

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, June 20, 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
- ❖ Fire Rescue Citizen Commendation Recognition
- ❖ Proclamation Designating July as Parks and Recreation Month
- ❖ Parks and Recreation Hall of Fame Recognition
- ❖ 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: Brandon J. Patty, Clerk of the Circuit Court and Comptroller; and Eddie Creamer, Property Appraiser

Staff Member: Jesse Dunn, Director, OMB

1. **Constitutional Officers' Fiscal Year 2024 Budget Presentations - St. Johns County Clerk of the Circuit Court and Comptroller and St. Johns County Property Appraiser.** Presentation of the Constitutional Officer's tentative budgets for Fiscal Year 2024. Under F.S. 129.03(2), on or before June 1 of each year, Constitutional Officers shall submit to the Board of County Commissioners (BCC) a tentative budget for their respective offices for the ensuing fiscal year. Since the Tax Collector is fee-based, it is not required for the Tax Collector's budget to be submitted to the BCC at this time. The Clerk of the Circuit Court and Comptroller and the Property Appraiser will each give a brief oral presentation to the BCC relative to their respective tentative budget.

Presenter: Michael P. Fleming, Brigadier General

2. **Brigadier General Michael P. Fleming to update St. Johns County Commissioners on the active role Fire Watch is taking in Northeast Florida.** As a part of its mission to end veteran suicide, The Fire Watch created the Watch Stander program, equipping community members with the skills they need to identify veterans in crisis and point them toward resources. The Fire Watch is also working hard to ensure that data is tracked by gathering data from the American Community Survey and the Florida Department of Health, and performing independent analyses, including this report on the original five county region of Northeast Florida (Baker, Clay, Duval, Nassau, and St. Johns Counties), with data partner NLP Logix.

Presenter: Blair Knighting, AICP, Kimley-Horn

Staff Member: Teresa Bishop, AICP, Planning Division Manager

District 3

3. **Public Hearing * PUD 2021-26 Mivo Multi-Family Development, Rehearing pursuant to Board of County Commissioner action on March 21, 2023.** The applicant is requesting to rezone approximately 15.7 acres of land from Open Rural (OR) to Planned Unit Development (PUD) for the development of 204 multi-family residential dwelling units. The property is located southwest of the US 1 South and Watson Road Intersection. This item was heard at the October 18, 2022 BCC meeting, and resulted in a 2-2 vote of the Commissioners. On March 21, 2023, the County Attorney recommended the item be reheard.

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

Staff Member: Saleena Randolph, Senior Planner

District 3

4. **Public Hearing * MAJMOD 2023-01 Deerpark Commerce Center.** Request for a Major Modification to the Deerpark Commerce Center PUD (Ord. 2005-91, as amended) to accommodate several changes to the Master Development Plan (MDP) Text and Map. The subject property is located at 3800 Deerpark Blvd and includes two unaddressed lots located to the north. The Planning and Zoning Agency (PZA) heard this request during their regularly scheduled public hearing on May 18, 2023. The item was recommended for approval with a vote of 5 to 0 on the condition that the applicant revises the plan to include language regarding the height of structures. Agency members discussed the wetland impacts, location, traffic, building height, and grade height. There was no public comment. The applicant has provided a revised MDP Text which defines how they plan to measure the height of the building and has requested a waiver to LDC Article XII definition of Height of Building.

Presenter: Brad Wester; Driver McAfee Hawthorne & Diebenow

Staff Member: Justin Kelly, Senior Planner

District 4

5. **Public Hearing * COMPAMD 2023-03 11280 US 1 North Self-Storage (Transmittal).** Transmittal hearing for a site-specific Text Amendment to Policy A.1.11.3 of the 2025 Comprehensive Plan to allow a Floor Area Ratio (FAR) of 110% in lieu of the required maximum of 50% in the Intensive Commercial Future Land Use Map designation to accommodate construction of a Self-Storage Facility, specifically located at 11280 US 1 North. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, May 18, 2023, and was recommended for Transmittal by a vote of 5-0.

Presenter: Katie S. Buchanan, Esq. KutakRock, LLP

Staff Member: Brandon Tirado, Planner

District 3

6. **Public Hearing * CDD AMD 2023-01 Entrada CDD.** Petition to amend the Entrada Community Development District to add approximately 131.99 acres to the District.

Presenter: Douglas N. Burnett, Esq.
Staff Member: Jeffrey Petrie, Engineer

District 5

7. **Public Hearing * VACROA 2022-11 San Sebastian Commercial - Public Hearing to vacate portions of Sartillo Street and Quitto Street.** The applicant has requested the vacation of portions of Sartillo Street and Quitto Street in the Navara Subdivision. Based on staff's review, no party will be unreasonably affected by the requested Road Vacation.

Presenter - Darren and Tracy Gowens, Applicant
Staff Member: Kelly Schley, Application Review Supervisor

District 3

8. **Public Hearing * VACPLA 2023-01 Lot 30 at St. Augustine Shores.** Request to vacate the 20' Drainage Easement shown on Lot 30, Block 189, St. Augustine Shores Unit Eight, Map Book 21, Pages 58-63. The subject property is located east of US 1 South and south of Shores Boulevard within the plat of St. Augustine Shores Unit Eight. The property is assigned an address of 164 Bilboa Drive.

Presenter - Applicant Representative for 332 Ebb Tide Court
Staff Member: Kelly Schley, Application Review Supervisor

District 5

9. **Public Hearing * VACPLA 2023-02 Lot 80 at Turtle Shores.** Request to vacate the 20' Drainage Easement shown on Lot 80, Turtle Shores West Unit Two, Map Book 30, Pages 89-94. The subject property is located west of South Ponte Vedra Boulevard and is assigned the address of 332 Ebb Tide Court. Lot 80 is within the plat of Turtle Shores West Unit Two.

Presenter: Jack and Karen Strickland, Appellant
Staff Member: Evan Walsnovich, Planner

District 2

10. **Public Hearing * PLNAPPL 2023-02 Strickland Carport.** Request to appeal the Planning and Zoning Agency (PZA) denial of Zoning Variance (ZVAR 2022-24) to allow for an existing carport to have a reduced Side Yard setback of zero (0) feet in lieu of eight (8) feet, and a reduced Front Yard setback of twelve (12) feet in lieu of twenty (20) feet. The request also seeks to allow for an existing metal shed to encroach four (4) feet into the northern side setback and seven (7) feet into an access easement. The subject property is located in Residential, Mobile Home (RMH) zoning at 8473 Perry's Park Road. This appeal application was rescheduled from the initial June 6, 2023 hearing date to meet public noticing requirements.

Presenter: Amy Ring, Special Projects Manager

11. **Public Hearing * LDCA 2023-04 - Workforce Housing, Land Development Code Amendment, Second Reading.** The attached ordinance proposes modifications to the LDC Section 5.11.00 Workforce Housing Zoning text, Article VI Table 6.01, and Article XII Definitions. The first reading of the proposed amendments was considered by the Board on February 21, 2023, wherein staff was directed to incorporate the redline authored by the Northeast Florida Builder's Association for second reading. This item was scheduled and advertised for second reading at the 5/2/23, BCC meeting at which time the Board engaged in brief discussion and voted 5-0 to postpone the item to the 6/6/23 BCC meeting, pending staff incorporation of additional regulations for consideration. After discussion at the 6/6/23 BCC meeting, this item was continued until 6/20/23.

Presenter: Colin Groff, Utility Director

- 12. Public Hearing * Public Hearing and Adoption of Final Schedule of Water, Wastewater, and Reclaimed Water Rates, Deposits, Charges, Fees, and Costs for Fiscal Year 2023 for the Main and Ponte Vedra Systems.** The St. Johns County Utility Department ("SJCUD") is a self-sustained enterprise fund with two separate water, wastewater, and reclaimed water fee structures for the Main and Ponte Vedra Systems. SJCUD has experienced substantial growth and an increased customer base and has recognized economies of scale for a more efficient cost of operations. SJCUD anticipates a continuation of the County's high growth rate in the coming years and expects to maintain revenue sufficiency to meet level of service demands, current and future regulatory mandates, and creditworthiness requirements for a capital-intensive business. Based on recent financial evaluations, at its June 6, 2023, regular meeting, the Board adopted preliminary schedules of water, wastewater, and reclaimed water rates, deposits, fees, charges, and costs that reflected reductions to all current Main System water and wastewater usage rates by 3.0% (or as indicated in the Utility Rate Tariff document attached to this agenda item). The preliminary schedules also provide for current Ponte Vedra water, wastewater, and reclaimed water rates that match those of the Main System, and a flat-rate wastewater charge to accommodate sewer-only customers without a water meter to utilize, to calculate sewer charges. This agenda item provides for a public hearing concerning the rates, fees, and charges, after which the schedules, either as originally adopted or as modified or amended, shall be adopted and put into effect.

Presenter: Jalisa Ferguson, Assistant County Attorney

- 13. First Reading of Floating Structure Ordinance.** On February 21, 2023, the Office of the County Attorney was directed by the Board of County Commissioners to draft a Floating Structure Ordinance to address the floating structure issues in waters of the County. The attached proposed ordinance will prohibit the anchoring, mooring or otherwise affixing of floating structures upon or to, waters of the County within the incorporated and unincorporated areas of the County unless a municipality opts out or adopts an ordinance in conflict, and allow for direct removal of floating structures in violation of the ordinance. Floating structures found to be in violation of the ordinance will have a notice placed upon them to notify the owner(s) that the floating structure is in violation of this ordinance and that they have twenty-one (21) calendar days from the date of the posting to remove the floating structure, except when there is an impending tropical system, in which case an owner(s) shall be given twenty-four (24) hours from the date and time of the posting of the notice to remove the floating structure. Any law enforcement officer or Code Enforcement Officer acting within his/her jurisdiction can enforce this ordinance.

- ❖ 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 Donna Echegoyen, Accounts Payable Supervisor at 904 819-3658*
2. Motion to adopt Resolution 2023-_____, approving the **final plat for Entrada Phase 4 Unit 7.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
3. Motion to adopt Resolution 2023-_____, approving the **final plat for Beacon Lake Phase 4C.** *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
4. Motion to adopt Resolution 2023-_____, approving the **final plat for Crosswinds at Nocatee.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
5. Motion to adopt Resolution 2023-_____, approving the **final plat for Coral Ridge at Nocatee Phase 2.** *For more information, contact Kelly Schley, Application Review Supervisor at 209-0720*
6. Motion to adopt Resolution 2023-_____, approving the terms, conditions, and requirements of a **state funded grant from the Florida Department of Environmental Protection Hurricane Stormwater and Wastewater Assistance Program** in the amount of \$10,000,000, authorizing the County Administrator or his designee to execute the grant agreement on behalf of the County, and recognizing the grant award as unanticipated revenue and authorizing its appropriation and expenditure in the Fiscal Year 2023 County Utility System Fund budget. *For more information, contact Westly Woodward, Principal Resiliency Planning Analyst at 904 209-0615*
7. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee to **execute and submit a Resilient Florida Program Implementation Grant Application to FDEP** for the 2023 application cycle, on behalf of the County, for projects that may qualify for grant funding under the Program. *For more information, contact Westly Woodward, Principal Resiliency Planning Analyst at 904 209-0615*
8. Motion to adopt Resolution 2023-_____, authorizing the notice required by Section 336.10, F.S., for a **Public Hearing on July 18, 2023, at 9:00 am or at a date and time as soon thereafter as possible to hear a request for the vacation of a portion of the Railroad Avenue right-of-way (VACROA 2021-06 N. Brevard & N. Volusia St).** *For more information, contact Jeffrey Petrie, Engineer at 904 209-0672*

9. Motion to adopt Resolution 2023-_____, accepting a **Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty associated with the sewer force main to serve Bannon Lakes CDD located off International Golf Parkway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
10. Motion to adopt Resolution 2023-_____, accepting a **Bill of Sale, Schedule of Values, Final Release of Lien and Warranty associated with the water and sewer systems to serve Garrison Subdivision Phase 1, located off US 1 North in Ponte Vedra.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
11. Motion to adopt Resolution 2023-_____, accepting an **Easement for Utilities, Bill of Sale, Schedule of Values, Final Release of Lien and Warranty associated with the water and sewer systems to serve Entrada Phase 2 Unit 3B, located off State Road 207.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
12. Motion to adopt Resolution 2023-_____, accepting an **Easement for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the water, sewer, and reuse systems to serve Silverleaf 29B-1, located off Silverleaf Parkway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
13. Motion to adopt Resolution 2023-_____, accepting **three Easements for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the water, sewer, reuse and fire hydrant systems to serve Senior Living at the Greens, located off State Road 16.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
14. Motion to adopt Resolution 2023-_____, accepting **five Easements for Utilities, Bill of Sale, Schedule of Values, Warranty, and Final Release of Lien associated with the water and sewer force mains systems to serve Vicar's Landing at Oak Bridge – Phase 1 located off A1A North.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
15. Motion to adopt Resolution 2023-_____, accepting **two Easements for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer force mains systems to serve San Marcos Heights, located off State Road 207.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
16. Motion to adopt Resolution 2023-_____, accepting **two Grant of Easements to St. Johns County for construction and future maintenance of a sidewalk along a portion of Pearl Street.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
17. Motion to adopt Resolution 2023-_____, approving and authorizing the Chair of the Board, on behalf of the County, to execute an **Easement to Florida Power & Light Company to provide electrical service to the St. Johns County Utility Lab located on Inman Road.** *For more information, contact Corey Bowens, Interim Director, Land Management Systems at 209-0776*
18. Motion to adopt Resolution 2023-_____, **renewing the non-exclusive commercial and industrial solid waste collection Franchise and approving the associated Franchise Agreement** for each of the fourteen existing Franchise holders who submitted timely and complete renewal applications and are identified in the attached Franchise Agreements; and authorizing the County Administrator, or designee, to execute the Agreements on behalf of the County. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*

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-_____, **Mickler Road and SR-A1A Intersection Improvements - FDOT FPN #445798-2-54-01 and FDPT FPN #445798-3-54-01 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. 23-40, for a lump sum cost of \$4,699,650, and approve a budget transfer from Impact Fees Roads Zone B Capital Outlay Reserves in the amount of \$1,600,000. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
21. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to **execute Contract Amendment #9 to Master Contract #18-MCC-SOU-09717 with Southland Specialties, Inc.**, to add five (5) one-year renewals to the Contract, at the same terms and conditions as provided in the Master Contract. *For more information, contact Jaime T. Locklear, Asst. Director of Purchasing at 904 209-0158*
22. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee, to **execute and issue Change Order No: 01 to Master Contract No: 23-PSA-OLS-18021 Olsen Associates, Inc.**, to complete Phase II Coastal Engineering Services under RFQ No: 23-42; Engineering Services for FEMA Cat B Emergency Berms. *For more information, contact Jaime Locklear, Change Order No: 1 to Master Contract No: 23-PSA-O at 904 209-0158*
23. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or his designee, to **execute and issue Change Order No: 05 to Master Contract No: 21-MCC-WOO-13032 with Woolpert, Inc.**, under RFQ No: 21-34; Digital Orthophotography. *For more information, contact Jaime Locklear, Change Order #05 to Master Contract No: 21-MCC-WOO at 904 209-0158*
24. Motion to adopt Resolution 2023-_____, approving the terms, conditions, provisions, and requirements of a **Maintenance and Hold Harmless Agreement with AG EHC II (LEN) Multi State 1, LLC.**, regarding certain improvements consisting of overflow parking within a certain portion of the County-owned-right-of-way of Superior Blvd.; and authorizing the County Administrator, or designee, to execute the agreement on behalf of the County. *For more information, contact Bradley Bulthuis, County Attorney at 904 209-0805*
25. Motion to adopt Resolution 2023-_____, approving the terms, conditions, provisions, and requirements of a **Maintenance and Hold Harmless Agreement with AG EHC II (LEN) Multi State 1, LLC.**, regarding certain improvements consisting of overflow parking within a certain portion of the County-owned-right-of-way of Simonson Rd.; and authorizing the County Administrator, or designee, to execute the agreement on behalf of the County. *For more information, contact Bradley Bulthuis, County Attorney at 904 209-0805*
26. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to execute and submit an **application to the Florida Department of Environmental Protection for a Hazardous Waste Collection Center Program Grant** for the purchase of hazardous waste collection containers. *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*
27. Motion to adopt Resolution 2023-_____, approving the **Grant Agreement (DMS-22/23-357) for cybersecurity technical assistance between Florida Department of Management Services and St. Johns County Board of County Commissioners**, and ratifying the County Administrator's execution of the agreement on behalf of the Board. *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*

28. Motion to adopt Resolution 2023-_____, **allocating \$50,000 to Epic Community Services, Inc., as a local contribution to its Department of Children and Families, Criminal Justice, Mental Health, and Substance Abuse Reinvestment 1-year Planning Grant** to plan a Mental Health Court in St. Johns County; approving, and authorizing the County Administrator, or designee, to execute a Memorandum of Understanding between the County and Epic. *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*
29. Motion to adopt Resolution 2023-_____, **approving the fiscal year 2023-2024 Annual Action Plan** and authorizing the County Administrator, or designee, to execute and submit the Annual Action Plan, SF-424 Universal Application, and Certificates to HUD on behalf of the County, and to implement, manage, and administer the CDBG program. *For more information, contact Shawna Novak, Health and Human Services Director at 904 827-6894*
30. Motion to adopt Resolution 2023-_____, **approving Amendment 28 to contract NJ206 between St. Johns County and Florida Department of Children and Families**, in substantially the same form as the attached hereto, and authorizing the County Administrator, or designee, to execute the amendment on behalf of the County. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
31. Motion to adopt Resolution 2023-_____, **approving Amendment 32 to contract NJ206 between St. Johns County and Florida Department of Children and Families**, in substantially the same form as attached hereto, and authorizing the County Administrator, or designee, to execute the amendment on behalf of the County. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
32. Motion to adopt Resolution 2023-_____, approving the terms and conditions of the **Temporary Use Agreement between Kingdom Development Group, Inc. and the County**, and authorizing the County Administrator, or designee, to execute the Agreement, in substantially the same form as attached, on behalf of the County. *For more information, contact Jeremy B. Robshaw, Fire Rescue Assistant Chief at 904 209-1750*
33. Motion to adopt Resolution 2023-_____, **sunsetting the Amphitheatre & Ponte Vedra Concert Hall Advisory Committee** and providing an effective date. *For more information, contact Joanne Spencer, Sr Assistant to the Board of County Commissioners at 904 209-0308*
34. Motion to approve **minutes:**
 - 06/06/23, BCC Regular