

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 15, 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
- ❖ 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

1. **Presentation of St. Johns County's Annual Comprehensive Financial Report.** The County's Annual Comprehensive Financial Report (ACFR) requires acceptance from the Board of County Commissioners. The Report is prepared by the Clerk Comptroller's Office. As a final step, the Board should accept the FY 2021 ACFR as audited by MSL, P.A., the County's auditing firm. The ACFR and SAS 114 letter is available on the Clerk's website, which can be accessed from the County's webpage, at the following link: <https://stjohnsclerk.com/comprehensive-annual-financial-report/> The Board will now have the opportunity for any further discussion with the auditors. The County has once again received an unmodified opinion on the fair presentation of its financial statements.

Presenter: Sallie O'Hara, Program Manager

District 2

2. **Presentation by Hastings Main Street, Inc., regarding the FY23-24 Florida Main Street Program Application.** The Florida Main Street Program solicits communities annually to submit applications for Florida Main Street Program designations. Currently, there are 57 such programs in Florida whose purpose is to improve economic development within a context of historic preservation. The benefits of attaining designation contribute to increased professional technical assistance and training for participating communities, guidance for national best practices for community development, and advantageous grant scoring considerations for future funding. The focus of national and state Main Street programs is to: a) create jobs through revitalizing districts attracting new industry and strengthening services and retail job markets; b) save tax dollars through revitalization and strengthening of the area's tax base, while also protecting existing investments; c) preserve the community's historic resources for an economically healthy downtown and preservation of the community's heritage; and d) build community pride providing a public space for members from all areas of the community to come together, create new partnerships, and celebrate their downtown. Hastings Main Street, Inc., is submitting an application to the Florida Department of State, Division of Historical Resources to be recognized as a Florida Main Street community. The Main Street Program application requires the support of the local government in the form of a resolution.

Presenter: Tony Robbins, AICP | Prosser, Inc.

Staff Member: Justin Kelly, Senior Planner

District 5

3. **Public Hearing * MAJMOD 2023-07 New Twin Creeks (Parcel 8).** Request for a Major Modification to the Twin Creeks PUD (Ordinance 2015-52, as amended) to modify the Unified Signage Plan, allowing the sign provisions of the Activity Center use area to apply to Parcel 8, which is designated as an Office/Retail use area. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, July 20, 2023, and was recommended for approval with a vote of 5-0.

Presenter: Lindsay Haga, AICP, ETM and Ellen Avery-Smith, Esq, Rogers Towers, P.A.

Staff Member: Saleena Randolph, Senior Planner

District 5

4. **Public Hearing * MAJMOD 2023-08 Cumberland Industrial Park.** Request for a Major Modification to the Cumberland Industrial Park PUD (Ord. 1994-32, as amended) to add permitted and special uses to Parcel A and Parcel B (Lots 2 and 4), to include maximum square footage allowances within each parcel, and to provide a revised MDP Text and Map, specifically located at 1301 and 1405 County Road 210 West. The Planning and Zoning Agency heard this request during their regularly scheduled public hearing on July 20, 2023, and recommended approval with a vote of 5-0. Agency members discussed the road, entrances, and lot connections.

Presenter: James G. Whitehouse, Esq.
Staff Member: Benjamin Powelson, Engineer

District 5

5. **Public Hearing * VACROA 2023-01 Naples SJC Easement Vacation - Public Hearing to vacate an access and utility easement in the Vilano Oaks Subdivision.** The applicant has requested the vacation of a currently unimproved 55-foot wide Access and Utility Easement over Lot 3 in the Vilano Oaks Subdivision; located at 4360 Palm Street, between Palm Street and Windjammer Lane. In exchange, the applicant has offered to convey the west 15' of Lot 3 in the Vilano Oaks Subdivision to the County, which can be used for any appropriate public use, including pedestrian access. Based on staff's review thus far, no party will be unreasonably affected by the requested vacation.

Presenter: Doug Burnett
Staff Member: Eric Clark, Engineer

District 3

6. **Public Hearing * NZVAR 2022-13 - 820 E Aiken Street.** Non-Zoning Variance to Section 6.04.07.A.1 of the Land Development Code to allow for the construction of an access for a single-family home meeting the County's easement standard in lieu of the County's local roadway standard within an unopened County right-of-way.

District 3

7. **Public Hearing * NZVAR 2022-14 - 821 E Aiken Street.** Request for a Non-Zoning Variance to Section 6.04.07.A.1 of the Land Development Code to allow for the construction of an access for a single-family home meeting the County's easement standard in lieu of the County's local roadway standard within an unopened County right-of-way.

Presenter: Evan Futch, Avid Group
Staff Member: Lauren Dwyer, Planner

District 3

8. **Public Hearing * REZ 2023-05 Strickland Oil Brothers.** Request to rezone approximately .86 acres of land from Open Rural (OR) to Commercial Intensive (CI), located at 980 S. Holmes Blvd. The Planning and Zoning Agency heard this request during their regularly scheduled public hearing on June 15, 2023, and recommended approval with a vote of 6 to 0.

Presenter: James & Nancy Devito
Staff Member: Trevor Steven, Planner

District 3

9. **Public Hearing * REZ 2023-09 Devito's 6248 Costanero Road.** Request to rezone 0.23 acres of land from Commercial Neighborhood (CN) to Residential, Manufactured/Mobile Home or Single Family [RMH(S)], located specifically at 6248 Costanero Road. This request was heard by the PZA at its regularly scheduled public hearing on Thursday, July 20, 2023, and recommended approval with a vote of 5-0.

Presenter: Gordon Smith, SJC Utility Department
Staff Member: Evan Walsnovich, Planner

District 3

- 10. Public Hearing * REZ 2023-08 SJC SR 207 Water Reclamation Facility.** Request to rezone approximately 143 acres of land from Open Rural (OR) and Commercial Highway Tourist (CHT) to Public Service (PS) to allow for the construction of a Water Reclamation Facility. The Planning and Zoning Agency (PZA) heard this request during their regularly scheduled public hearing on July 20, 2023. The item was recommended for approval with a vote of 5 to 0.

Presenter: Sloane Stephens, Planner

- 11. Public Hearing * (1) Adoption of an Ordinance to amend LDC Section 3.07.14.D and Section 3.07.14.D.1 to remove South Anastasia Design Review Board and replace with Design Review Board. (2) Request to combine the Mid-Anastasia Design Review Board (MADRB) and the South Anastasia Design Review Board (SADRB).** This is a request to create the Anastasia Island Design Review Board (AIDRB) through the combination of the South Anastasia Design Review Board (SADRB) and Mid-Anastasia Design Review Board (MADRB). Both Overlay Districts and their specific design regulations in the Land Development Code will not be affected (LDC 3.07 & 3.08). The purpose of combining these Design Review Boards (DRBs) is to maximize qualified volunteer membership so that quorum requirements will be regularly met, leading to more efficient use of volunteers' time and processing of applications for land projects located on Anastasia Island. This request is based on the model currently utilized by the Palm Valley Overlay District, the administration of which is managed by the same body that manages the Ponte Vedra Overlay District (PVARC) and the North Coastal Design Review Board, who manages the North Coastal and Vilano Beach Town Center Overlays. This combination action requires the adoption of a Resolution and related by-laws, as well as a Code change for LDC Section 3.07.14.D.

Presenter: Jalisa Ferguson, Assistant County Attorney

- 12. First Reading of Proposed Amendments to St. Johns County Ordinance No. 2009-36, the St. Johns County Ordinance which prohibits the presence of registered sexual offenders and sexual predators within 300 feet of specified locations designed for children.** At its regular meeting on January 17, 2023, the Board of County Commissioners authorized the Office of the County Attorney to prepare proposed amendments to the St. Johns County Ordinance No. 2009-36, which prohibits the presence of registered sexual offenders and sexual predators within 300 feet of specified locations designed for children. The proposed amendments to the ordinance (attached to this item) would include clarifying the notice requirement and to update references to Florida Statutes.

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

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Tuesday, August 15, 2023, 9:00 AM

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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 authorize the **transfer of \$100,000 from the Clerk of Court Reserve, in order to cover additional jury trial expenses within the Clerk of Circuit Court and Comptroller Office for Fiscal Year 2023**. *For more information, contact Brandon J. Patty, Clerk of the Circuit Court and Comptroller at 904 819-3601*
3. 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*
4. Motion to adopt Resolution 2023-_____, approving the **final plat for Rivertown Ravines (Phase 1)**. *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
5. Motion to adopt Resolution 2023-_____, approving the **final plat for Rivertown Bluffs (Phase 2)**. *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
6. Motion to adopt Resolution 2023-_____, approving the **final plat for Rivertown Main Street - Phase Four**. *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
7. Motion to adopt Resolution 2023-_____, authorizing the notice required by Section 336.10, F.S., for a Public Hearing on September 19, 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 Osceola Street right-of-way (VACROA 2023-02 - Moody Family Unopened Alley Vacation)**. *For more information, contact Jeffrey Petrie, Engineer at 904 209-0672*
8. Motion to adopt Resolution 2023-_____, accepting **Easement for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer systems to serve Epic Outparcel #1**. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
9. Motion to adopt Resolution 2023-_____, accepting a **Partial Assignment of Easement along Usina Road Extension**. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
10. Motion to adopt Resolution 2023-_____, accepting **four Temporary Construction Easements and a Grant of Easement for property required for the CR210 widening project from Cimarrone Boulevard to Greenbriar Road**. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*

11. Motion to adopt Resolution 2023-_____, accepting a **Corrective Quitclaim Deed from the School Board of St. Johns County, Florida, to St. Johns County for a portion of the right-of-way of Osceola Elementary Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
12. Motion to adopt Resolution 2023-_____, approving and authorizing the Chair of the Board, on behalf of the County, to execute a **Special Warranty Deed and a Bill of Sale transferring assets related to an abandoned residential utility system in Fruit Cove to St. Johns County.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
13. Motion to adopt Resolution 2023-_____, accepting from the **City of St. Augustine a donation of property located on W. King Street, currently utilized by the County for drainage and Community Redevelopment Agency Improvements.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
14. Motion to adopt Resolution 2023-_____, approving and authorizing the County Administrator, or designee, to execute and deliver on behalf of the County, the **Amendment to Traffic Signal Maintenance and Compensation Agreement between the County and FDOT,** in substantially the same form as attached hereto; authorizing the County Administrator, or designee, to execute any and all subsequent amendments to Exhibit A to the Agreement, for the duration of the term of the Agreement without further authorization of the Board of County Commissioners. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
15. Motion to adopt Resolution 2023-_____, approving and authorizing the County Administrator, or designee, to execute and deliver, on behalf of the County, the **First Amendment to the Agreement for Landscape Maintenance of Certain County Road Rights-of-Way between the County and Silverleaf Master Owners Association, LLC,** in substantially the same form as attached hereto. *For more information, contact Greg Caldwell, Director of Public Works at 904 209-0266*
16. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to execute and issue a **franchise agreement to Five Talent Services, LLC d/b/a Mobiledumps of Jacksonville, G7 Holdings, Inc. d/b/a Garbageman.com, and John's Dumpster Rentals, LLC for the collection and transportation of construction and demolition debris solid waste in unincorporated St. Johns County, in substantially the same form as the Non-Exclusive Construction and Demolition Debris Solid Waste Franchise Agreements attached hereto.** *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
17. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to execute and issue a **franchise agreement to Five Talent Services, LLC d/b/a Mobiledumps of Jacksonville for the collection and transportation of commercial/industrial solid waste in unincorporated St. Johns County, in substantially the same form as the Non-Exclusive Commercial/Industrial Solid Waste Collection Franchise Agreement attached hereto.** *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
18. Motion to adopt Resolution 2023-_____, approving the terms, provisions, conditions, and requirements of the **first amendment to the amended and restated agreement between St. Johns County, Florida, and White Ford's Timber, LLC, for the provision of Utility Service and Refund of water, wastewater and reclaimed water unit connection fees,** and authorizing the Assistant County Administrator to execute the agreement on behalf of St. Johns County; providing for an effective date. *For more information, contact Colin Groff, Utility Director at 904 209-2703*

19. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to **execute a contract, in substantially the same form and format as attached with the St. Johns Cultural Council, Inc., for performance of the specified services, at the annual price based upon the budgeted amount of the Arts Cultural and Heritage category of TDT.** *For more information, contact Jaime Locklear, Asst. Director, Purchasing & Contracts at 904 209-3269*
20. Motion to adopt Resolution 2023-_____, approving the terms, provisions, conditions, and requirements of a **Master Service Agreement with Spring Care, Inc. d.b.a. Spring Health for expanded Employee Assistance Program services effective January 1, 2024;** and authorizing the County Administrator, or designee, to execute agreement in substantially the same form and format as attached hereto, as well as any subsequent amendments to the agreement that are administrative in nature, and do not change or modify any material terms of the agreement, on behalf of the County. *For more information, contact Lilian Hutchinson, Director, Human Resources at 904-209-0635*
21. Motion to adopt Resolution 2023-_____, accepting the **donation of the house located at 5480 Atlantic View and authorizing its relocation at Joel A. "Bubba" Williams Windswept Acres Park, and authorizing the County Administrator to negotiate and execute agreements necessary to effectuate the donation and relocation.** *For more information, contact Ryan Kane, Director at 904 209-0324*
22. Motion to adopt Resolution 2023-_____, **recognizing and appropriating an additional \$12,000 from the State of Florida Division of Emergency Management Urban Search and Rescue Sustainment grant,** and 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, Assistant Chief at 904 209-1750*
23. Motion to adopt Resolution 2023-_____, **recognizing unanticipated revenue (associated with additional events and sales) in the amount of \$6,411,398, and appropriating such funds to the Cultural Events Department's Fiscal Year 2023 expenditure budget.** *For more information, contact Gabe Pellicer, Director of Cultural Events at 904 209-0392*
24. Motion to approve **minutes:**
 - 08/01/23, BCC Regular
25. **Proofs:**
 - Proof: Requisition of Bids, Bid No. 23-65, Renovation of Bird Island Park Boardwalk, published on May 26, 2023, and June 2, 2023, in The St. Augustine Record.
 - Proof: Notice of hearing, consider final adoption of the following preliminary schedules of rates, fees, and charges for St. Johns County Utilities, Water and Wastewater Services, published on June 8, 2023, in The St. Augustine Record.
 - Proof: Requisition of Bids, Bid No. 23-75, South Ponte Vedra Park Dune Restoration – FEMA Project, published on June 20, 2023, and June 27, 2023, in The St. Augustine Record.
 - Proof: Notice of a Special Public Meeting, to consider the existing professional services agreement between Hunter S. Conrad and St. Johns County, Florida, published on June 29, 2023, in The St. Augustine Record.