

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Christian Whitehurst
District 2 - Sarah Arnold, Chair
District 3 - Roy Alaimo, Vice Chair
District 4 - Krista Joseph
District 5 - Henry Dean



BOARD MEETING AGENDA

County Auditorium
500 San Sebastian View

Joy Andrews, County Administrator
David Migut, County Attorney

Tuesday, February 6, 2024 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 February 2024 as Black History Month
- ❖ Proclamation Commemorating the Life and Legacy of Dr. Otis A. Mason
- ❖ Acceptance of Proclamations
- ❖ Public Safety Update
- ❖ Clerk of Court's Report
- ❖ Public Infrastructure Update
- ❖ Legislative Affairs 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: Dr. Leslee Keys, Keys and Associates

Staff Member: Hali Barkley, Environmental and Cultural Resource Specialist

District 5

1. **Public Hearing * LMA 2023-02 165 Vilano Road.** Request for a local landmark designation of the structure located at 165 Vilano Road in Vilano Beach pursuant to Section 3.01.03. of the Land Development Code.

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

Staff Member: Trevor Steven, Planner

District 5

2. **Public Hearing * REZ 2023-16 Mills Workforce Housing (WH).** Request to rezone approximately 24.31 acres of land from Residential, Single Family (RS-3) and Open Rural (OR) to Workforce Housing (WH) with a condition limiting the maximum number of units to 110. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on December 21, 2023, and recommended denial with a vote of 3 to 3, with Dr. Hilsenbeck, Mr. Peter, and Ms. Spiegel voting to recommend denial.

Presenter: Jennifer and Christian Corbitt (owners), and Mike Herzberg, AICP
Staff Member: Saleena Randolph, Senior Planner

District 1

- 3. Public Hearing * PLNAPPL 2023-03 2353 State Road 13 North Venue & Events.** A request to appeal the Planning and Zoning Agency (PZA) denial of a Special Use Permit (SUPMAJ 2023-07) to allow for an indoor/outdoor wedding and special event venue, meeting the general special use criteria of Land Development Code Section 2.03.01.A. The property is zoned Open Rural (OR) and has a Residential-B (RES-B) Land Use designation. The site is specifically located at 2353 State Road 13 North with the Emergency Vehicle Access to the Pole Barn by way of adjoining property located at 2369 State Road 13 North. On 11/02/2023 the PZA denied SUPMAJ 2023-07 with a vote of 5-0.

Presenter: Douglas N. Burnett, St. Johns Law Group
Staff Member: Teresa Bishop, Planning Manager

District 2

- 4. Request for Reconsideration or Waiver of One -Year Time Limit to Reapply for the Deer Run Road PUD 2023-05.** PUD 2023-05 Deer Run PUD was heard by the Board of County Commissioners on September 19, 2023, and was denied 5-0. The PUD proposed 26 duplexes for a total of 52 dwelling units and is located off Deer Run and Fazio Roads. The applicant is requesting the Commission reconsider the vote or provide a waiver to Land Development Code (LDC) Section 9.04.05.B, as provided in LDC Section 9.04.05.C. 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: Amy Ring, Special Projects Manager, Growth Management

- 5. Public Hearing * Proposed Ordinance Amendments for Special Care Housing - First Reading.** At the regular Board of County Commissioners meeting on September 19, 2023 staff received direction to draft an amendment to the Land Development Code regarding Assisted Living Facilities (ALFs) within Open Rural (OR) zoning. Land development regulations categorize ALFs under the broader term of Special Care Housing. Additional clarifications to Special Care Housing regulations were identified by staff and are included in the proposed amendment. This is the first reading of the proposed ordinance. If approved to proceed through the public hearing process, the Planning and Zoning Agency will consider the proposed ordinance and make recommendations. It is anticipated that the second reading of the ordinance would be scheduled for public hearing at a Board meeting in May. Per s. 125.66(5)(b)1., Florida Statutes, because the proposed amendment is changing permitted and special uses within zoning classifications, the second hearing must be held after 5 p.m., unless a minimum of four (4) Board members vote to hold it at a different time.

Presenter: Joanne Spencer, Sr Asst to the Board of County Commissioners

- 6. Consider an appointment to the Land Acquisition Management Program (LAMP) Conservation Board.** The LAMP Conservation Board was established by Ordinance 2021-38 and serves as an advisory board to the Board of County Commissioners on issues involving the acquisition, conservation and management of Environmentally Sensitive Lands, Archaeological Sites, recreational lands and Aquifer Recharge Areas. Currently, there is one vacancy due to the resignation of Jimmy R. Watson. Mr. Watson was appointed by District 3 Commissioner Paul Waldron during the initial formation of the LAMP Conservation Board. His term is set to expire on November 16, 2025. This vacancy is for a regular member that will represent District 3 and serve for the remainder of Mr. Watson's term. An advertisement for a District 3 vacancy was posted and ran for (30) days. After review of all qualified applications, Commissioner Roy Alaimo has recommended Lauren Howington as the District 3 representative. Please find attached for your review and consideration (3) applications: Lauren Howington Dist. 3, George Spiegel Dist. 3, Kevin Gamble Dist. 3.

- 7. Consider appointments to the North Coastal Design Review Board.** Currently, there are three (3) vacancies on the North Coastal Design Review Board (NCDRB) due to (2) expired terms, and an alternate member (Jean Miller) being appointed as a regular member. A vacancy ad was placed and ran for approx. (7) months. Members are required to be a St. Johns County resident who have shown an interest in the history and design of the North Coastal and Vilano Community, residing within the North Coastal Overlay District; or within the Vilano Town Center Mixed Used Overlay District. Attached for your review and consideration are (3) qualifying applications and a recommendation letter from the NCDRB; Sacha Martin Dist. 5, Linda LaCerva Dist. 5, William Morton Dist. 5.

- 8. Appointment to the Tourist Development Council.** In accordance with Florida Statutes 125.0104 and SJC Ordinance 1996-71, the SJC Tourist Development Council (TDC) is required to have two elected municipal officials on the council. Please find attached for review and consideration a letter from Max Royle, City Beach Manager, requesting Mayor Dylan Rumrell to be appointed as the City of St. Augustine Beach representative on the TDC, along with a completed application from Mayor Rumrell.

- ❖ 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 2024-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Purchase and Sale Agreement for property needed for off beach parking, and motion to transfer from Park Impact Fees Zone C Reserves in the amount of \$95,000.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
3. Motion to adopt Resolution 2024-_____, accepting an **Easement for Utilities, Bill of Sale, Final Release of Lien and Warranty associated with the water and reuse systems to serve Silverleaf 418 Phase 1 located off Silverleaf Parkway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
4. Motion to adopt Resolution 2024-_____, accepting an **Easement for Utilities associated with the water system to serve 7-Eleven at Parkway Village #42108 located off International Golf Parkway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
5. Motion to adopt Resolution 2024-_____, accepting an **Easement Agreement from Rayonier Forest Resources, L.P. for a reclaimed water transmission main to be located near the north end of Water Plant Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
6. Motion to adopt Resolution 2024-_____, accepting **three Easements for Utilities, a Bill of Sale, Final Release of Lien and Warranty associated with the water, sewer and reuse systems to serve Silverleaf - Silverlake Drive located off St. Johns Parkway.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
7. Motion to adopt Resolution 2024-_____, approving a **Non-Exclusive Permissive Use Agreement form and authorizing the County Administrator, or designee, to execute the form as needed without further board action.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*

8. Motion to adopt Resolution 2024-_____, authorizing the Chair of the Board of County Commissioners to execute an **Easement to Florida Power & Light Company to install electrical service to Mill Creek Park located off State Road 16.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
9. Motion to adopt Resolution 2024-_____, 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 Northwest Well Site #7.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
10. Motion to adopt Resolution 2024-_____, authorizing the Chair of the Board of County Commissioners to execute an **Easement to Florida Power & Light Company to install electrical service at Vilano Beach Oceanfront Park located off Vilano Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
11. Motion to adopt Resolution 2024-_____, approving the terms and conditions of an **Easement Agreement and authorizing the Chair of the Board to execute the Easement Agreement on behalf of the County.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
12. Motion to adopt Resolution 2024-_____, approving and authorizing the County Administrator, or designee, to execute and deliver, on behalf of the County, **LED Lighting Agreements between St. Johns County and Florida Power & Light Company, in substantially the same form as attached hereto.** *For more information, contact Greg Caldwell, Public Works Director at 904 209-0270*
13. Motion to approve the **re-appropriation of funds within the Utilities operating budgets and associated transfers per the attached budget transfer forms.** *For more information, contact Neal Shinkre, P.E., Utility Director at 904 209-2721*
14. Motion to adopt Resolution 2024-_____, authorizing the **Utility Department Director to submit an application on behalf of St. Johns County to the St. Johns River Water Management District Fiscal Year 2025 Districtwide Cost-Share Program for construction of reuse storage tanks, pipelines, and pump stations and to complete all necessary application paperwork and certifications.** *For more information, contact Neal Shinkre, P.E., Utility Director at 904 209-2721*
15. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, 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 No. 20-MCC-KRY-12220 to Kept Companies, Inc dba Krystal Klean.** *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*

16. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to **award RFQ NO. 23-92; Design-Build Services for Northwest Water Treatment Plant Ground Storage Tank to Precon Corporation, as a qualified Design-Build Firm with the lowest technically acceptable cost proposal, and to execute a contract in substantially same form and format as attached hereto for completion of the specified services for a Total Cost of \$3,170,900.00 which included Alternate # 1 Tank Dome Railing, in accordance with RFQ NO. 23-92** *For more information, contact Jaime Locklear, Director, Purchasing at 904 209-0158*
17. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to **award RFP No. 23-34; Disaster Debris Monitoring Services to Tetra Tech, Inc., as the top ranked firm, and to execute a Professional Services Agreement, in substantially the same form and format as attached for performance of the services in accordance with the RFP.** *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
18. 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 of Purchasing at 904 209-0158*
19. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to **award Bid No: 1625; CR214 Water Plant Road Water Main Installation (Bid Price, Allowance 1) to G&H Underground Construction, Inc., as the lowest, most responsive, and responsible local bidder, and to execute a contract in substantially same form and format as attached hereto, at a total lump sum bid price of \$850,000.00 for completion of the specified project.** *For more information, contact Jaime T. Locklear, Director of Purchasing at 904 209-0158*
20. Motion authorizing County Administrator, or designee, to **assemble a financing team to prepare refinancing documents to achieve annual debt service savings for the Capital Improvement Revenue Refunding Bonds, Series 2014 for later consideration by the Board,** *For more information, contact Jesse Dunn, Director at 209-0568*
21. Motion to adopt Resolution 2024-_____, approving the **substantial amendment to the County's 2021-2022 Annual Action Plan and authorizing the Chair to execute and deliver a letter to HUD, in substantially the same form as attached hereto, detailing the substantial amendment; and authorizing the County Administrator, or designee, to submit the substantial amendment through HUD's Integrated Disbursement and Information System.** *For more information, contact Shawna Novak, HHS Director at 904 209-6089*
22. Motion to adopt Resolution 2024-_____, **awarding West Augustine Historical Community Development Corporation , Inc. a \$33,405.25 Community Development Block Grant to provide free after-school mentoring, tutoring, and homework assistance to low- and moderate-income families in the West Augustine Community Redevelopment Area; authorizing reimbursement of pre-award costs; approving the terms, conditions, and requirements of the Subrecipient Agreement; and authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County** *For more information, contact Shawna Novak, HHS Director at 904 209-6089*

23. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to submit an **application for the HUD fiscal year 2023 Comprehensive Housing Counseling Grant Program.** *For more information, contact Shawna Novak, HHS Director at 904 209-6089*
24. Motion to approve a **reserve transfer of \$55,000 from Golf Club Reserves into the Golf Club Equipment line.** *For more information, contact Ryan Kane, Director at 904 209-0324*
25. Motion to adopt Resolution 2024-_____, amending **the Fiscal Year 2024 fee schedule to include a \$50 Annual Sightseeing Family Pass for the St. Johns County Ocean Fishing Pier.** *For more information, contact Ryan Kane, Director at 904 209-0324*
26. Motion to adopt Resolution 2024-_____, approving **the terms and conditions of Amendment No. 1 to FDEP Agreement 22SJ3 the State cost share of The South Ponte Vedra and Vilano Beach Nourishment Project to be increased by \$89,211.22 to \$163,126.22 and authorizing the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County.** *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
27. Motion to adopt Resolution 2024-_____, approving **the terms and conditions of Amendment No. 1 to FDEP Agreement 22SJ1 to increase funding by \$86,248.90 to \$224,943.80 for the State cost share of the St. Johns County Shore Protection Project expenses, and authorizing the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County.** *For more information, contact Damon Douglas, Coastal Manager at 904 209-0794*
28. Motion to adopt Resolution 2024-_____, approving **the terms, conditions, provisions, and requirements of the State-Funded Grant Agreement with the Florida Division of Emergency Management, recognizing and appropriating \$2,000.000 amending the FY24 budget and authorizing the the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County.** *For more information, contact Damon Douglas, Coastal Management at 904 209-0794*
29. Motion to approve Resolution 2024-_____, regarding the **mutual separation of David M. Migut as County Attorney, accepting the terms, conditions, provisions, and requirements of the separation agreement and general release between David M. Migut and the County, authorizing the Chair to execute the separation agreement and general release on behalf of the County.** *For more information, contact Joy Andrews, County Administrator at 904 209-0530*
30. Motion to adopt Resolution 2024-_____, **recognizing and appropriating \$24,331.23 from the State Emergency Medical Services Trust Fund, 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 expansion of the County prehospital emergency medical services system.** *For more information, contact Jeremy Robshaw, Communications Chief at 904 209-1750*

31. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or his designee, to execute an **agreement substantially in the same form as the attached Economic Development Grant Agreement with Publix Super Markets on behalf of St. Johns County.** *For more information, contact Jennifer Zuberer, Manager of Tourism Promotional Programs at 904 209-1678*

32. Motion to approve minutes.

- 1/16/2024, BCC Regular

33. Proofs:

Proof: Board of County Commissioners of St. Johns County cancelled its regular meeting scheduled for January 2, 2024, at 9:00 a.m. The next regular meeting of the Board of County Commissioners is scheduled for January 16, 2024, at 9:00am, published on December 22, 2023, in the St. Augustine Record.

Proof: Request for Bids No.: 1625; 214 Water Plant Road Water Main Installation, published on December 1, 2023, and December 8, 2023, in the St. Augustine Record.

Proof: Request for Bids No: 24-08R; Mussallem Beachfront Park. All sealed bids must be submitted by or before 2:00PM EST on Wednesday, January 10, 2024, or as otherwise stated in an addendum, published on December 6, 2023, and December 13, 2023, in the St. Augustine Record.

Proof: Request for Bids No: 1556; Construction of A1A Master Lift Station - FDEP #HA001. All sealed bids must be submitted by or before 2:00PM EST on Wednesday, January 17, 2024, or as otherwise stated in an addendum, published on December 13, 2023, and December 20, 2023, in the St. Augustine Record.

Proof: Request for Bids No: 1620; Manhole Rehabilitation Project. All sealed bids must be submitted by or before 2:00 PM EST on Wednesday, January 31, 2024, or otherwise stated in an addendum, published on December 22, 2023, and December 29, 2023, in the St. Augustine Record.