

# ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

## BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst, Vice Chair  
District 2 - Sarah Arnold  
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  
David Migut, County Attorney

Tuesday, September 20, 2022 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

### **Presenter: Jeff Darr, Forester, Florida Forest Service**

#### **District 2**

1. **Public Hearing Announcement by the Florida Forest Service and the Management Plan Advisory Group for the Watson Island State Forest.** In accordance with Florida Statute 259.032(8)(b), the Florida Department of Agriculture and Consumer Services, Florida Forest Service and the Management Plan Advisory Group for the Watson Island State Forest will be conducting a virtual meeting on September 29, 2022, at 10:30 a.m. to take public comment on the draft 10-Year Land Management Plan of the Watson Island State Forest. The link to the meeting can be found at <https://www.fdacs.gov/Public-Notices>; select Meetings and Hearings at the bottom of the page and navigate to September 29. Per Florida Statute, the public meeting shall be announced at a scheduled meeting of the local governing body before the actual public hearing.

### **Presenter: Kathryn Whittington, Esq.; Whittington Law, PLLC**

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

#### **District 3**

2. **Public Hearing \* CPA (SS) 2021-22 The Quadrant.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 8.8 acres of land, located at the eastern terminus of the unopened LE Parrish Road right-of-way, and west of Interstate 95, from Rural/Silviculture (R/S) to Mixed Use District (MD). This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on August 4, 2022, and was recommended for approval 6-0.

**Presenter: Kathryn Whittington, Esq.; Whittington Law, PLLC**

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

**District 3**

3. **Public Hearing \* PUD 2021-20 The Quadrant.** Request to rezone approximately 134 acres of land from Open Rural (OR) and Commercial Highway and Tourist (CHT) to Planned Unit Development (PUD) to allow a maximum 1.35 million square feet of non-residential uses and 300 Hotel Rooms. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on August 4, 2022, and was recommended for approval 6-0.

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

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

**District 2**

4. **Public Hearing \* PUD 2021-21 Adler Creek PUD.** Request to rezone approximately 734 acres of land from Open Rural (OR) and Planned Unit Development (PUD) to PUD to allow for a maximum 1,682 residential dwelling units, located east of Pacetti Road, west of the future CR 2209, and south of Scaff Road. The subject property is designated Residential-C pursuant to Ordinance No. 2021-87, approved December 7, 2021, and is limited to 1,682 dwelling units. The Planning and Zoning Agency recommended approval of the proposed Adler Creek PUD with a 6-1 vote at its March 17, 2021 regular meeting. The Agency heard comments from citizens, who expressed the area is losing its rural character due to too much residential development in this area, and concerns were expressed about traffic along SR 16, International Golf Parkway and Pacetti Road. The Agency discussed these concerns and also discussed the applicant's proportionate share contribution, construction of Adler Creek Parkway through the Turnbull ROMA and the potential wetland impacts, impact fee credits, traffic impacts to surrounding area and impacts of residential growth in the area. This application was originally scheduled for the April 19, 2022 Commission meeting; however, the applicant requested it be continued to a future date.

**District 1**

5. **Public Hearing \* DEVAGREE 2022-01 HBIS Development Agreement (Greenbriar Helow PUD).** This is the first of two required public hearings to consider a proposed Development Agreement for transportation mitigation for the Greenbriar Helow PUD. HBIS Property Holdings, LLC, a contract purchaser for a portion of property located within the proposed Greenbriar Helow PUD that is the subject of applications for a Large-Scale Comprehensive Plan Amendment (COMPAMD 2021-02) and Planned Unit Development (PUD 2021-15), has proposed a Development Agreement to mitigate the transportation impacts for 2,061 single family residential units to meet transportation concurrency requirements. A second Development Agreement (DEVAGREE 2022-02) for the remainder of the 3,500 residential units in the PUD is also proposed and will track with this Agreement. The HBIS Development Agreement proposes to contribute transportation mitigation in the total amount of \$18,428,736, including widening a portion of Greenbriar Road, and proportionate share payments, and pre-payment of additional road impact fees to be used for the widening of Longleaf Pine Parkway from Roberts Road to Veterans Parkway. The applicant proposes to pay a proportionate share of \$13,756,931.84 by constructing a 4-lane widening of Greenbriar Road from CR 210 west a distance of approximately .70 mile, at an estimated cost of \$9,657,846 to commence concurrent with development in the Greenbriar Village but no later than one year following approval of the first construction plan anywhere in the PUD. HBIS shall be allowed to plat no more than 200 units prior to commencing construction. The remaining proportionate share in the amount of \$4,099,086 shall be paid prior to the first construction plan approval anywhere in the PUD. In addition to the required proportionate share, the applicant proposes to pre-pay the estimated remaining road impact fees as determined by the applicant in the amount of \$4,671,804 also prior to approval of the first construction plan anywhere in the PUD. The proposed Agreement includes a request for road impact fee credit in the amount of \$16,031,176.60, which includes a \$2,397,559.40 reduction in the credit awarded for the required proportionate share amount as provided for in Section 11.09.06.F of the Land Development Code. Road impact fee credit will be awarded when roadway improvements are bonded or payments are received by the County.

**District 1**

6. **Public Hearing \* DEVAGREE 2022-02 Helow Development Agreement (Greenbriar Helow PUD).** This is the first of two required public hearings to consider a proposed Development Agreement for transportation mitigation for the Greenbriar Helow PUD. Helow Properties, LTD, the owner of approximately 2,158 acres of property that is the subject of applications for a Large-Scale Comprehensive Plan Amendment (COMPAMD 2021-02) and Planned Unit Development (PUD 2021-15) known as the Greenbriar Helow PUD, has proposed a Development Agreement to mitigate the transportation impacts for 1,439 residential units to meet transportation concurrency requirements. A second Development Agreement (DEVAGREE 2022-01) proposed by HBIS Property Holdings, LLC for 2,061 residential units both equaling the total proposed 3,500 residential units in the PUD. The Helow Development Agreement proposes to contribute transportation mitigation in the total amount of \$10,500,000 in proportionate share payments and pre-payment of road impact fees to be used for the widening of Longleaf Pine Parkway to 4-lanes from Roberts Road to Veterans Parkway. The applicant proposes to pay a proportionate share in the amount of \$9,961,916.16 to be paid prior to approval of the first construction plan approval anywhere in the PUD; and pre-pay the estimated remaining road impact fees as determined by the applicant in the amount of \$538,083.84 also prior to approval of the first construction plan anywhere in the PUD. The proposed Agreement includes a request for road impact fee credit in the amount of \$8,763,836.34, which includes a \$1,736,163.66 reduction in the credit awarded for the required proportionate share amount as provided for in Section 11.09.06.F of the Land Development Code. Road impact fee credit will be awarded when payments are received by the County.

**Presenter: Curtis Hart, Hart Resources, LLC**

**Staff Member: Saleena Randolph, Planner**

**District 4**

7. **Public Hearing \* CPA(SS) 2021-23 Clatter Bridge.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 4.14 acres of land from Rural/Silviculture (R/S) to Residential-B (RES-B). The site is specifically located at 125 Clatter Bridge Road. The Planning and Zoning Agency heard this request at a scheduled public hearing on August 18, 2022. This item was recommended for approval with a vote of 5-0.

**District 4**

8. **Public Hearing \* REZ 2021-15 Clatter Bridge.** Request to rezone approximately 4.14 acres of land from Open Rural (OR) to Residential, Single Family (RS-2). The site is specifically located at 125 Clatter Bridge Road. The Planning and Zoning Agency heard this request at a scheduled public hearing on August 18, 2022. This item was recommended for approval with a vote of 5-0.

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

**Staff Member: Saleena Randolph, Planner**

**District 2**

9. **Public Hearing \* CPA(SS) 2021-21 Pacetti Homestead Property.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 25 acres of land from Rural/Silviculture (R/S) to Residential-C (RES-C) with a text amendment limiting the density within the property to three (3) units per acre. The site is specifically located at 2400 and 2410 Pacetti Road. The Planning and Zoning Agency heard this request during their regularly scheduled public hearing on August 4, 2022. This item was recommended for approval with a vote of 6-0.

**Presenter: Justin Kelly, Senior Planner**

10. **Discussion Item regarding possible revisions to the St. Johns County Land Development Code to include Veterinary Services in the Office & Professional Use Classification.** This is a discussion requested by the Commissioners at the July 19, 2022 BOCC meeting wherein the Growth Management Department was asked to review the Land Development Code (LDC) and provide information on the possibility of incorporating veterinary services in the Office and Professional Use Classification. Staff has researched the County's current LDC regulations, allowances in surrounding municipalities, and development standards to address possible impacts to adjacent residential and professional office uses. Staff seeks direction from the Board of County Commissioners to maintain the current description of Office & Professional Use Classification or draft amendments for such allowance with or without specific conditions/requirements.

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

11. **Consider appointments to the Northwest Communication Tower Advisory Board.** Currently, there are two (2) vacancies on the Northwest Communication Tower Advisory Board. These vacancies are due to expiring terms. A vacancy ad was placed and ran for approximately ninety (90) days. Please find for your review and consideration, a recommendation letter and four (4) applications. (Albert Abbatiello Dist. 1, David Levy Dist. 1, George Vancore Dist. 1, Russell Scott Dist. 1)

**Presenter: Henry Dean, Chairman**

- 12. Discussion item regarding the establishment of a Sales Tax Advisory Committee.**  
On February 15, 2022, the Board directed the County Attorney to prepare a proposed one percent local government infrastructure surtax ordinance for first reading on March 1, 2022, and second reading for adoption on March 15, 2022. At its March 15, 2022 meeting, the Board heard the second reading of the proposed surtax ordinance and passed an ordinance (2022-23) to levy the infrastructure surtax, subject to voter approval in a countywide referendum election to be held on November 8, 2022. This agenda item is to allow Board discussion regarding the potential establishment of a sales tax advisory committee.

**\*\*\*THE FOLLOWING ITEM IS TO BE HEARD AT 10:30 AM TIME CERTAIN \*\*\***

**Presenter: Chris Shee, HDG Elkton, LLC**

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

**District 3**

- 13. Public Hearing \* COMPAMD 2022-04 Elkton Industrial Park (Transmittal).**  
Request for a Comprehensive Plan Amendment to change the Future Land Use Map designation from Agriculture-Intensive (A-I) to Industrial (I) for approximately 92 acres of land located on the south side of SR 207 and CR 305 in the Elkton area. The Planning and Zoning Agency recommended approval with a 4-2 vote at its July 21, 2022 regular meeting. The Agency discussed the timing of the proposed industrial park and future development in the Elkton area, the substantial economic development potential of the proposed project, the rural character of Elkton and the surrounding area, and the loss of agricultural lands throughout the County.

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

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County Auditorium  
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Tuesday, September 20, 2022 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 2022-\_\_\_\_\_**, approving the **final plat for Stillwater Phase 1D**. *For more information, contact Tayler Howe, Application Review Supervisor at 209-0603*
- 3. Motion to adopt Resolution 2022-\_\_\_\_\_**, approving the **final plat for St. Augustine Lakes - Phase 1B**. *For more information, contact Tayler Howe, Application Review Supervisor at 904 209-0603*
- 4. Motion to adopt Resolution 2022-\_\_\_\_\_**, approving the **Locally Funded Agreement between the County and FDOT for the contribution of funds for the Race Track Road/US1 intersection improvements**; and approving a transfer from Transportation Trust Fund - Contingency Reserve in the amount of \$500,000. *For more information, contact Phong Nguyen, Transportation Planner at 904 209-0613*
- 5. Motion to adopt Resolution 2022-\_\_\_\_\_**, approving the **Locally Funded Agreement between the County and FDOT for the contribution of funds for the State Road A1A improvements**. *For more information, contact Phong Nguyen, Transportation Manager at 904 209-0613*
- 6. Motion to approve the Fountains East Apartments School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-02)**. *For more information, contact Victoria Kutney, Transportation Planner at 904 209-0753*
- 7. Motion to adopt Resolution 2022-\_\_\_\_\_**, authorizing the **notice required by Section 336.10, F.S., for a Public Hearing on October 18, 2022 at 9:00 am or at a date and time as soon thereafter as possible to hear a request to vacate portions of the Rights-of-Way of Lightsey Road Extension (VACROA 2022-09 Arbors at Lightsey Crossing)**. *For more information, contact Jeffrey Petrie, Engineer at 904 209-0672*

8. Motion to adopt Resolution 2022-\_\_\_\_\_, authorizing the notice required by Section 336.10, F.S., for a Public Hearing on October 18, 2022, at 9:00 am 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 of Roberts Road at its intersection with County Road 244 (VACROA 2018-05 Roberts Road Aberdeen CDD)**. *For more information, contact Dick D'Souza, Chief Engineer at 904 209-0792*
9. Motion to adopt Resolution 2022-\_\_\_\_\_, approving the terms, conditions, provisions, and requirements of a **Maintenance and Hold Harmless Agreement with Elm Creek Homeowners Association, Inc.** regarding concrete pavers within the Elm Creek Drive right-of-way; authorizing the County Administrator, or designee, to execute the agreement on behalf of the County. *For more information, contact Greg Caldwell, Director of Public Works at 904 209-0266*
10. Motion to adopt Resolution 2022-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of a **Utility Work by Highway Contractor (UHWC) agreement between the Board of County Commissioners of St. Johns County, Florida and the Florida Department of Transportation** relating to the financial project number 445546-1-52-01 and of a Three Party Escrow Agreement; and authorizing the Chair to execute the agreements on behalf of the County. *For more information, contact Colin Groff, Utility Director at 904 209-2703*
11. Motion to adopt Resolution 2022-\_\_\_\_\_, authorizing the County Administrator, or his designee, to **award RFP No. 22-10R; Management and Operations of St. Johns County Transit System to St. Johns County Council on Aging, Inc.**, as the highest ranked Respondent, and to execute a contract in substantially the same form and format as attached hereto for performance of the work. *For more information, contact Jaime Locklear, Asst Director, Purchasing at 904 209-0158*
12. Motion to authorize the **transfer of \$1,750,000 from General Fund Reserves toward the Purchase and Sale Agreement Deposit for the Deep Water Access Property**. *For more information, contact Jesse Dunn, Director, Office of Management at 904 209-0568*
13. Motion to adopt Resolution 2022-\_\_\_\_\_, amending the **St. Johns County Fee Schedule for services provided by St. Johns County Departments for Fiscal Year 2023**. *For more information, contact Devin Cousins, Senior OMB Analyst at 209-0569*
14. **Motion to approve the write-off of the following delinquent accounts receivable accounts, effective September 30, 2022:** 3,881 EMS accounts totaling \$1,556,805.72; 338 Utility Service accounts totaling \$215,466.21; CBC accounts totaling \$4,170.00 and the Clerk of the Court items totaling \$574,289.98 *For more information, contact Devin Cousins, Senior OMB Analyst at 209-0569*
15. Motion to adopt Resolution 2022-\_\_\_\_\_, approving the **memorandum of understanding authorizing St. Johns County access to the Florida Department of Highway Safety and Motor Vehicles Driver and Vehicle Information Database (DAVID)**. *For more information, contact Lilian Hutchinson, Director, Human Resources at 904 827-6886*

16. Motion to adopt Resolution 2022-\_\_\_\_\_, 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 2021 on behalf of the County. *For more information, contact Robert A. Hardwick, Sheriff at 904 810-6602*
17. Motion to adopt Resolution 2022-\_\_\_\_\_, approving the terms, conditions, and requirements of **Amendment #29 to the Community Based Care contract NJ206 between St. Johns County, Florida and the State of Florida, Department of Children and Families**, which updates some performance measures and inserts the Schedule of Funds dated 07/01/2022, for State Fiscal Year 2022-2023, and recognizing and appropriating an associated \$1,711,625.00 within the County Fiscal Year 2022 Community Based Care Fund. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
18. Motion to adopt Resolution 2022-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of the **contract between the Board of County Commissioners of St. Johns County and the State of Florida Department of Health for operation of the St. Johns County Health Department** to provide environmental health services, communicable disease control services and primary care services from October 1, 2022 through and until September 30, 2023; and authorizing the Chair to execute the contract on behalf of the County. *For more information, contact Jake Quigley, CHD Business Manager at 904 506-6111*
19. Motion to adopt Resolution 2022-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of the **Florida State Aid to Libraries grant agreement** and authorizing the Chair of the Board of County Commissioners to execute the agreement substantially in the same form as attached. *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6926*
20. Motion to adopt Resolution 2022-\_\_\_\_\_, 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*
21. Motion to adopt Resolution 2022-\_\_\_\_\_, authorizing the County Administrator or his designee to execute a contract in substantially the same form of the attached **contract between St. Johns County, Florida, and St. Johns County Chamber of Commerce for the purpose of promoting economic development within St. Johns County.** *For more information, contact Jennifer Zuberer, Project Manager at 904 209-0560*
22. Motion to adopt Resolution 2022-\_\_\_\_\_, authorizing the **submission of a suggested long-range budget plan to the Florida Department of Environmental Protection (FDEP) in connection with the South Ponte Vedra and Vilano Beach Coastal Storm Risk Management Project** and authorizing the County Administrator, or his designee, to execute any necessary agreements with FDEP concerning the South Ponte Vedra and Vilano Beach Coastal Storm Risk Management Project. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*



23. Motion to adopt Resolution 2022-\_\_\_\_, authorizing the **submission of a suggested long-range budget plan to the Florida Department of Environmental Protection (FDEP) in connection with the South Ponte Vedra Dune Restoration Project** and authorizing the County Administrator, or his designee, to execute any necessary agreements with FDEP concerning the South Ponte Vedra Dune Restoration Project. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
24. Motion to adopt Resolution 2022-\_\_\_\_, authorizing the **submission of a suggested long-range budget plan to the Florida Department of Environmental Protection (FDEP) in connection with the St. Johns County Shore Protection Project** and authorizing the County Administrator, or his designee, to execute any necessary agreements with the FDEP concerning the St. Johns County Shore Protection Project. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
25. Motion to adopt Resolution 2022-\_\_\_\_, approving the terms, conditions, and requirements of a **grant agreement with the Florida Division of Emergency Management** in the amount of \$ 90,380.00 through the Emergency Management Preparedness Grant, authorizing the County Administrator or his designee to execute the grant agreement on behalf of the County, and recognizing and appropriating within the FY 2023 General Fund Emergency Management Department. *For more information, contact Joseph Giammanco, Director at 904 824-5550*
26. Motion to approve **minutes:**
- 09/06/22, BCC Regular
  - 09/06/22, BCC Special