

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, September 5, 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 September 15 - October 15, 2023, as Hispanic Heritage Month
- ❖ Proclamation Recognizing September 17- 23, 2023, as Constitution Week
- ❖ Proclamation Recognizing September 2023, as Library Card Sign-up Month
- ❖ Acceptance of Proclamations
- ❖ Public Safety Update
- ❖ Clerk of Court's Report
- ❖ Public Infrastructure Update
- ❖ 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: Ellen Avery Smith, Esq. | Rogers Towers, P.A.

Staff Member: Justin Kelly, Senior Planner

District 1

1. **Public Hearing * CPA (SS) 2022-01 The Landings at Greenbriar.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation of approximately 31.8 acres of land, located south of Greenbriar Road, approximately one (1) mile west of Longleaf Pine Parkway, from Rural/Silviculture (R/S) to Residential-B (Res-B) with site specific text amendment stating that in locations where the subject property is contiguous to The Landings at St. Johns site, no Development Edges will be required. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval, 5-1.

District 1

2. **Public Hearing * PUD 2022-03 The Landings at Greenbriar.** Request to rezone approximately 382 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum 588 single family residential dwelling units. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval by a vote of 5-1.

District 1

3. **Public Hearing * COMPAMD 2022-06 The Landings at St. Johns (Active Adult).** Adoption hearing for a Large-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 581 acres of land, located south of Greenbriar Road and west of Longleaf Pine Parkway, from Rural/Silviculture (R/S) to Residential-B (Res-B) with a site-specific text amendment stating that in locations where the subject property is contiguous to The Landings at Greenbriar site, no Development Edges will be required. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval, 5-1.

District 1

4. **Public Hearing * PUD 2022-20 The Landings at St. Johns (Active Adult).** Request to rezone approximately 581 acres of land from Open Rural (OR) and Residential, Single Family (RS-2) to Planned Unit Development (PUD) to allow for a maximum 761 age-restricted single family homes. This request is a companion application to COMPAMD 2022-06 The Landings at St. Johns. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval, 5 - 1.

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

Staff Member: Brandon Tirado, Planner

District 2

5. **Public Hearing * CPA(SS) 2023-03 Mensforth Family Community Commercial.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation for approximately 4.25 acres of land from Rural/Silviculture to Community Commercial. The subject property is located on CR 210 West, north of County Road 16A. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval by a vote of 5-0.

District 2

6. **Public Hearing * PUD 2023-08 Mensforth Family Community Commercial PUD.** Request to rezone approximately 4.25 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum 25,000 square feet of Community Commercial uses. This request is a companion application to CPA(SS) 2023-03 Mensforth Family Community Commercial. The subject property is located on CR 210 West, north of County Road 16A. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval by a vote of 5-0.

Presenter: Douglas N. Burnett, St. Johns Law Group

Staff Member: Trevor Steven, Planner

District 2

7. **Public Hearing * COMPAMD 2023-02 SR 16 Rogero Self-Storage (FAR) (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 90% in lieu of the required maximum of 50% in the Residential-A Future Land Use Map designation to accommodate construction of a Self-Storage Facility, specifically located at 6101 State Road 16. This request was heard by the PZA at its regularly scheduled public hearing on Thursday, July 20, 2023, and was recommended for Transmittal by a vote of 5-0.

Presenter: Michael Antonopoulos, Property Owner
Staff Member: Evan Walsnovich, Planner

District 5

8. **Public Hearing * REZ 2023-07 Airport One Parcel 2.** Request to rezone approximately 1.15 acres of land from Commercial General (CG) to Commercial Intensive (CI). 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, 5 - 0.

Presenter: Bradley Bulthuis, Senior Assistant County Attorney

District 2

9. **Special Magistrate Recommendation in Day Late Enterprises, Inc. v. St. Johns County.** On June 9, 2022, the Board of County Commissioners ("Board") rendered an order denying a non-zoning variance application by Day Late Enterprises, Inc. ("Day Late") for a proposed alternative bald eagle management plan for certain property along State Road 16, the majority of which is undeveloped, but a portion of which is within the Grand Oaks PUD. Day Late filed a request for relief from the denial under the Florida Land Use and Environmental Dispute Resolution Act, section 70.51, Florida Statutes ("FLUEDRA"), which provides means to potentially resolve disputes pre-suit through a special magistrate mediation and hearing process. After the conclusion of the hearing, the special magistrate is required to issue a written recommendation, which the governmental entity must accept, modify, or reject within 45 days after receipt. Failure to act within 45 days is deemed a rejection. Thirty days after any rejection, the government entity must issue a written decision of the uses available to the subject property. The special magistrate in this matter issued a written recommendation on August 8, 2023, which is attached here for the Board's review and consideration for possible action.

Presenter: Joseph Giammanco, PhD, Emergency Management Director

District 4

10. **Discussion and request for direction regarding funding options in connection with the Ponte Vedra Beach Restoration project.** The County has been working towards the restoration of the beach and dunes in Ponte Vedra Beach. There has been a \$25 million grant from the state legislature, allowing for a path to initial construction. Staff would like to provide an update on the project, and discuss potential options, including MSTU levies, to address any remaining shortfalls in project funding.

Presenter: Jaime Locklear, Asst Director Purchasing

11. **Discussion on Local Preference in SJC Purchasing Policy.** Discussion to determine whether or not to remove the application of Local Preference as included in the SJC Purchasing Policy.

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

- 12. Consider appointment to the Tourist Development Council.** There is currently (1) one vacancy on the Tourist Development Council (TDC) due to the resignation of Joe Finnegan, who served as an owner /operator member. Based on the TDC membership requirements laid out in F.S. 125.0104, the vacant seat may be held by either an accommodations representative or a non-accommodations representative. A vacancy ad was placed and ran for approximately three (3) months. Please see attached for your review and consideration, a recommendation from the TDC and (14) applications. (Brian Clark Dist. 1, Bonnie Hayflick Dist. 2, Charles Cox Dist. 3, Jeanetta Cebollero Dist. 3, Heather Harley-Davidson Dist. 3, Eli Gillmore Dist. 3, Beth Strautz Dist. 4, Constance Fontaine Dist. 5, Dr. Arthur Field Dist. 5, Garrett Colton Dist. 5, Benjamin Brandao Dist. 5, Nicholas Primrose Dist. 5, Jan Marie Chesterton Dist. 5, Matthew Ohlson, Dist. 5).

Presenter: Jennifer Zuberer, Manager of Tourism Promotional Programs

- 13. Project Krew Updated Economic Development Incentive Request.** The St. Johns County Economic Development Agency has received a revised application from Project Krew for economic development incentives to operate an advanced manufacturing facility in a large-scale industrial building located in St. Johns County. The revised application shows a significant increase in commitment and investment in St. Johns County. The incentive request has been recalculated to align with the significant increase in investment. Project Krew is also considering other locations and has requested confidentiality during this process. In addition to offering career opportunities with substantial benefits, Project Krew would add to the County's manufacturing and health and life sciences profile. The project would also significantly increase the County's stock of high-tech capital (i.e. robotics equipment) and high-skilled labor. The project is anticipated to begin operations by the second quarter of 2026. With this schedule, the first annual grant payment would be anticipated during FY28. The updated total estimated value of the incentive, over a multi-year period, is \$5,821,779. In accordance with the Program, the Agency is required to review the application and make a written report to the Board of County Commissioners. Staff recommends support of this revised incentive application.

- ❖ 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 Cordova Palms Phase Three.** *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
- 3. Motion to approve the Landings at Greenbriar School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-05).** *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
- 4. Motion to approve PFS AGREE 2022-11 and authorize the County Administrator to execute the Landings at Greenbriar Proportionate Fair Share Agreement**, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code; contingent upon approval of PUD 2022-03 and CPA(SS) 2022-01. *For more information, contact Jan Trantham, Senior Transportation Planner at 904 209-0611*
- 5. Motion to approve a Memorandum of Understanding between Bartram Park, Ltd., Bartram Park Associates, LLC, and St. Johns County for the construction of Race Track Road widening from Bartram Park Blvd. to Bartram Springs Pkwy.** *For more information, contact Dick D'Souza, Assistance Director/Transportation, Growth Management at 904 209-0792*
- 6. 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 30 acres of land located off County Road 13 South for conservation and approving a transfer of LAMP reserves up to \$735,000** for the purchase of the property. *For more information, contact Corey Bowens, Director, Land Management Systems at 209-0776*
- 7. Motion to adopt Resolution 2023-_____**, accepting Bill of Sale, Final Release of Lien and Warranty associated with the **water, sewer, and reuse systems to serve Silverleaf RAH - Parcel 29B-1 (Phase 3) located off Silverleaf Parkway.** *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 Liberty Landscape Supply located off State Road 16.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
9. 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 St. Augustine Business Park also referred to as Dobbs Business Park located off Dobbs Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
10. Motion to adopt Resolution 2023-_____, accepting Easement for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the **water, sewer, and fire hydrant systems to serve Rolling Hills Industrial Park.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
11. Motion to adopt Resolution 2023-_____, accepting an Easement for Utilities associated with the **fire hydrant to serve Moultrie Apartments located at 2250 Old Moultrie 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, Bill of Sale, Final Release of Lien and Warranty associated with the **water, sewer, and reuse systems to serve Holly Landing - Silverleaf Parcel 6 located off Silverlake Drive.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
13. Motion to adopt Resolution 2023-_____, accepting an Easement for Utilities, Bill of Sale, Release of Lien and Warranty associated with the **water, sewer, and sewer force mains systems to serve Trailmark East Parcel Phase 2 Unit A located off Pacetti Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
14. 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 sewer force mains to serve St. Augustine Lakes - Phase 1A located off Holmes Boulevard.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
15. Motion to adopt Resolution 2023-_____, accepting a Deed of Dedication from **Chase Properties, Inc. to St. Johns County as required in the Mayberry Commercial/Opus South Commercial Impact Fee Credit Agreement for Hilltop Road right-of-way.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
16. Motion to adopt Resolution 2023-_____, accepting a Deed of Dedication Right-of-Way from **Forestar (USA) Real Estate Group, Inc. to St. Johns County as required in the Impact Fee Credit Agreement for Bridgewater residential development for additional right-of-way of County Road 210.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*

17. Motion to adopt Resolution 2023-____, authorizing the County Administrator, or designee, to execute and issue a **franchise agreement to Arwood Container Services, LLC for the collection and transportation of construction and demolition debris in unincorporated St. Johns County**, in substantially the same form as the Non-Exclusive Construction and Demolition Debris 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 **2023-2024 Solid Waste Cost, Assessment Rates, and Non-Ad Valorem Assessment Roll for the Solid Waste MSBUs, and authorizing the Chair to certify and deliver the 2023-2024 Assessment Roll to the St. Johns County Tax Collector.** *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
19. 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 Neal Shinkre, Interim Utility Director at 904 209-2721*
20. Motion to adopt Resolution 2023-____, authorizing the County Administrator, or designee, to **award Bid No: 23-74; Porpoise Point Drive Shore Protection to Construct Co. Inc., 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. 23-74, for a Total Not-To-Exceed amount of \$637,007.81, which includes Bid Alternate #1.** *For more information, contact Jaime Locklear, Director, Purchasing & Contracts at 904 209-0158*
21. Motion to adopt Resolution 2023-_____, authorizing the County Administrator, or designee, to execute a **contract with LifeScan for the performance of the specified services**, in substantially the same form and format as attached, at the pricing provided in the agreement. *For more information, contact Jaime Locklear, Director, Purchasing at 904 209-0158*
22. Motion to declare the **2008 MT55 Freightliner Mobile Unit (CV#1209) as surplus, and authorize the County Administrator, or designee, to donate the equipment to the Duval County Department of Health.** *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
23. Motion to declare the attachments as **surplus** and authorize the County Administrator, or designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274. *For more information, contact Jaime Locklear, Director, Purchasing & Contracts at 904 209-0158*
24. Motion to adopt Resolution 2023-____, approving the **2023-2024 Non-ad Valorem Assessment Roll for the Treasure Beach Canals MSBU and to authorize the Chair, or designee, to certify and deliver the 2022-2023 assessment roll to the St. Johns County Tax Collector.** *For more information, contact Wade Schroeder, Asst. Director, OMB at 904 209-0570*

25. Motion to adopt Resolution 2023-____, approving the **2023-2024 Non-ad Valorem Assessment Roll for the Moultrie Crossing Lift Station MSBU and to authorize the Chair, or designee, to certify and deliver the 2022-2023 assessment roll to the St. Johns County Tax Collector.** *For more information, contact Wade Schroeder, Asst. Director, OMB at 904 209-0570*
26. Motion to approve the **updated cost estimate of \$9,135,806 for the Ponte Vedra Concert Hall** within the St. Johns County Board of County Commissioners Capital Improvement Plan. *For more information, contact Jesse Dunn, Director, Office of Management at 209-0568*
27. Motion to adopt Resolution 2023-____, authorizing the County Administrator or designee to execute the **American Rescue Plan Act of 2021 Municipal Subrecipient Sub-award Funding Agreement by and between St. Johns County and the City of St. Augustine.** *For more information, contact Ryan Kane, Director, Parks & Recreation at 904 209-0324*
28. Motion to adopt Resolution 2023-____, **issuing a Certificate of Public Convenience and Necessity to RG Ambulance Service, Inc. d/b/a/ Century Ambulance Service,** and authorizing the Chair to execute said Certificate in substantially the same form as attached hereto. *For more information, contact Jeremy Robshaw, Assistant Chief at 904 209-1750*
29. Motion to adopt Resolution 2023-____, **appropriating \$180,744, representing \$164,312.72 in Assistance to Firefighters Grant funding from FEMA and \$16,431.28 in County matching funds, to the 2023-2024 St. Johns County Fire Rescue budget;** and authorizing the County Administrator, or designee, to accept and receive the federal funds through the FEMA Grants Outcome (FEMA GO) system subject to the Award Letter, Agreement Articles, and Obligating Document. *For more information, contact Jeremy Robshaw, Assistant Chief at 209-1750*
30. Motion to adopt Resolution 2023-____, approving the terms and conditions, and authorizing the Chair to execute a modification to the cooperation agreement in substantially the form attached for the **rehabilitation of the St. Johns County Coastal Storm Risk Management Project.** *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
31. Motion to adopt Resolution 2023-____, authorizing the County Administrator, or designee, to **execute agreements between St. Johns County Board of County Commissioners and the State of Florida Division of Emergency Management for Hurricane Nicole.** *For more information, contact Joseph Giammanco, PhD, Director at 904 824-5550*
32. Motion to adopt Resolution 2023-____, approving the terms, provisions, conditions, and requirements of the **Florida State Aid to Libraries grant agreement** and authorizing the Chair of the Board of County Commissioners to execute the agreement substantially in the same form as attached. *For more information, contact Debra Rhodes Gibson, Library Director at 904 827-6926*

- 33.** Motion to approve **minutes:**
- 08/15/23, BCC Regular

34. Proofs:

Proof: Notice of public hearing, Prohibiting floating structures, published on July 20, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-74, Porpoise Point Drive Shore Protection, published on July 12, 2023, and July 19, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-77, Sheriff's Tactical Training Facility, published on July 24, 2023, and July 31, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-78, Sale of Real Property Located at 1135 Harmony Drive South, St. Johns, FL 32259, published on July 21, 2023, and July 28, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-79, CR 2209 Force Main and Reclaimed Water Main from International Golf Park Way (IGP) to SR16, published on July 14, 2023, and July 21, 2023, in The St. Augustine Record.

Proof: Requisition of Bids, Bid No. 23-80, Weed & Pest Control Maintenance Services for St. Johns County Athletic Fields, published on July 19, 2023, and July 26, 2023, in The St. Augustine Record.

