

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

Tuesday, February 20, 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
- ❖ Public Safety Update
- ❖ Clerk of Court's Report
- ❖ Service Delivery 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: Joy Andrews, County Administrator

1. **Confirmation of Daniel Whitcraft as Facilities Management Director.** Daniel Whitcraft has been selected as the Facilities Management Director and will be starting on March 4, 2024. Mr. Whitcraft is well versed in the unique aspects of managing facilities for local governments including jails, courthouses, courtrooms, medical examiners offices, and more. Additionally, he has experience working with constitutional officers, judges, and various county departments such as Fire Rescue and Parks and Recreation. Mr. Whitcraft has ten years of experience working for Alachua County and four years of facilities management at the University of Florida. At UF, he oversaw critical operations such as managing the university's veterinary hospital, HVAC chiller assets, building envelopes of 450 buildings, and 46 miles of underground piping for chilled water and steam. His past experiences highlight his extensive understanding and adeptness in handling complex facilities and infrastructure. Mr. Whitcraft has a Master's Degree in Facilities Management/Construction Management, is a Certified Facilities Manager with the International Facilities Management Association, and is a State of Florida Certified General Contractor.

Presenter: Brandon J. Patty, Clerk of the Circuit Court & Comptroller

2. **Presentation of the St. Johns County Surplus and OPEB Investment Portfolios.** The St. Johns County Board of County Commissioners Investment Policy, Section XVII Reporting, and OPEB Trust Investment Policy, Section XV, requires the Clerk, or designee, to prepare and submit a written report annually on all invested funds to the Board. Included in the report shall be a complete list of all invested funds, the name or type of security in which the funds are invested, the amount invested, the maturity date, earned income, the book value, the market value, and the yield on each investment. PFM Asset Management, LLC, is the County's investment advisor and has prepared the annual reports for the quarter ended September 30, 2023.

- 3. Hastings Community Center & Library and New Southwest First Coast Technical College Campus.** This agenda item provides updates and requests direction on 1.) the St. Johns County Board of County Commissioners (BCC) new Hastings Community Center & Library (Community Center) project and 2.) the BCC-approved American Rescue Plan Act funding for the St. Johns County School Board (School Board) new Southwest First Coast Technical College (FCTC) campus in Hastings. First; as part of their April 19, 2022 regular meeting, the BCC authorized the County Administrator to enter into a partnership with the School Board to support construction costs associated with the new FCTC campus utilizing American Rescue Plan Act funds in an amount up to \$7,665,000. (The American Rescue Plan Act of 2021 (ARPA) was signed into law by President Biden on March 11 2021). The first motion is for the BCC to consider executing a funding agreement with the School District to comply with the ARPA requirements for the construction of the new FCTC campus. Second; the School Board has requested that the BCC convey the property, known as the old Hastings High School building (and formerly owned by the School Board), to the School Board as allowed by Section 125.38, Florida Statutes. The second motion is for the BCC to consider executing a County Deed conveying the old Hastings High School property to The School Board. Third; as the Public Works Department partnered with the community to achieve an appropriate design for the new Community Center, Library Services and the Grants & Legislative Development secured two grants to assist in the construction of the community center. The County received an announcement, from the Office of Governor Desantis (included in the agenda backup information), that the BCC is the recipient of a \$4,000,000 Multipurpose Community Facilities Projects Program Award to be used for the Community Center (the grant contract will be brought to the BCC for execution in a subsequent BCC meeting). In addition, the County has been awarded a State of Florida, Division of Library and Information Services Public Library Construction Grant in the amount of \$500,000. The third motion is for the BCC to accept the terms of the Library Construction Grant Agreement and to recognize and appropriate the grant within the Fiscal Year 2024 County Budget. Fourth; on July, 20, 2021, the Board authorized (Res. 2021-298) the submission of a Section 108 Loan Guarantee Application in the amount of \$5,075,000 to the U.S. Department of Housing and Urban Development (HUD) for the construction of a Community Center and Library located in Hastings, FL. St. Johns County has participated in the Community Development Block Grant (CDBG) Entitlement Program since 2016, and as such receives an annual allocation of funds for projects, which are in conformance with its 2021-2025 Consolidated Plan. The Section 108 Loan Guarantee Program is an important public investment tool that provides communities with federally guaranteed loans sufficient to transform a small portion of their CDBG funds into larger projects. The loan and fees will be paid by current and future CDBG Entitlement funds. The fourth motion is for the BCC to execute a HUD contract and note and recognize and appropriate within the Fiscal Year County Budget. Finally, to ensure continuity of community services during construction of the new Community Center, and in order to facilitate the construction of the FCTC campus, Library Services will serve the community from the Walter E. Harris Community Center. It is estimated that the transition of resources to the Walter E. Harris Community Center will cost \$50,000. The fifth motion is for the BCC to approve the transfer of reserves for the transition and set-up of the temporary library branch.

Presenter: Mark Nelson and Jarrod Hirneise

Staff Member: Westly Woodward, Engineer

4. **County-wide Vulnerability Assessment Presentation of Findings.** The Florida Department of Environmental Protection, through the Resilient Florida Grant Program, offers funding to assist Florida communities to understand and address their risk associated with tidal, future high tide, storm and rainfall-induced flooding and sea level rise. St. Johns County was awarded a grant in the amount of \$500,000 through the Resilient Florida Grant Program to fund the development of a County-wide Vulnerability Assessment (VA) and preliminary Adaptation Plan. Completion of a vulnerability assessment, in accordance with the criteria set forth in FS. 380.093, allows the County and its municipalities to apply for implementation projects for vulnerable critical assets through the Resilient Florida Program with a cost-share of 50%. Staff will present to the Board of County Commissioners 1) the vulnerability assessment process overview 2) the findings of the sensitivity analysis and the draft focus areas 3) and the initial ranking of assets based on vulnerability + adaptive capacity.

Presenter: Joseph Giammanco, PhD, Director of Emergency Management

5. **North Ponte Vedra Beach nourishment update and Contract Award.** SJC Purchasing Division issued a formal Invitation for Bids (IFB #1677), in accordance with SJC Purchasing Policy, to complete the dredge beach restoration of North Ponte Vedra Beach, as specified. Bids were received on February 13, 2024, and the bid tabulation is provided as part of the presentation. Due to the size of the exhibits included in the Bid Documents, they are available upon request from SJC Purchasing. As part of the IFB, Bidders were able to provide bids on two Bid Options: Bid Option A, which provides for completion by or before 10/7/24; and Bid Option B, which provides for completion by or before 3/2/25, in order to provide maximum consideration for cost feasibility by completion time. Staff will issue a Notice of Intent, based upon Board's approval/denial, which initiates the Protest Period. Provided no Protest is received, Staff will proceed based upon Board's direction.

Presenter: Jennifer and Christian Corbitt (owners), and Mike Herzberg, AICP

Staff Member: Saleena Randolph, Senior Planner

District 1

6. **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. This request was scheduled for a public hearing with the BCC on 2/06/2024; the item was not heard as the applicant requested a continuance to a date certain of 2/20/2024. The Board approved this continuance with a vote of 5-0.

Presenter: Travis Minch

Staff Member: Corryn George, Environmental Supervisor

District 4

7. **Public Hearing * NZVAR 2023-20, Alternate Bald Eagle Management Plan for the Shiprek Palm Valley properties located at 4485, 4485B, 4485C and 4495 Palm Valley Road for Bald Eagle nest SJ-38.** Bald Eagle Nest SJ-38 is located on Tract A of the Plantation at Ponte Vedra Unit 5 that directly abuts the eastern portion of 4485B Palm Valley Road. This Bald Eagle nest has been confirmed active by St. Johns County since the 2007 nesting season. The properties proposed as part of this request are currently 4 lots of record as defined by Section 12 of the Land Development Code and therefore must adhere to Federal, U.S. Fish and Wildlife, regulations for the protection of the Bald Eagle. The federal regulations include a primary nest protection zone of 330' and a secondary nest protection zone of 660'. The applicant desires to reconfigure the lots and add an additional lot which would render them no longer lots of record and therefore the full provisions of Section 4.01.10 of the St. Johns County Land Development Code would apply to development of these properties. This would include a 750' primary nest protection zone and a 1500' secondary nest protection zone. The request for a non-zoning variance is in accordance with Section 4.10.10.C.4 of the St. Johns County Land Development Code which states an alternative site specific Bald Eagle Management Plan may be development for a Bald Eagle nest when changes to the provisions of Section 4.01.10 are requested, subject to approval by the Board of County Commissioners. The applicant has obtained an approved Incidental Take Permit (ITP) MBPER0032532 from the U.S. Fish and Wildlife Service for the construction no closer than 75 feet from the nest tree.

Presenter: Bill Miller

Staff Member: Evan Walsnovich, Planner

District 3

8. **Public Hearing * REZ 2023-19 ML Conner Rezoning.** Request to rezone approximately .85 acres of land from Commercial Neighborhood (CN) to Residential, Single Family (RS-3), specifically, located at 6297 & 6289 A1A S / 6298 & 6288 Costanero Rd. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on January 18, 2024, and recommended approval with a unanimous vote of 6 to 0.

Presenter: Corey Bowens, Director, Land Management Systems

District 2

9. **LAMP Riverdale CR 13 / Atlantic Road property Phase II ESA report update and request for direction from the BOCC.** Resolution No. 2023-332 authorized the County Administrator to execute a Purchase and Sale Agreement for the acquisition of approximately 30 acres of land located off County Road 13 South for conservation. On November 21, 2023, upon consideration of the County's inspection of the property and the results of the Phase I Environmental Site Assessment, the Board of County Commissioners approved extending the inspection period and closing date of the Purchase and Sale Agreement and directed staff to obtain a Phase II Environmental Site Assessment on the property. Addendum I to the Purchase and Sale Agreement provides an extension to the inspection period to March 6, 2024, and an extension of the closing date to on or before April 5, 2024. The Phase II Environmental Site Assessment report update is presented herein and staff is seeking direction from the BOCC on potential options. The Seller is agreeable to enter into a second addendum to extend the inspection period for 60 days to allow for the additional testing recommended in the report. The Board also has the authority under the purchase and sale agreement to find the property unsuitable for the county's purposes and terminate the sale agreement with full refund of the \$70,000.00 deposit.

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

- 10. Consider appointments to the Housing Finance Authority.** Currently there are two (2) vacancies on the Housing Finance Authority due to the expiring terms of Robert Marshall and Michael O'Donnell. The vacancy ad was placed and ran for (30) days. Please find attached for your review and consideration a letter of recommendation from the Housing Finance Authority and (4) applications: Eli Gillmore Dist. 3, Robert Marshall Dist. 3, Michael O'Donnell Dist. 5, Timothy White Dist. 5.

- 11. Consider appointments to the Health & Human Services Advisory Council (HHSAC).** The Health and Human Services Advisory Council's purpose is to evaluate human services programs in the community to ensure that the needs of the residents of St. Johns County are met. Currently, there are two (2) vacancies due to expired terms. A vacancy ad was placed and ran for (30) days. Please find attached for your review and consideration, a letter of recommendation from HHSAC and (12) applications: Daniel Deptula Dist. 1, Stephanie Royer Dist. 2, Tara Haley Dist. 2, Eli Gillmore Dist. 3, Kayla Collins Dist. 3, William A. Cover Jr. Dist. 3, Susan Brown Dist. 4, Robert Douglas Will Dist. 4, Lucellie Wells-Johnson Dist. 5, Matthew Ohlson Dist. 5, Andrea Lyles Dist. 5, Claudia Costello, Dist. 5.

Presenter: Joy Andrews, County Administrator

- 12. Interim County Attorney Discussion.** At the February 6, 2024, BCC meeting, the Board of County Commissioners and the County Attorney agreed to separate effective February 9, 2024. The Deputy County Attorney is allowed to perform the duties of the County Attorney for no more than fourteen days without approval by the Board of County Commissioners per Ordinance 2003-64 Section 3. Additionally, the Board subsequently approved a motion authorizing the Chair and the County Administrator to enter into contract negotiations with Rich Komando of Bradley, Garrison & Komando, to serve as the Interim County Attorney. A draft contract will be presented for the Board's review and consideration.

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

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Tuesday, February 20, 2024 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 adopt Resolution 2024-_____**, approving the **final plat for REVERIE AT SILVERLEAF PHASE 2.** For more information, contact Ava Pyszczymuka, Application Review Supervisor at 209-0603
- 3. Motion to adopt Resolution 2024-_____**, approving the **final plat for SILVERLEAF 29B-1 LOTS 96 AND 97 REPLAT.** For more information, contact Ava Pyszczymuka, Application Review Supervisor at 209-0603
- 4. Motion to adopt Resolution 2024-_____**, approving the **final plat for Silver Meadows (Silverleaf Parcel 33) Phase 3.** For more information, contact Kelly Schley, Application Review Supervisor at 209-0720
- 5. Motion to adopt Resolution 2024-_____**, approving the **final plat for Seabrook Village Phase 2.** For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720
- 6. 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 a pond site for the improvements along Woodlawn Road.** For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776
- 7. Motion to adopt Resolution 2024-_____**, accepting an **Easement Agreement for Utilities and a Temporary Access and Construction Easement from West Saint Augustine Land and Timber, LLC for a reclaimed water transmission main to be located along Allen Nease Road.** For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776
- 8. Motion to adopt Resolution 2024-_____**, accepting an **Amended and Restate Easement Agreement for Utilities from West Saint Augustine Land and Timber, LLC at the intersection of County Road 214 and Allen Nease Road.** For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776

9. Motion to adopt Resolution 2024-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Purchase and Sale Agreement for an easement required for the CR210 widening from Cimarrone Boulevard to Greenbriar Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
10. Motion to adopt Resolution 2024-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Purchase and Sale Agreement for a temporary construction easement to serve construction of right of way and drainage improvements for the Kings Estate Road Corridor Improvements Project.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
11. Motion to adopt Resolution 2024-_____, accepting an **Easement for Utilities, a Bill of Sale, Final Release of Lien and Warranty associated with the water, sewer and sewer force mains systems to serve Trailmark East Parcel - Phase 2B located off Pacetti Road.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
12. Motion to adopt Resolution 2024-_____, accepting an **Easement for Utilities, a Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer systems to serve Entrada Phase 3 - Unit 5 located off State Road 207.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
13. Motion to adopt Resolution 2024-_____, accepting a **Bill of Sale, Final Release of Lien and Warranty associated with the water and sewer systems to serve Arbors at Lightsey Crossing Phase 3 located off State Road 207.** *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
14. Motion to adopt Resolution 2024-_____, approving the terms, conditions, provisions, and requirements of a **Memorandum of Understanding - Utility Transmission Commitments and Reimbursements between Elevation Pointe and St. Johns County, and approving the County Administrator, or designee, to execute the Memorandum of Agreement on behalf of St. Johns County.** *For more information, contact Neal Shinkre, P.E., Utility Director at 904 209-2721*
15. Motion to declare the **twelve (12) 800mghz radios from St. Johns County Fire Rescue, as identified on the attached list by model and serial number, as surplus, and authorize the County Administrator, or designee, to donate the radios to the City of Crescent City Fire Department.** *For more information, contact Jaime Locklear, Director at 904 209-0158*
16. 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*

17. Motion to adopt Resolution 2024-_____, 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 2024; **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*

18. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, on an ongoing basis, to execute and submit a **Waterway Assistance Grant Application to FIND, on behalf of the County, for projects identified in the County's Capital Improvement Plan that may qualify for grant funding under the program.** *For more information, contact Ryan Kane, Director at 904 209-0324*

19. Motion to adopt Resolution 2024-_____, approving the terms and conditions of **FDEP Agreement 24SJL for the State share of the future Ponte Vedra Beach North Beach and Dune Restoration project, 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*

20. Motion to adopt Resolution 2024-_____, authorizing the County Administrator or designee to execute a **one-time funding agreement with the Florida State Park Foundation for the purpose of reconstructing Fort Mose at Fort Mose Historic State Park for an amount not to exceed \$200,000.00.** *For more information, contact Tera Meeke, Tourism and Cultural Development Director at 904 209-4428*

21. Motion to **appoint Jennifer Cook to the Mid-Anastasia Design Review Board for a full 4 year term scheduled to expire February 20, 2028;** and Motion to **appoint Sarah Ryan to the Mid-Anastasia Design Review Board for a full 4 year term scheduled to expire February 20, 2028.** *For more information, contact Joanne Spencer, Sr. Asst. to the Board of County Commissioners at 904 209-0308*

22. **Motion to approve minutes:**
 - 02/06/2024; BCC Meeting