

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst
District 2 - Sarah Arnold
District 3 -
District 4 - Krista Joseph
District 5 - Henry Dean



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

Hunter S. Conrad, County Administrator
David Migut, County Attorney

Tuesday, November 15, 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
- ❖ Proclamation Recognizing November 2022, as National American Indian Heritage Month
- ❖ Proclamation Recognizing November 14-20, 2022, as National Apprenticeship Week
- ❖ Proclamation Recognizing November 16-18, 2022, as Entrepreneurship Week at the link
- ❖ 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: Lindsay Haga, Planning Manager, ETM, Inc.

Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 5

1. **Waiver of Time Limits, pursuant to Section 9.04.05.C for PUD 2020-04 Porter Property.** On April 19, 2022, the Board of County Commissioners denied PUD 2020-04 Porter Property PUD. The applicant is requesting to submit a new application for this property. Land Development Code Section 9.04.05.B states: Re-Application After Denial of Rezoning. Whenever the Board of County Commissioners has denied an application for the rezoning of land, no further application shall be filed for the same rezoning category of any part, or all of the same land for a period of one (1) year from the date of such action. In the event that two (2) or more applications for the same rezoning for any part or all of the same land has been denied, no further application shall be filed for the same rezoning category of any part or all of the same land for a period of two (2) years from the date of such action denying the last application filed. Section 9.04.04.C. allows for a waiver of the above time limits and states: The time limits in Sections 9.04.05.A. and 9.04.05.B. above may be waived by the affirmative vote of a majority of the Board of County Commissioners when such action is deemed necessary to prevent injustice or to facilitate proper development of the County.

Presenter: Lisa Brown, Senior Supervising Planner

- 2. *Public Hearing* * Affordable Housing Impact Fee Deferral.** First reading of proposed amendment to the Impact Fee Ordinance to provide criteria and procedure for the allowance of impact fee deferral for affordable housing projects. The Board of County Commissioners directed Growth Management and Health & Human Services staff to collaborate on the proposed amendment to facilitate the construction of affordable rental housing for low-income households. The Planning and Zoning Agency recommended approval of this amendment on November 3, 2022, with a 6-0 vote.

Presenter: Karen Taylor, Land Planner

Staff Member: Brandon Tirado, Planner

District 2

- 3. *Public Hearing* * REZ 2022-14 Cracker Swamp Properties.** Request to rezone approximately 88.06 acres of land from Residential General (RG-2) and Commercial General (CG) to Open Rural (OR). The Planning and Zoning Agency recommended approval with a 5-0 vote at its October 6, 2022, regular meeting.

Presenter: Karen Taylor, Land Planner

Staff Member: Brandon Tirado, Planner

District 2

- 4. *Public Hearing* * CPA(SS) 2022-13 Cracker Swamp Commercial.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 8.02 acres of land from Agricultural-Intensive (A-I) to Rural Commercial (RC). The Planning and Zoning Agency recommended approval with a 5-0 vote at its October 6, 2022, regular meeting.

Presenter: Scott Clay, Applicant

Staff Member: Brandon Tirado, Planner

District 2

- 5. *Public Hearing* * CPA(SS) 2022-12 8465 County Road 208.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 1.12 acres of land from Rural/Silviculture (R/S) to Residential-A (Res-A) to allow construction of a single-family dwelling unit. The Planning and Zoning Agency recommended approval with a 5-0 vote at its October 6, 2022, regular meeting.

Presenter: Terry Pacetti, Applicant

Staff Member: Evan Walsnovich, Planner

District 3

- 6. *Public Hearing* * REZ 2022-15 2890 Hilltop Road.** Request to rezone approximately .73 acres of land from Commercial Highway and Tourist (CHT) to Residential, Manufactured/Mobile Home or Single-Family (RMH-S). The Planning and Zoning Agency recommended approval with a 5-0 vote at its October 6, 2022, regular meeting.

Presenter: James G. Whitehouse, Esq., St. Johns Law Group
Staff Member: Kelly Schley, Application Review Supervisor

District 2

7. **Public Hearing * NZVAR 2022-10 Howard Family Non-Zoning Variance.** Request for a Non-Zoning Variance to Land Development Code Section 5.01.01.C, for relief from subdivision platting regulations and to Section 6.02.06.B.1(b), requiring the applicant to pay into the County's sidewalk fund at the current rate. The property fronts County Road 13 N and is proposed to be divided into three residential lots.

Presenter: Christina Evans
Staff Member: Jeffrey Petrie, Engineer

District 3

8. **Public Hearing * VACROA 22-08 Columbus Street (Spanish Forest) - Public Hearing to vacate a portion of Columbus Street and of Woodlawn Street.** The applicant has requested the vacation of a portion of Columbus Street between the unopened ROW of Woodlawn Street to the west and the Florida East Coast Railway, LLC. ROW to the East, and a portion of Woodlawn Street between the unopened ROW of Columbus Street to the north and the southern boundary of the Antonio Huertas Grant Subdivision. Based on staff's review, no party will be unreasonably affected by the requested.

Presenter: Douglas N. Burnett, Esq., St. Johns Law Group
Staff Member: David Suarez, Engineer

District 3

9. **Public Hearing * VACROA 2022-04 - Public Hearing to vacate a portion of unopened Rosewood Street right-of-way.** The applicant has requested the vacation of a portion of unopened Rosewood Street right-of-way. The right-of-way vacation being requested is located immediately adjacent to Seashore Avenue, west of A1A South. Based on staff's review thus far, traffic patterns will not be negatively impacted, and no party will be unreasonably affected by the requested vacation.

Presenter: Meagan Perkins
Staff Member: Jeffrey Petrie, Engineer

District 3

10. **Public Hearing * VACROA 2022-09 - Public Hearing vacating a portion of unopened right-of-way of Lightsey Road Extension north of Lightsey Road Extension and east of Plantation Lake Drive.** The applicant has requested the vacation of an unopened/unimproved right-of-way of Lightsey Road Extension north of Lightsey Road Extension and east of Plantation Lake Drive. Based on staff's review thus far, existing traffic patterns will not be negatively impacted.

Presenter: James G. Whitehouse, Esq., St. Johns Law Group
Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 1

11. **Public Hearing * PUD 2022-15 Katepally Family Community Commercial.** Request to rezone approximately 7.1 acres from Open Rural (OR) to Planned Unit Development (PUD) to allow up to 84,000 square feet of non-residential uses, RV/Boat Storage, and Personal Property Mini-warehouse facility. The Planning and Zoning Agency recommended approval with a 5-0 vote at its October 6, 2022, regular meeting. There was no public discussion.

Presenter: Katie Diaz, Director, Facilities Management

District 4

- 12. Mickler's Wharf Structural Analysis Update.** At the July 19, 2022, Board of County Commissioners ("Board") meeting, staff provided information on anticipated operations and maintenance costs associated with a request by PV Greenway Alliance, Inc. that the County accepts conveyance of Mickler's Wharf. By consensus, the Board directed staff to facilitate a structural analysis to determine the cause of observed issues with the Wharf. The analysis has since been completed, including two options for remedial repairs, should the Board choose to accept the conveyance. A copy of the analysis is attached to this agenda item, as is a copy of the existing license agreement for the wharf with PV Greenway Alliance, Inc. Staff requests direction on the request to accept conveyance of Mickler's Wharf and any remedial work to be performed, if conveyance is accepted.

Presenter: Adam Tecler, Grants & Legislative Development Manager

- 13. Consider the proposed 2023 St. Johns County Legislative Action Plan and Top Three Legislative Priorities.** The St. Johns County Legislative Action Plan is a focused list of priorities for which the County requests financial assistance and other support from our State and Federal representatives. County Administration presents a list of recommended items from County staff, constitutional officers, and other external partners for the Board to consider adopting as the 2023 Legislative Action Plan. The approved Legislative Action Plan is subsequently presented to the public and submitted to the County's Legislative Delegation for consideration prior to the next legislative session. In addition, the Northeast Florida Regional Council (NEFRC) requests that all member counties adopt three top legislative priorities that most significantly represent the critical needs and concerns for incorporation in a regional legislative priority guide. The NEFRC Legislative Committee subsequently compiles the submitted issues and identifies regional priorities for the 2023 Legislative Session. The guide is then submitted to the region's State and Federal elected officials.

Presenter: Jesse Dunn, Director, OMB

- 14. St. Johns County, Florida Special Obligation Revenue Note Series 2022A and Amendment to Master Purchase Agreement with Motorola Solutions, Inc.** On October 4, 2022, the St. Johns County Commission directed staff to assemble a finance team to pursue short-term financing to purchase replacement radios for the County's existing 800 megahertz interoperable radio system. Both the County's Fire Rescue and Sheriff's Office require replacement radios and associated computer aided dispatch in order to respond to emergencies, and collaborate with other public agencies for the protection of citizens. The County's financial advisor received nine responses from their financing solicitation and the financing team recommends the proposal from Truist Bank to provide the County with a five-year term to finance costs of the radio equipment. The November 15, 2022 agenda item provides consideration of a resolution of the Board of County Commissioners, authorizing the issuance of the St. Johns County, Florida Special Obligation Revenue Note, Series 2022A pursuant to such loan agreement in the aggregate principal amount not to exceed \$13,000,000; authorizes the repayment of such series 2022A note from a covenant to budget and appropriate legally available non-ad valorem revenues, and provides delegation for the authorization, execution, and delivery of the loan agreement. In addition, staff is requesting the Commission to authorize the County Administrator, or designee, to execute Amendment 2 to the Master Purchase Agreement with Motorola, in the amount of \$14,716,774. Here, the Finance Team seeks the Board's approval of this resolution, which includes the required supplemental documents (attached hereto and incorporated herein as Exhibits A-C. For the Board's convenience in reviewing, each of the exhibits are titled/described below: Exhibit A: General Description of the Project; Exhibit B: Proposal of Truist Bank Exhibit; C: Form of Loan Agreement

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

- 15. Consider appointments to the Recreation Advisory Board.** Currently, there is one (1) vacancy on the Recreation Advisory Board. This vacancy is due to an expired term. A vacancy ad was placed and ran for (30) days. Please find attached for your review and consideration a recommendation letter from the Recreation Advisory Board and five (5) applications: Edwin Encarnacion Dist. 2, John Eaton, Dist. 3, Tracey Deuschle-Burke, Dist. 3, Harold Dockins Sr. Dist. 5, Nicholas Primrose, Dist. 5.

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

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District 3 - Paul M. Waldron
District 4 - Jeremiah R. Blocker
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BOARD MEETING AGENDA

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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 Rivertown - Whistling Straits Drive - Phase 3.** *For more information, contact Tayler Howe, Application Review Supervisor at 904 209-0603*
- 3. Motion to adopt Resolution 2022-_____**, approving the final **plat for St. Augustine Lakes - Phase 1C.** *For more information, contact Tayler Howe, Application Review Supervisor at 904 209-0603*
- 4. Motion to adopt Resolution 2022-_____**, approving the **final plat for Terra Pines South Phase One-B.** *For more information, contact Tayler Howe, Application Review Supervisor at 904 209-0603*
- 5. Motion to adopt Resolution 2022-_____**, approving the **final plat for Arbors at Lightsey Crossing Phases 1 and 2.** *For more information, contact Tayler Howe, Application Review Supervisor at 904 209-0603*
- 6. Motion to adopt Resolution 2022-_____**, to approve the **2022 update to the St Johns County's Title VI plan for the public transportation system**, in compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and the guidance of FTA Circular 4702.1b. *For more information, contact Rachel Garvey, Transit Grants Specialist at 904 209-0630*
- 7. Motion to approve the Riser's Ranchettes School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-09).** *For more information, contact Victoria Kutney, Transportation Planner at 904 209-0753*
- 8. Motion to adopt Resolution 2022-_____**, accepting the third 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 904 209-0770*

9. Motion to adopt Resolution 2022-_____, accepting a **Bill of Sale and Schedule of Values, Final Release of Lien and Warranty associated with the water and sewer systems to serve A-A-A Storage SR 16 located off State Road 16.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
10. Motion to adopt Resolution 2022-_____, accepting an **Easement for Utilities and a Warranty associated with the water system to serve Gate Express Car Wash #7019 at World Commerce Center located off State Road 16.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
11. Motion to adopt Resolution 2022-_____, accepting a **Bill of Sale and Schedule of Values, Final Release of Lien and Warranty associated with the water system to serve Salt N Sand Carwash located off Old Moultrie Road.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
12. Motion to adopt Resolution 2022-_____, accepting **two Easements for Utilities associated with the water system to serve 7849 County Road 13 North.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
13. Motion to adopt Resolution 2022-_____, accepting a **Bill of Sale and Schedule of Values, Final Release of Lien and Warranty associated with the water and sewer systems to serve Palencia Pet Clinic located off U.S. Highway 1.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
14. Motion to adopt Resolution 2022-_____, accepting a **Grant of Easement and Temporary Construction Easements from property owners to St. Johns County for the Summer Haven North Stormwater Drainage Project along Old A1A.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
15. Motion to adopt Resolution 2022-_____, accepting **Temporary Construction Easements from property owners to St. Johns County for the Calle de Leon road realignment project located off Old Moultrie Road.** *For more information, contact Gail Oliver, Director, Land Management Systems at 904 209-0770*
16. Motion to adopt Resolution 2022-_____, authorizing the **Chair of the Board to join in the execution of a Sovereignty Submerged Lands Easement across lands within Wildwood Creek at its culvert crossing with Wildwood Drive.** *For more information, contact Gail Oliver, Director, Land Management Systems at 209-0770*
17. Motion to adopt Resolution 2022-_____, approving the terms and conditions of a **Purchase and Sale Agreement for the acquisition of a 60 foot strip of property off State Road 207, west of I-95,** and authorizing the County Administrator, or designee, to execute the agreement on behalf of the County. *For more information, contact Gail Oliver, Director, Land Management Systems at 209-0770*

18. Motion to adopt Resolution 2022-_____, approving the terms and conditions of the **Agreement between the County and Seagate at St. Augustine Homeowners' Association, Inc. in connection with certain drainage improvements** in the Seagate Subdivision and authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0268*
19. Motion to adopt Resolution 2022-_____, authorizing the County Administrator or designee to execute the attached **Design-Build Agreement with STG Contracting Group Inc., to complete Phase I of the Design-Build for the New County Branch Library** located at 315 Meadowlark Lane, St. Augustine, FL 32092 for a not-to-exceed amount of \$678,724.09, and to negotiate a GMP Amendment for presentation to the Board for completion of Phase II. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
20. Motion to adopt Resolution 2022-_____, authorizing the County Administrator, or designee, to **finalize negotiations and execute a contract, in substantially the same form and format as attached, with Corporate Health, LLC dba PATH, for performance of medical evaluation services for SJC Fire Rescue personnel**, for the duration of the contract, unless earlier terminated. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
21. Motion to adopt Resolution 2022-_____, authorizing the County Administrator, or designee, to **piggyback the Florida Sheriffs Association FSA22-VEH20.0 contract, to execute and issue a purchase order for ten (10) cutaway buses**, for the total purchase price of \$1,257,930.00, and to approve a transfer in the amount of \$20,806 from Transit Fund reserves. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
22. 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 18.1 and Florida Statute 274. *For more information, contact Jaime Locklear, Asst. Director Purchasing & Contracts at 904 209-0158*
23. Motion to approve the **Fiscal Year 2022 end-of-year fund reserve transfers** per the attached schedule to ensure fiscal year-end positive account balances per the Administrative Code. *For more information, contact Devin Cousins, Senior OMB Analyst at 904 209-0569*
24. Motion to approve **Phase 3 of the St. Johns County American Rescue Plan Act** in the amount of \$10,743,934. *For more information, contact Jesse Dunn, Director at 904 209-0568*
25. Motion to adopt Resolution 2022-_____, authorizing the County Administrator, or his designee, to **submit a Local Assistance and Tribal Consistency Fund application to the Treasury, and to recognize and appropriate \$100,000 in Federal funds within the Fiscal Year 2023 Economic Development budget.** *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*

26. Motion to adopt Resolution 2022-_____, to create the **Infrastructure Sales Tax Advisory Committee and establish bylaws.** *For more information, contact Christine Valliere, Senior Assistant County Attorney at 904 209-0805*
27. Motion to adopt Resolution 2022-_____, approving the terms, conditions, and requirements of the **Agreement between St. Johns County, Florida and SMA Healthcare, 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*
28. Motion to approve a budget **transfer of \$41,000 from Recreation Facilities Temporary Employees to Recreation Programs Temporary Employees.** *For more information, contact Ryan Kane, Director at 904 209-0324*
29. Motion to adopt Resolution 2022-_____, providing **one-time funding in the amount of \$120,000 to St. Johns County Parks Foundation, Inc.** and to approve funding agreement with St. Johns County Parks Foundation, Inc. *For more information, contact Ryan Kane, Director at 904 209-0324*
30. Motion to adopt Resolution 2022-_____, approving the **Library's Annual Plan of Service 2022-2023**, as required by the State Library of Florida in order to receive annual State Aid to Libraries Grant funding. *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6926*
31. Motion to adopt Resolution 2022-_____, authorizing the County Administrator, or designee, to execute **agreements between St. Johns County Board of County Commissioners and the State of Florida Division of Emergency Management for Hurricane Ian.** *For more information, contact Joseph Giammanco, PhD, Director, Emergency Management at 904 824-5550*
32. Motion to adopt Resolution 2022-_____, approving the terms and conditions of an **Agreement with the FDEP for the funding cost share of the construction of a future Ponte Vedra Beach North Beach and Dune Restoration project**, and authorizing the Chair, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
33. **Motion to approve minutes:**
 - 11/01/2022, BCC Regular

