

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst, Chair
District 2 - Sarah Arnold, Vice-Chair
District 3 - Roy Alaimo
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, January 17, 2023, 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
- ❖ Ceremonial Oath of Office for District 3 Commissioner Roy Alaimo
- ❖ 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
- ❖ Public Comment Time Certain from 11:30 AM – 12:00 PM

Presenter: James G. Whitehouse, Esq., St. Johns Law Group

Staff Member: Justin Kelly, Senior Planner

District 3

1. **Public Hearing * COMPAMD 2022-05 Colonel Hinman Intermodal Exchange Facility (CHIEF).** Request for a Large-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 214.13 acres of land, located at 2775 County Road 214, from Residential-B (Res-B) to Industrial (I) with a text amendment prohibiting Heavy Industrial uses on the subject property. This request was heard before the Planning and Zoning Agency at their regularly scheduled public hearing on January 5, 2023. A motion to recommend Transmittal of the Comprehensive Plan Amendment was made by the Agency; however, the motion failed to receive a majority vote and resulted in a 2-2 tie. Pursuant to Section 8.01.03.B of the Land Development Code, each decision of the Planning and Zoning Agency must be approved by a majority vote of the members present at a meeting in which a quorum is in attendance and voting. Failure to receive a majority vote of members present shall act as a denial of the application, appeal, or other matter that is before the PZA. No further motions were proffered by the Agency.

District 3

2. **Public Hearing * REZ 2022-18 Colonel Hinman Intermodal Exchange Facility (CHIEF).** Request to rezone approximately 214.13 acres of land from Open Rural (OR) to Industrial Warehousing (IW) to allow for a proposed intermodal distribution facility. This request was heard before the Planning and Zoning Agency at their regularly scheduled public hearing on January 5, 2023. No action was taken by the Agency on this item given the technical denial of the companion Comprehensive Plan Amendment (COMPAMD 2022-05).

Presenter: Gary Davenport
Staff Member: Evan Walsnovich, Planner

District 3

- 3. *Public Hearing* * CPA(SS) 2022-14 Kings Estate Road.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 3.89 acres of land from Residential-C (Res-C) to Mixed Use District (MD). This request was heard by the Planning and Zoning Agency on November 17, 2022, and recommended for approval with a vote of 4-2.

Presenter: Christina Evans, Matthews Design Group
Staff Member: Saleena Randolph, Planner

District 3

- 4. *Public Hearing* * REZ 2022-20 Hilltop Estates.** Request to rezone approximately 4.57 acres of land from Open Rural (OR) to Residential, Single Family (RS-3). The subject property is located at 2765 Hilltop Road. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on December 15, 2022, and voted to recommend approval with a vote of 5 to 0.

Presenter: Michael Iannella
Staff Member: Sloane Stephens, Planner

District 5

- 5. *Public Hearing* * REZ 2022-24 2885 Coastal Highway.** Request to rezone approximately .43 acres of land from Commercial Highway Tourist (CHT) to Residential, Single Family (RS-3). The item was heard at PZA on December 1, 2022. The item was recommended for approval with a vote of 6-0.

Presenter: Kathryn Whittington, Esq.
Staff Member: Brandon Tirado, Planner

District 2

- 6. *Public Hearing* * MAJMOD 2022-08 Six Mile Creek PUD (Six Mile Creek North) - Tract 20.** Request for a Major Modification to the Six Mile Creek PUD (ORD. 1991-37, as amended) revising the Master Development Plan Map (Map H) to remove the "Environmental Preservation" designation on Tract 20 of Six Mile Creek North, and allow one (1) single-family residential unit. This request was heard by the Planning and Zoning Agency on December 15, 2022, and was recommended for approval with a vote of 4 to 1.

Presenter: Mike Adams, Chair, Land Acquisition and Management Program Conservation Board

Staff Member: Ryan Mauch, Environmental Supervisor

- 7. Land Acquisition and Management Program Conservation Board Property Evaluation Form for Consideration for Approval by the Board of County Commissioners.** The Land Acquisition and Management Program (LAMP) Ordinance 2021-38 requires the LAMP Conservation Board to develop a process for the evaluation of property for acquisition that includes selection criteria and ranking matrices to be approved by the Board of County Commissioners (Board). The LAMP Conservation Board has developed such a process which resulted in the Property Evaluation Form for Board approval.

Presenter: Dick D'Souza, Chief Engineer

- 8. 2023 Roadway and Transportation Alternatives List of Priority Projects (LOPP).** The Florida Department of Transportation (FDOT) and the North Florida Transportation Planning Organization (TPO) request project priorities from local governments for potential funding of new transportation projects to be considered for inclusion in the new fiscal year of FDOT's Work Program. This is an annual recurring request sent to local governments. The St. Johns County Board of County Commissioners is charged with prioritizing all projects within the County, including those within municipal boundaries. The Transportation Advisory Group (TAG), consisting of County staff, representatives of the City of St. Augustine, St. Augustine Beach, St. Johns County School District, St. Johns County Sheriff's Office, the St. Augustine-St. Johns County Airport Authority, and citizens met on November 18, 2022, to review last year's priorities and recommend this year's priorities. The attached LOPP includes TAG's recommendations for both highway and alternative projects.

Presenter: Joseph Cone, Assistant Director, Health and Human Services

- 9. Informational Presentation: Public Housing Authority.** At the August 2, 2022 meeting of the St. Johns County Board of County Commissioners, the Board requested an informational presentation regarding the potential implementation of a Public Housing Authority (PHA) in response to a request from citizens in the community. The presentation summarizes the objectives of a PHA and provides an outline of the process for creating a PHA should the Board be interested in taking action to approve the request.

Presenter: Joseph Giammanco, PhD, Director, Emergency Management

- 10. Hurricane Nicole recovery funding request.** Hurricane Nicole inflicted severe impacts on the State of Florida, resulting in a presidential declaration for federal assistance in categories A through G of FEMA's Public Assistance Program. As part of the initial recovery process, the County took the necessary actions to save lives, protect public health and safety, and prevent damage to improved public health and safety, and prevent damage to improved public property. It is estimated that FEMA will reimburse up to 75% of eligible expenditures, and the State will reimburse up to 12.5% of eligible expenditures, leaving St. Johns County to fund the remaining 12.5% (with some exceptions).

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

- 11. Consider election of a BCC member to the Value Adjustment Board and election of the Chair of the Value Adjustment Board.** Florida Statute 194.015 and Chapter 12D-9.004 Florida Administrative Code requires that the Board of County Commissioners elect two members from their membership to serve on the Value Adjustment Board (VAB). One of the members elected shall also be elected chair of the VAB. This item is to elect a successor for Commissioner Paul Waldron as the new Chair of the Value Adjustment Board.
- 12. Consider appointments to the Cultural Resource Review Board.** This item is to consider the appointments of two (2) of the three (3) existing vacancies on the Cultural Resource Review Board (CRRB) due to the expired terms of Janet Jordan and Emily Murray, and the resignation of Nancy Mock. A vacancy ad was placed and ran for (6) weeks resulting in the receipt of two applications meeting the required minimum qualifications. Please see for your review and consideration, a recommendation letter and (2) applications; Schjelderup, Susan Dist. 4 and Jordan, Janet Dist. 5.
- 13. Consider appointments to the Contractors Review Board.** This item is to consider the appointments of three (3) of the four (4) existing vacancies on the Contractors Review Board due to expired terms and one removal for absenteeism. These vacancies were advertised for (4) months. The vacancies are required to be filled by a licensed certified or registered AC/Heating Contractor, a certified or registered Roofing Contractor and one citizen with no contractor industry involvement. Please find attached for your review and consideration (7) applications and a letter of recommendation from the Contractors Review Board; Russell Scott Dist. 1, Dick Pittman Dist. 2, Wade Taylor Dist. 3, Kirk Blevins Dist. 3, Donald Rehberg Dist. 4, Scott Lilley Dist. 4, Amber Reeder Dist. 5.

Presenter: Hunter S. Conrad, County Administrator

- 14. State of the County Presentation.** The 2022 State of the County will be presented to the Board, highlighting County accomplishments throughout the year.

- ❖ Public Comment
- ❖ Commissioners' Reports
- ❖ County Administrator's Report
- ❖ County Attorney'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 904 819-3622*
2. Motion to adopt Resolution 2023-_____, approving the **final plat for Mill Creek Forest Phase 5**. *For more information, contact Tayler Howe, Application Review Supervisor at 904 209-0603*
3. Motion to adopt Resolution 2023-_____, approving the **final plat for Preserve at Bannon Lakes Phase 2D**. *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
4. Motion to adopt Resolution 2023-_____, approving the **final plat for Coral Ridge at Nocatee Phase 1**. *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
5. Motion to approve the **Integra State Road 16 School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-08)**. *For more information, contact Victoria Kutney, Transportation Planner at 904 209-0753*
6. Motion to approve the **Rise SR 207 PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-12)**. *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
7. Motion to approve the Amended and Restated **Ferber State Road 16 PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-06)**. *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
8. Motion to adopt Resolution 2023-_____, authorizing the County Administrator to execute the **Impact Fee Credit Agreement with U-Haul Co Florida (IFA 2022-01) establishing a total road impact fee credit of \$380,000.00**. *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
9. Motion to adopt Resolution 2023-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Lease Agreement with the St. Augustine South Improvement Association on behalf of St. Johns County**. *For more information, contact Corey Bowens, Interim Director, Land Management at 904 209-0776*

10. Motion to adopt Resolution 2023-_____, accepting a **Bill of Sale, Schedule of Values, and Warranty associated with the water and sewer systems to serve Culver's Restaurant (Phase 1A)** located off Highway U.S. 1 South. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
11. Motion to adopt Resolution 2023-_____, accepting an **Easement for Utilities, Bill of Sale and a Warranty associated with the water and sewer systems to serve Sawgrass Country Club** located off Ponte Vedra Boulevard. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
12. Motion to adopt Resolution 2023-_____, accepting a **Bill of Sale and Schedule of Values, Final Release of Lien and Warranty associated with the water and reuse systems to serve Wendy's Beachwalk** located off County Road 210 W. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
13. Motion to adopt Resolution 2023-_____, accepting a **Bill of Sale and Schedule of Values, Final Release of Lien, and Warranty associated with the offsite water main to serve Grand Oaks** located off State Road 16. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
14. Motion to adopt Resolution 2023_____, authorizing the Chair of the Board, on behalf of the County, to execute and deliver to the State of Florida Department of Transportation a **Temporary Easement conveying easement rights over a portion of County Road 208 and Agricultural Center Drive.** *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
15. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to **submit a grant application to the Environmental Protection Agency for the Solid Waste Infrastructure for Recycling Grant Program for the maximum award amount of \$4,000,000.** *For more information, contact John Benton, Solid Waste Manager at 904 827-6982*
16. Motion to adopt Resolution 2023-___, approving the terms, conditions, provisions, and requirements of the **First Amendment to Cost Participation Agreement No. 2 for Construction and Operation and Maintenance of the Black Creek Water Resource Development Project** between St. Johns County and the St. Johns River Water Management District; and authorizing the County Administrator, or designee, to execute the First Amendment on behalf of the County. *For more information, contact Colin Groff, Utility Director at 904 209-2703*
17. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee, to **award Bid No. 23-02; Installation of Forcemain from Wildwood Dr. to Lightsey Rd to D.B.E. Management, LLC DBA DBE Utility Services,** 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. 23-02, for a total lump sum cost of \$2,590,000.00. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
18. Motion to approve the **transfer of \$19,255 from the Communication Surcharge Fund Reserve** to purchase two control base stations for access to the Statewide Law Enforcement Radio System. *For more information, contact Jesse Dunn, Director, OMB at 904 209-0568*

19. Motion to adopt Resolution 2023-_____, authorizing the County Administrator to execute a **second addendum to American Rescue Plan Act Subrecipient Subaward Funding Agreement** by and between St. Johns County and the St. Johns County Sheriff's Office and allocate \$1,250,000 of appropriation from the American Rescue Plan Act funding to the St. Johns County Sheriff's Office. *For more information, contact Jesse Dunn, Director, OMB at 904 209-0568*
20. Motion to approve a **transfer of \$10,000 from the Law Enforcement Trust Fund to the Sheriff's Office for use in accordance with section 932.7055, F.S.**, to offset the cost of annual FBI National Academy training. *For more information, contact Robert A. Hardwick, Sheriff at 904 810-6602*
21. Motion to adopt Resolution 2023-_____, approving the **St. Johns County Five Year Transportation Plan for years 2023- 2028 and to proceed with submission to the Florida Department of Children and Families for final approval by the Secretary of the Florida Department of Children and Families.** *For more information, contact Shawna Novak, Director of Health and Human Services at 904 209-6089*
22. Motion to adopt Resolution 2023-_____, approving the terms, conditions, provisions, and requirements of **Amendment of Contract #1939 between the Florida Department of Agriculture and Consumer Services, Florida Forest Service, and St. Johns County providing for the establishment and maintenance of fire protection of forest and wild lands within the County**, and authorizing the County Administrator, or designee, to execute the amendment on behalf of the County. *For more information, contact Jeremy B. Robshaw, Chief Administrative Services at 904 209-1750*
23. Motion to adopt Resolution 2023-_____, **recognizing and appropriating \$12,000 from the State of Florida Division of Emergency Management Urban Search and Rescue Sustainment grant** authorizing the County Administrator, or designee to execute and submit necessary forms and agreements, and certifying the funds will be used for the improvement and enhancement of urban search and rescue operations for St. Johns County. *For more information, contact Jeremy Robshaw, Chief Admin Services at 904 209-1750*
24. Motion to adopt Resolution 2023-_____ approving **Michael McCabe of McCabe & Ronsman as attorney authorized to represent the St. Johns County Industrial Development Authority.** *For more information, contact Jennifer Zuberer, Project Manager at 904 209-0560*
25. Motion to adopt Resolution 2023-_____, **rescinding Resolution 2022-437, and 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*
26. Motion to adopt Resolution 2023-_____, approving the terms and conditions, and authorizing the Chair to execute the **memorandum of agreement between the Bureau of Ocean Energy Management of the Department of the Interior, the Department of the Army and St. Johns County** regarding the use of outer continental shelf sand resources in substantially the form attached for the St. Johns County Shore Protection Project at St. Augustine Beach. *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*

27. Motion to adopt Resolution 2023-_____, approving and authorizing the County Administrator, or designee, to submit a **Land and Water Conservation Fund program grant** on behalf of St Johns County Parks and Recreation Department for Mussallem Park. *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*
28. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee, to submit an **Energy Efficiency and Conservation Block Grant (EECBG) program application to the Department of Energy, and to recognize and appropriate \$275,490 in unanticipated Federal funds within the Fiscal Year 2023 Public Works budget.** *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*
29. Motion to adopt Resolution 2023-_____, approving and authorizing the County Administrator, or designee, to submit an **application for the Florida Beverage Association's Community Organization Grant Program** on behalf of St. Johns County Grants and Legislative Affairs Office for a community garden project. *For more information, contact Adam Tecler, Grants and Legislative Development Manager at 904 209-0545*
30. Motion to adopt Resolution 2023-_____, approving **revisions to the St. Johns County Administrative Code**, Sections 100 and 400, and authorizing the County Administrator to implement the revised Administrative Code effective January 17, 2023. *For more information, contact Hunter Conrad, County Administrator at 904 209-0530*
31. Motion to approve **minutes:**
 - 12/20/2022, BCC Regular

