

# 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

Joy Andrews, Interim County Administrator  
David Migut, County Attorney

Tuesday, August 1, 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 St. Johns Housing Partnership's 25 Years of Service
- ❖ Acceptance of Proclamation
- ❖ 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, Attorney**

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

### District 5

1. **Waiver of Time Limits, pursuant to Section 9.04.05.C regarding previous applications CPA(SS) 2021-14 and PUD 2021-16 to allow a Rezoning application to Workforce Housing (WH).** On October 18, 2022, the Board of County Commissioners denied CPA(SS) 2021-14 Mills Place and companion application PUD 2021-16 Mills Place PUD with a 4/0 vote. 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: Katie Buchanan, Esq.**  
**Staff Member: Brandon Tirado, Planner**

**District 3**

- 2. *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: Karen Taylor, Planner**  
**Staff Member: Lauren Dwyer, Planner**

**District 2**

- 3. *Public Hearing* \* REZ 2023-03 Elkton Center.** REZ 2023-03 Elkton Center, a request to rezone approximately 0.76 acres of land from Commercial General (CG) and Residential Single Family (RS-3) to Commercial Rural (CR), located at 4855 State Road 207. This request was heard by the PZA at their regularly scheduled public hearing on Thursday, June 15, 2023, and voted to recommend approval by a vote of 6-0. There was no public comment.

**Presenter: Richard Bennet (Owner/ Builder of 285 Puebla Road)**  
**Staff Member: Sara Perez, Floodplain Manager**

**District 3**

- 4. *Public Hearing* \* NZVAR 2023-09 at 285 Puebla Road.** Request for a Non-Zoning Variance through Section 3.03.07 of the Land Development Code to allow the FBC R322.2.1 Design Flood Elevation (Minimum requirement of 1 foot + Base Flood Elevation) to be reduced 2.4 inches to eliminate the requirement of Flood Vents within a habitable area of the first floor of a substantially improved residential property within a Special Flood Hazard Area AE, specifically located at 285 Puebla Road.

**Presenter: Bradley Bulthuis, Senior Assistant County Attorney**

- 5. *First Reading of Proposed Amendments to St. Johns County Ordinance No. 2009-43, the St. Johns County Prohibited Holiday Activity Ordinance for Sexual Offenders and Sexual Predators.*** At its regular meeting on June 20, 2023, the Board of County Commissioners authorized the Office of the County Attorney to prepare proposed amendments to the St. Johns County Prohibited Holiday Activity Ordinance for Sexual Offenders and Sexual Predators, Ordinance No. 2009-43. The ordinance seeks to reduce the risk of harm to children of the community by limiting the opportunity for sexual offenders and sexual predators to be in contact with unsuspecting children. The proposed amendments to the ordinance (attached to this item) would include additional prohibitions on participation in holiday activities by sexual offenders and sexual predators and would remove a requirement regarding signage that may be subject to constitutional challenge under the First Amendment.

**Presenter: Jalisa Ferguson, Assistant County Attorney**

- 6. Second Reading of Floating Structures Ordinance.** At its June 20, 2023, regular meeting, the Board of County Commissioners heard the first reading of a proposed ordinance to prohibit floating structures in the water of the County. Since the June 20, 2023 regular meeting, several local and state agencies reached out to provide feedback regarding the proposed ordinance. 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.

**Presenter: Jesse Dunn, Director, Office of Management & Budget**

- 7. Fiscal Year 2024 Recommended Budget and Proposed Millage Rates.** The annual County budget process requires a number of steps, ranging from its preparation through adoption, per Florida Statutes (F.S. 129.03(3) and F.S. 200.065, Truth in Millage requirements). The Truth in Millage (TRIM) process informs taxpayers and the public about the legislative process by which local taxing authorities determine ad valorem (property) taxes. On July 18, 2023, the Board of County Commissioners received the FY 2024 Recommended Budget, balanced with expenditures and adequate reserves within each County fund equal to projected fund revenues. County Administration's Recommended Budget represents a funding level that can reasonably assure the achievement of St. Johns County's operational needs while minimizing the tax impact on its citizenry. An electronic version (in pdf format) of the workbook may be found on the County's website at: [www.sjcfil.us/OMB](http://www.sjcfil.us/OMB). Following the development and presentation of a Recommended Budget, the County is obligated to provide certain information concerning that budget to the Property Appraiser. This information includes 1.) The FY 2023 adopted millage rates; 2.) The FY 2024 proposed millage rates; 3.) The FY 2024 calculated rolled-back rates; and 4.) The date, time, and meeting place of the tentative budget hearing. This information is placed on Department of Revenue DR-420 forms provided to the Property Appraiser. Those forms provide the basis for the "TRIM" notice mailed by the Property Appraiser to property owners in St. Johns County. The BCC will need to approve proposed Millage rates (see the attached sheet) for the County's TRIM mailing, and approve September 5, 2023, at 5:01 PM in the County Auditorium as the Date, Time, and Place of the first public hearing for the adoption of the FY 2024 Annual Budget. For practical purposes, once the proposed Millage rates are set, they can still be decreased but not increased.

**Presenter: David Migut, County Attorney**

- 8. Interim County Administrator Employment Agreement.** For the Board's review and consideration is an Employment Agreement for the Interim County Administrator. A copy of the proposed agreement is attached.

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

# 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

Joy Andrews, Interim County Administrator  
David Migut, County Attorney

Tuesday, August 1, 2023, 9:00 AM

*Please be sure all cellular devices are turned off for the duration of the County Commission Meeting*

## 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 Arbors at Lightsey Crossing Phase 3.** *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
3. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the **transfer of \$166,870.00 in park impact fee credits from the Marshall Creek PUD to the Ravenswood Village Workforce Housing Development finding the request consistent with Florida Statute.** *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
4. Motion to approve the **Secession School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-03).** *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
5. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting an **Easement for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer systems to serve Silverleaf Parcel 29B-2 located off State Road 16.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
6. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting a **Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer systems to serve Whisper Creek Phase 11 Unit B formerly known as Trailmark Phase 11B, located off Pacetti Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
7. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting a **Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer systems to serve Garrison Subdivision located off US 1 N.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
8. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting a **Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve The Arbors at Lightsey Crossing Phases 1 and 2, located off State Road 207.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*

9. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting a **Bill of Sale, Final Release of Lien and Warranty associated with the water system to serve The Trailmark East Parcel 1 Amenity Center.** *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, reuse and sewer systems to serve Silver Landing Phase 2B, also known as Silverleaf Parcel 29A-2B, located off Silverleaf Parkway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
11. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting an **Easement for Utilities associated with the water and sewer systems to serve Trailmark East Parcel Phase 1 located off Pacetti Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
12. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting an **Easement for Utilities associated with the water system to serve Baptist Primary Care at Parkway Village** located off International Golf Parkway. *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
13. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting an **Easement for Utilities associated with the water and reuse systems to serve Whataburger - Parkway Village** located off International Golf Parkway. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
14. Motion to adopt Resolution 2023-\_\_\_\_\_, accepting **two Temporary Construction Easements and a Grant of Easement from property owners to St. Johns County for drainage improvements along Lewis Speedway and Old Lewis Speedway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
15. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms and authorizing the County Administrator, or designee, to execute a **Purchase and Sale Agreement for the acquisition of approximately 46 acres of land located off A1A South for conservation, approving a transfer of LAMP reserves up to \$225,000 for the purchase of the property and accepting a donation of the contiguous 2.8 acres.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
16. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the **State of Florida Department of Transportation's donation of a pond site near the intersection of State Road 207 and Coquina Crossing Drive.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
17. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms, conditions, provisions, and requirements of an **Amendment to the Construction Agreement between St. Johns County and Florida Department of Transportation,** and authorizing the County Administrator, or designee, to execute the agreement on behalf of the County, in substantially the same form and format as attached hereto. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0268*

18. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or designee, to **engage St. Johns County Sheriff's Office public service deputies for traffic control at the intersection of CR210 and Cumberland Park Drive.** *For more information, contact Greg Caldwell, Public Works Director at 904 209-0268*
19. Motion to adopt Resolution 2023-\_\_\_\_\_, approving and authorizing the County Administrator or designee, to execute and deliver an **Interlocal Agreement between the City of Jacksonville and St. Johns County, Florida, as authorized by Section 163.01, Florida Statutes, regarding maintenance of Race Track Road.** *For more information, contact Greg Caldwell, Public Works Director at 904 209-0268*
20. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms, provisions, conditions, and requirements of a **Memorandum of Agreement between the City of Atlantic Beach, Clay County Utility Authority, City of Gainesville, City of Jacksonville Beach, JEA, City of Neptune Beach, Town of Orange Park, and St. Johns County to assess groundwater resource sustainability in Northeast Florida and authorizing the County Administrator, or his designee, to execute on behalf of St. Johns County, any documents associated with this project with a not to exceed the cost of \$124,657.** *For more information, contact Colin Groff, Utility Director at 904 209-2703*
21. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administration, or designee, to **execute a Consent to Assignment Agreement, in substantially the same form and format as attached hereto, providing for an assignment of Master Contract 22-GSA-COU-16244 to FCM Industries OPCO LLC dba First Coast Mulch** *For more information, contact Jaime 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 17.1 and Florida Statute 274. *For more information, contact Jaime Locklear, Asst. Director of Purchasing at 904 209-0158*
23. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or designee, to execute and **submit grant applications, on behalf of the County, to various state and federal agencies for those grants and grant programs identified herein for calendar year 2023; and waiving section 203.3 (Grant Application Policy),** allowing for the submission of grant applications for those grants and grant programs identified herein, without being presented to the Board of County Commissioners for approval prior to submission. *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*
24. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms, conditions, and requirements of a **grant agreement with the Florida Department of Environmental Protection in the amount of \$100,000 through the Household Hazardous Waste Collection Grant,** authorizing the County Administrator or designee to execute the grant agreement on behalf of the County, and recognizing and appropriating with the FY2023 Solid Waste Fund. *For more information, contact Sarah Newell, Grants and Policy Analyst at 904 209-0566*

25. Motion to adopt Resolution 2023-\_\_\_\_\_, approving the terms, conditions, and requirements of **Amendment #0005 to the Homelessness Unified Contract between St. Johns County and Flagler Hospital, the CoC Lead Agency, and authorizing the County Administrator or designee to execute the amendment substantially in the same form and format as attached on behalf of the County; and recognizing and appropriating the grant in the amount of \$176,482.00 into the General Fund Social Services Department for Fiscal Year 2023.** *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*
26. Motion to adopt Resolution 2023-\_\_\_\_\_, authorizing the County Administrator, or designee, to execute an agreement substantially in the same form as the attached **Economic Development Grant Agreement with KeHE Distributors, LLC and the developer of traffic control measures on behalf of St. Johns County.** *For more information, contact David Kiernan, County Economist at 904 209-0544*
27. Motion to **allocate \$500,000 of Category 1 Reserve funds (1144-59920) to Contractual Services (1144-53120) and to allocate an additional \$500,000 of Category 4 Reserve funds (1148-59920) to Special Events (1148-54801) to be expended for the support of the upcoming September 2023 Sing Out Loud event.** *For more information, contact Tera Meeks, Tourism and Cultural Development Director at 904 209-4428*
28. Motion to approve **minutes:**
- 07/18/23, BCC Regular

