist. 4, Lynda Follenweider - Dist. 1, Mary F. Geer - Dist. 2, Michael Macnamara - Dist. 2, Marguerite H. Mytholar - Dist. 1 and Margaret Petty - Dist.2. Please note per Article II of the Library Advisory Board By-laws, "All terms shall begin October 1 of the first year of the term and shall end September 30 of the last year of the term." The suggested motions reflect such terms.

Presenter: David Migut, County Attorney

- 15. St. Johns County Canvassing Board Schedule and Appointment.** Pursuant to Section 102.141, Florida Statutes, the county canvassing board shall be composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners. The statute provides for the appointment of substitute members in the event one of these members is unable to serve or disqualified. If the chair of the board of county commissioners is unable to serve or disqualified from serving, the board of county commissioners shall appoint one of its members as a substitute. If no member of the board of county commissioners can be appointed, the chief judge of the judicial circuit in which the county is located shall appoint a qualified elector within the county as a substitute member. The chair of the board of county commissioners is required to appoint a member of the board of county commissioners as an alternate member of the canvassing board. If each member of the board is unable to serve or is disqualified, the chair shall appoint a qualified elector within the county as an alternate member. The Supervisor of Elections Office is requesting appointment of a County Commissioner and an alternate to serve on the County Canvassing Board for the 2022 primary and general elections.

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

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Tuesday, December 7, 2021 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 2021-_____, approving the final plat for Bridgewater Phase 1B-1C.** *For more information, contact Nichole Bradley, Application Review Supervisor at 904 209-0603*
- 3. Motion to adopt Resolution 2021-_____, authorizing the notice required by Section 336.10, F.S., for a Public Hearing on February 1, 2022 at 9:00am or at a date and time as soon thereafter as possible to hear a request for the vacation of a portion of Diesel Road right-of-way (VACROA 2021-08 Shipyards Diesel Road).** *For more information, contact Benjamin Powelson, Engineer at 904 209-0666*
- 4. Motion to approve PFS AGREE 2021-03 and authorize the County Administrator to execute the Stokes Landing Proportionate Fair Share Agreement,** finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code. *For more information, contact Victoria Kutney, Transportation Planner at 904 209-0753*
- 5. Motion to adopt Resolution 2021-_____, accepting an Easement for Utilities, a Bill of Sale, a Final Release of Lien, and a Warranty associated with the water and sewer systems to serve Orchard Park Phase 2 located off Wildwood Drive.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
- 6. Motion to adopt Resolution 2021-_____, accepting an Easement for Utilities, a Bill of Sale, a Final Release of Lien, and a Warranty associated with the water, sewer and reuse systems to serve Beachwalk Market located off County Road 210 W.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
- 7. Motion to adopt Resolution 2021-_____, approving an exchange of real property pursuant to Section 125.37, Florida Statutes in connection with a County owned retention pond and a pond owned by WCI Communities LLC.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*

8. Motion to adopt Resolution 2021-_____, consenting to St. Johns County **Council on Aging's improvements to a County-owned building.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
9. Motion to adopt Resolution 2021-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Purchase and Sale Agreement for property required for widening of Kings Estate Road,** right of way realignment of Saint Augustine Boulevard, right of way improvements along Hilltop Road and for a storm water pond site. *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
10. Motion to adopt Resolution 2021-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **License Agreement for use of a portion of County right of way on Dondanville Road.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
11. Motion to adopt Resolution 2021-_____, approving and authorizing the County Administrator, or designee, to execute the **Relief Reimbursement Agreement** on behalf of the County for an amount not to exceed \$160,463.14. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
12. Motion to adopt Resolution 2021-_____, approving the term, conditions, provisions, and requirements of the State-Funded Grant Agreement with the Florida Department of Transportation to receive \$1,650,000 for **engineering design, permitting, construction, and CEI for improvements at the SR A1A and Mickler Road Intersection;** authorizing the Chair to execute the Agreement on behalf of the County. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0268*
13. Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or his designee, to execute and issue a purchase order to **Great Southern Equipment Company for one (1) new 2021 Gradall Discovery D152 4 x 2 Hydraulic Telescoping Excavator,** in the amount of \$278,955.40, subject to the terms and conditions of the Florida Sheriff's Association Contract #FSA20-EQU18.0. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*
14. Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or his designee, to execute and issue a purchase order to **Ten-8 Fire Equipment, Inc for the purchase of one (1) Braun Chief XL remount on to Ram 5500 4x2 Ambulance Chassis, one (1) Braun Super Chief remount to Freightliner Crew Cab Ambulance chassis, and one (1) new Ambulance Braun Chief XL on Ram 5500 4X2 diesel chassis** in accordance with the terms and conditions contained in the Florida Sheriff's Association Contract # FSA-20-VEF14.01 for a total price of \$850,612.00. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*
15. Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or his designee, to execute and issue a purchase order to **Ag-Pro of St. Augustine for one (1) new 2021 John Deere Utility Tractor model 6130M,** in the amount of \$104,420.63, subject to the terms and conditions of the Florida Department of Management Services Agriculture and Lawn Equipment Contract #25101900-21-STC, *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*

16. Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or his designee, to award **Bid No. 22-20; St. Johns Golf Club Clubhouse & Cart Barn Renovation to DiMare Construction Co.**, 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. 22-20, for a total lump sum cost of \$886,800. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*

17. Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or his designee, to award **Bid No 21-113R; St. Johns Golf Club Course Renovation to Wadsworth Golf Construction Company** 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. 21-113R, for a total lump sum cost of \$6,420,362.35. *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*

18. Motion to adopt Resolution 2021-_____, approving the terms, provisions, conditions and requirements of the **Clean Water State Revolving Fund Construction Loan Agreement between the Florida Water Pollution Control Financing Corporation** and St. Johns County, authorizing execution of the Agreement by the Chair of the Board of County Commissioners, and authorizing the County Administrator to carry out the responsibilities under the Agreement. *For more information, contact Colin Groff, P.E., Utility Director at 904 209-2703*

19. Motion to adopt Resolution 2021-_____, approving the terms, conditions, and requirements of the **Agreement between St. Johns County, Florida and SMA Behavioral Health Services, Inc.**, in an amount not to exceed \$230,000, authorizing the Chair of the Board of County Commissioners, or designee, to execute the Agreement substantially in the form as attached on behalf of the County. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*

20. 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 904 209-0794*

21. Motion to adopt Resolution 2021-_____, authorizing the County Administrator, or authorized designee, to submit a **grant application to the Florida Department of Health Emergency Medical Services Program** and execute a grant agreement or other documents associated with the grant upon a finding of legal sufficiency by the Office of the County Attorney. *For more information, contact Jeremy Robshaw, Fire Rescue Deputy Chief at 904 209-1750*

22. **Motion to approve minutes:**
 - 11/16/21, BCC Special Meeting
 - 11/16/21, BCC Regular Meeting

23. Proofs:

Proof: Requisition of Bids, BID NO.: 22-21; Cellular Booster System for the St. Augustine Ampitheatre, Published on October 8, 2021 and October 15, 2021 in the St. Augustine Record.

Proof: Requisition of Bids, BID NO.: 22-20; St. Johns Golf Club Clubhouse & Cart Barn Renovation, Published on October 8, 2021 and October 15, 2021 in the St. Augustine Record.

Proof: Requisition of Bids, BID NO.: 22-03; Purchase of Water & Wastewater Treatment Chemicals, Published on October 15, 2021 and October 22, 2021 in the St. Augustine Record.

Proof: Requisition of Proposals, RFP NO.: 22-17; Historic Properties Survey of A1A, Published on October 18, 2021 and October 25, 2021 in the St. Augustine Record.

Proof: Requisition of Bids, BID NO.: 21-113R; St. Johns Golf Club Course Renovation, Published on October 18, 2021 and October 25, 2021 in the St. Augustine Record.

Proof: Notice of Proposed Exchange of County Property, An Exchange of Real Property Between St. Johns County and Habitat for Humanity of St. Augustine/St. Johns County, Inc; Published on October 18, 2021 and October 25, 2021 in the St. Augustine Record.

Proof: Notice of a Special Meeting of the St. Johns County Board of County Commissioners, to Consider Board Approval of the Incoming County Attorney Contract, Published on October 19, 2021 in the St. Augustine Record.

Proof: Notice of Joint Meeting of the St. Johns County Board of County Commissioners and St. Johns County School Board, to Discuss Redistricting and Take Possible Action on Similar Interests and Issues that Affect Both Boards, Published on October 26, 2021 in the St. Augustine Record.

