

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, April 18, 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
- ❖ Proclamation Recognizing the 30th Anniversary for Tale Tellers of St. Augustine
- ❖ Proclamation Recognizing National Poetry Month
- ❖ Proclamation Recognizing Water Conservation Month
- ❖ Certificate of Recognition for the Bartram Trail Girls Soccer Team
- ❖ 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
- ❖ Public Comment is Time Certain from 11:30 AM - 12:00 PM, or at the conclusion of the Regular Agenda, whichever occurs first

Presenter: Douglas N. Burnett, St. Johns Law Group
Staff Member: Trevor Steven, Planner

District 3

1. **Public Hearing * CPA(SS) 2022-06 Puerta Del Sol.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 23.72 acres of land from Residential-B (Res-B) to Residential-C (Res-C). This request is a companion application to PUD 2022-19 Puerta Del Sol. This application was heard by the Planning and Zoning Agency (PZA) at a regularly scheduled meeting on 3/2/2023, and was recommended for denial with a vote of 3-3 (technical denial).

District 3

2. **Public Hearing * PUD 2022-19 Puerta Del Sol.** Request to rezone approximately 23.72 acres of land from Open Rural (OR) and Residential, Manufactured/Mobile Home (RMH) to Planned Unit Development (PUD) to allow for a single-family home, 137 townhome units, and 25,000 square feet of commercial uses. The property is located west of US-1 South and north of State Road 206. This request is a companion application to CPA(SS) 2022-06 Puerta Del Sol. This application was heard by the Planning and Zoning Agency (PZA) at a regularly scheduled meeting on 3/2/2023, and was recommended for denial with a vote of 3-3 (technical denial).

Presenter: Brad Wester, Driver McAfee Hawthorne & Diebenow

Staff Member: Saleena Randolph, Planner

District 2

3. **Public Hearing * CPA(SS) 2022-10 St. Johns Commerce Park.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 20.41 acres of land from Rural/Silviculture (R/S) and Residential-B (RES-B) to Mixed Use District (MD). The subject property is located just west of Interstate 95, on unaddressed parcels at the SW corner of EOC Drive and Agricultural Center Drive. This item was previously heard before PZA on 11/03/2022 and was continued to a date uncertain with a vote of 7 to 0. Concerns regarding the project were in reference to the proximity of the existing area uses and the incompatibility of certain proposed uses of the subject site. Other concerns were the traffic in the area, access to/from the site, and security issues. The applicant revised the proposed uses and submitted documents; the item was heard again before the PZA on 3/16/2023 and was recommended for approval with a vote of 4-1. Discussion was made regarding the traffic in the area, proposed uses of the site and existing uses of area sites.

District 2

4. **Public Hearing * PUD 2022-16 St. Johns Commerce Park.** Request to rezone approximately 40.33 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for up to 310,350 square feet of commercial/office and industrial warehouse-type uses. The subject property is located just west of Interstate 95, on unaddressed parcels at the SW corner of EOC Drive and Agricultural Center Drive. This request is a companion application to CPA(SS) 2022-10. This item was previously heard before PZA on 11/03/2022 and was continued to a date uncertain with a vote of 7 to 0. Concerns regarding the project were in reference to the proximity of the existing area uses and the incompatibility of certain proposed uses of the subject site. Other concerns were the traffic in the area, access to/from the site, and security issues. The applicant provided a revised MDP Map and Text; revisions included a change in the allowable uses, interconnectivity, setbacks, and buffering; the item was heard again before the PZA on 3/16/2023 and was recommended for approval with a vote of 4-1. Discussion was made regarding the traffic in the area, proposed uses of the site and existing uses of area sites.

Presenter: Christine Valliere, Senior Assistant County Attorney

Presenter: Beverly Frazier, Assistant Director

5. **Statutory Land Development Incentives to Promote Affordable Housing.** Discussion of new land development regulations to encourage the development of affordable housing in Senate Bill 102, known as the “Live Local Act.” The legislation includes preemption of local government authority on the zoning, density, and height for certain multi-family developments in commercial, industrial or mixed-use lands as long as 40% of the units are reserved for affordable housing. The Act also amends s. 125.01055(6) pertaining to the County’s discretionary authority to administratively approve residential development on commercial or industrial zoned property where at least 10% of the units are reserved for affordable housing.

Presenter: Ryan Kane, Director

District 4

- 6. Pablo Creek Slow Speed Minimum Wake Ordinance, First Reading.** Chapter 327.46(1)(b), Florida Statutes authorizes counties to establish certain boating-restricted areas, by ordinance, on waterways of the state, including portions of the Florida Intracoastal Waterway (ICW) within their jurisdiction, including slow speed, minimum wake boating restricted areas if such areas are within 300 feet of a bridge span presenting a vertical clearance of less than 25 feet or a horizontal clearance of less than 100 feet. The County received a written request from area residents to establish a boating-restricted area on Pablo Creek at the San Pablo Road Bridge to make boaters aware of the bridge so as to avoid navigational and safety hazards to persons and damage to property resulting from vessels traveling under and in the vicinity of the bridge. The County determined that the bridge at this area of Pablo Creek meets the criteria for a slow speed minimum wake area. Once established by ordinance, the County will post signage alerting boaters to the newly designated slow speed minimum wake area.

- ❖ 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 Stonecrest**. *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
3. Motion to adopt Resolution 2023-_____, **recognizing the \$450,000 award from the Florida Department of Environmental Protection - Resilient Florida Program** as unanticipated revenue and authorizing its appropriation and expenditure in the Fiscal Year 2023 Parks and Recreation Capital Improvement Projects Fund. *For more information, contact Westly Woodward, Principal Resiliency Planning Analyst at 904 209-0615*
4. Motion to adopt Resolution 2023-_____, **recognizing the \$421,950 award from the Florida Department of Environmental Protection - Resilient Florida Program** as unanticipated revenue and authorizing its appropriation and expenditure in the Fiscal Year 2023 Capital Improvement Transportation Trust Fund. *For more information, contact Westly Woodward, Principal Resiliency Planning Analyst at 904 209-0615*
5. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee to execute and submit **Hazard Mitigation Grant Program (HMGP) applications** to FDEM, on behalf of St. Johns County, for projects that may be eligible under DR - 4673 Hurricane Ian HMGP. *For more information, contact Westly Woodward, Principal Resiliency Planning Analyst at 904 209-0615*
6. Motion to approve the **Landing at Olde Florida School Concurrency Proportionate Share Mitigation Agreement** (CONSCA 2023-01). *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
7. Motion to adopt Resolution 2023-_____, accepting an Easement for Utilities, Final Release of Lien, Warranty and Bill of Sale and Schedule of Values associated with the water and sewer systems to serve **Valvoline Service Center located off State Road 16**. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
8. Motion to adopt Resolution 2023-_____, accepting an Easement for Utilities, Final Release of Lien, Warranty and Bill of Sale and Schedule of Values associated with the water, sewer, sewer force mains and reuse systems to serve **Beacon Lake Phase 3B** located off County Road 210 W. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*

9. Motion to adopt Resolution 2023-_____, accepting an Easement for Utilities, Final Release of Lien, Warranty and Bill of Sale and Schedule of Values associated with the water and sewer systems to serve **Waterford Lakes Phase 2** located off St. Johns Parkway. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
10. Motion to adopt Resolution 2023-_____, accepting an Easement for Utilities, Final Release of Lien, Warranty and Bill of Sale and Schedule of Values associated with the water, sewer and reuse systems to serve **Oak Grove** located off Saint Johns Parkway. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
11. Motion to adopt Resolution 2023-_____, accepting a Bill of Sale and Schedule of Values, Final Release of Lien, and Warranty associated with water, sewer and reuse systems to serve **Preserve at Bannon Lakes Phase 2C** located off International Golf Parkway. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
12. Motion to adopt Resolution 2023-_____, approving the terms and conditions of a **First Amendment to Communications Tower Lease Agreement with Celco Partnership d/b/a Verizon Wireless**, and authorizing the County Administrator, or designee, to execute the Amendment on behalf of the County. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
13. Motion to adopt Resolution 2023-_____, approving the terms of a **License Agreement for Construction Staging Area provided by Gate Petroleum Company** and ratifying its execution by the County Administrator. *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
14. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to **award 23-29; Construction Engineering and Inspection Services (CEI) to Eisman & Russo, Inc.** as the top-ranked firm and to execute a contract in substantially the same form and format as attached for completion of the work at a total price of \$1,603,704.90 *For more information, contact Jaime Locklear, Asst. Director Purchasing at 904 209-0158*
15. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee to execute contracts in substantially the same form and format as attached with the top-ranked firms in each Work Category, as provided in the Notice of Intent to Award, to perform the Work in accordance with **RFQ: 23-17; As-Needed Countywide Small Scale Construction, Renovation, Maintenance, and Repair Services.** *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
16. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee, to award **Bid No: 23-30; Palm Valley Road Sidewalk – Phase I from Landrum Lane to Canal Boulevard – FDOT FIN #450657-1-54-01 to DB Civil Construction, LLC**, 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. 23-30, for a lump sum cost of \$735,950.00. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*

17. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to work with the Design-Build Firm to finalize terms and execute a Secondary Design-Build Agreement in substantially the same form and format as attached, with **SUPERIOR Construction Company Southeast, LLC for the design, build, and post-design services of CR-210 Widening from Greenbriar Road to Cimarrone Blvd** at a Guaranteed Maximum Price of \$32,329,547.75 plus an Owner's Shared Contingency amount of \$432,000.00 for a total amount of \$32,761,547.75. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
18. Motion to adopt Resolution 2023-_____, accepting the **unsolicited proposal for consideration** and directing the County Administrator, or designee, to issue a solicitation for additional proposals for consideration in accordance with Florida Statute 255.065. *For more information, contact Jaime Locklear, Asst. Director of Purchasing at 904 209-0158*
19. Motion to declare the attachments as **surplus** and authorize the County Administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 18.1 and Florida Statute 274. *For more information, contact Jaime Locklear, Asst. Director of Purchasing at 904 209-0158*
20. Motion to adopt Resolution 2023-_____, approving the **Local Housing Assistance Plan** for fiscal years 2023-2024, 2024-2025, and 2025-2026 as required by the State Housing Initiatives Partnership Program Act. *For more information, contact Roberto Ortiz, Manager, Housing and Community Services at 904 209-0770*
21. Motion to adopt Resolution 2023-_____, approving an **amendment to the Local Housing Assistance Plan to add the Impact Fee Assistance Program strategy**, as attached and incorporated herein, for submission to the Florida Housing Finance Corporation and allocating \$150,000 from SHIP Program funds to implement the program. *For more information, contact Roberto Ortiz, Manager, Housing and Community Services at 904 209-0770*
22. Motion to adopt Resolution 2023-_____, approving the recognition and appropriation of received **FY 2023 library donations in the amount of \$18,671** amending the FY 2023 Budget. *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6931*
23. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to execute and submit **grant applications to Florida Fish and Wildlife Conservation Commission, Florida Department of Economic Opportunity, and U. S. Department of Economic Development Administration** on behalf of the County. *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*
24. Motion to adopt Resolution 2023-_____, recognizing and appropriating a **Department of a Homeland Security FEMA Grant, a State of Florida Division of Emergency Management Grant for FEMA Category B Emergency Response efforts for Hurricanes Ian and Nicole** as outlined in the attached exhibit; and to approve the transfer of reserves to provide match to the FEMA Grant program as outlined in the attached exhibit. *For more information, contact Joseph Giammanco, PhD, Director, Emergency Management at 904 824-5550*

25. Motion to adopt Resolution 2023-_____, approving the terms, conditions, and requirements of this **federally funded grant with the Florida Division of Emergency Management in the amount of \$325,402.32 from the Hazard Mitigation Grant Program**, authorizing the County Administrator or his designee to execute the grant agreement on behalf of the County and authorizing a budget transfer from the general fund of \$30,990 for expenditure by the Emergency Management Department in FY 2023. *For more information, contact Laura Nelson, Emergency Management Coordinator at 904 824-5550*
26. Motion to approve Resolution 2023-_____, authorizing the County Administrator, or Designee, to **execute a third amended Economic Development Grant Agreement updating the years Palms Professional Park would be eligible to receive grant payments** and all other dates accordingly in the agreement as amended substantially in the same form as attached with Palms Professional Park, LLC on behalf of St. Johns County. *For more information, contact Jennifer Zuberer, Project Manager at 904 209-0560*
27. Motion to approve **minutes:**
- 04/04/23, BCC Regular