

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
Rich Komando, Interim County Attorney

Tuesday, October 1, 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 October 2024 as Domestic Violence Awareness Month
- ❖ Proclamation Recognizing October 6-12, 2024 as National 4-H Week
- ❖ Retirement Recognition of Abraham Nelson
- ❖ Retirement Recognition of Debbie Taylor
- ❖ 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: Thomas Ingram | Sodl & Ingram, PLLC

Staff Member: Justin Kelly, Senior Planner

District 2

1. **Public Hearing * CPA(SS) 2023-10 County Road 208 Multifamily.** Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 23.17 acres of land from Rural/Silviculture to Residential-D, with a site specific text amendment stating that the subject property shall be entitled to a maximum density of fifteen (15) dwelling units per net acre, pursuant to Policy A.1.11.1(m)(7) of the 2025 Comprehensive Plan regarding the Affordable Housing Density Bonus, provided that at the time of initial development, until the date that is fifteen (15) years from the issuance of the first certificate of occupancy, forty percent (40%) of the residential units on the property shall be income-restricted for affordable housing. This request was heard by the Board of County Commissioners at their regularly scheduled public hearing on Tuesday, April 16, 2024, and was continued to a date uncertain by a vote of 4-1, pending the applicant's participation in the Comprehensive Plan update process.

District 2

- 2. Public Hearing * PUD 2023-19 County Road 208 Multifamily.** Request to rezone approximately 23.17 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum 180 multifamily residential dwelling units. This request is a companion application to CPA (SS) 2023-10. This request was heard by the Board of County Commissioners at their regularly scheduled public hearing on Tuesday, April 16, 2024, and was continued to a date uncertain by a vote of 4-1, pending the applicant's participation in the Comprehensive Plan update process.

Presenter: Brad Wester, Driver McAfee Hawthorne & Diebenow

Staff Member: Brandon Tirado, Planner

District 4

- 3. Public Hearing * PUD 2023-26 301 North Roscoe Restaurant.** Request to rezone approximately 1.34 acres of land from Commercial, Highway and Tourist (CHT) to Planned Unit Development (PUD) to allow for a maximum 10,000 square feet of restaurant space, consistent with the allowed Neighborhood Commercial uses within the Residential-A (RES-A) Comprehensive Plan Future Land Use Map designation, specifically located at 301 North Roscoe Blvd. The Planning and Zoning Agency (PZA) heard this request at their regularly scheduled public hearing on August 16, 2024 and recommended approval with a vote of 5 to 1. Agency Member Jack Peter made a motion to recommend approval of the project, seconded by Agency Member Judy Spiegel. (Agency Member Elvis Pierre dissenting, Agency Member Henry Green was absent).

Presenter: Ellen Avery-Smith, Rogers Towers

Staff Member: Jan Trantham, Senior Transportation Planner

District 1

- 4. Public Hearing * DEVAGRMOD 2024-01 First Amendment to Greenbriar Helow HBIS Development Agreement.** Greenbriar Property Holdings, LLC (Developer) has proposed a modification to the Greenbriar Helow HBIS Development Agreement (Agreement) to: 1) allow the County to utilize mitigation funds for the CR 210/Greenbriar Rd/Veterans Pkwy intersection improvements in addition to the widening of Longleaf Pine Pkwy, as originally contemplated in the Agreement; 2) to allow the developer additional time to complete the Greenbriar Road widening; and 3) to provide for wetland mitigation credits for Greenbriar Road widening in the County's ROMA, if needed. There are no changes proposed to the approved development or limits on platting based on completion of mitigation. This is the first of two required public hearings to modify a Development Agreement. The second public hearing is scheduled before the Board of County Commissioners on November 5, 2024.

Presenter: Ellen Avery-Smith, Esq.; Rogers Towers, P.A.

Staff Member: Cynthia A. May, Principal Planner

District 2

- 5. Public Hearing * NZVAR 2023-24 Silverleaf Non-Zoning Variance 6277 County Road 16A.** NZVAR 2023-24 Silverleaf Non-Zoning Variance 6277 County Road 16A - Request for a Non-Zoning Variance pursuant to Section 6.06.02.G and H of the Land Development Code to allow for a 20 foot Scenic Edge in lieu of the required 30 feet, meeting requirements for enhanced landscaping performance standards, and to eliminate the required 35 foot Development Edge for Parcel 39B, located within the Silverleaf PUD.

Presenter: Karen M. Taylor | Karen M. Taylor Land Planning
Staff Member: Justin Kelly, Senior Planner

District 5

6. **Public Hearing *REZ 2024-08 U-Haul of Palencia.** Request to rezone approximately 1.85 acres of land, located at the northeast corner of the US 1 North and Stokes Landing Road intersection, from Commercial General (CG) to Commercial Warehouse (CW) with conditions to allow for a Self-Storage and Rental Vehicle facility. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, September 5, 2024, and was recommended for approval, 6-0.

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

7. **Consider appointments to the Industrial Development Authority.** Currently, there are two (2) vacancies on the Industrial Development Authority (IDA) due to the expired terms of Viv Helwig and Kevin Kennedy. A vacancy ad was posted and ran (3) months. Please see attached for your review and consideration, a recommendation letter from the IDA and (4) applications: Kevin Kennedy Dist. 1. Heather Harley-Davidson Dist. 3, Paul Morris Dist. 3, Robert Will Dist. 4.

- 8. Resolution declaring the public purpose and reasonable necessity to acquire certain real property situated along Vilano Beach for the USACE to complete future USACE beach nourishments, and authorizing the County Attorney to initiate condemnation proceedings to acquire the property as needed.** On March 19, 2019, the St. Johns County Commission approved the St. Johns County and US Army Corps of Engineers (USACE) Project Partnership Agreement (Agreement) that would allow the USACE to construct a beach nourishment project on portions of the South Ponte Vedra and Vilano Beaches, and perform subsequent beach nourishments as needed (estimated nourishment interval of twelve years) over the next 50 years, along with emergency repairs under the USACE Flood Control and Coastal Emergencies program (FCCE). The Commission further authorized the execution of an amendment to the PPA on February 7, 2023. The USACE approved the initial construction of the project in 2020 with five missing easements, out of 136 properties, and the USACE subsequently completed an FCCE repair project in 2023 with two missing easements to restore the storm damaged beach. Prior to the authorization of the FCCE repair, the USACE notified the County that they have received clarification from USACE Headquarters that their policy requires 100% easement participation for the USACE to provide any further work on the project. In accordance with the terms, conditions, and requirements of the agreements with Army Corps of Engineers, the County is responsible for acquiring the two remaining easements necessary to continue nourishing portions of the beach in the South Ponte Vedra - Vilano Beach Coastal Storm Risk Management project area. As authorized by Chapter 127, Florida Statutes, and as contemplated by the Agreement, the County may exercise the right and power of eminent domain for certain public uses and purposes. In this instance, the owners of the two remaining properties that have not reached an agreement with the County for the purchase of the easements required to continue the project, and therefore, the County may need to exercise the power of eminent domain to acquire those easements. In accordance with section 127.02, Florida Statutes, the Board may not exercise its power of eminent domain unless it adopts a resolution authorizing the acquisition of real property for the use or purpose designated in such resolution. Attached for the Board's consideration is a proposed resolution, declaring the public purpose and reasonable necessity for exercising the right and power of eminent domain to acquire certain easements along Vilano Beach to continue the periodic nourishments and repairs, and authorizing the County Attorney to initiate condemnation proceedings as needed to acquire the easements. The County will be responsible for 100% of the total acquisition costs, including obtaining surveys, appraisals, title insurance and any costs incurred by proceeding in eminent domain. However, the USACE can credit the County for up to 22.3% of reasonable expenses towards future nourishment cost-shares.

- ❖ 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 **final plat** for Entrada Phase 3 Unit 6B. *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
3. Motion to adopt Resolution 2024-_____, approving the **final plat** for Rock Springs Farms Replat. *For more information, contact Kelly Schley, Application Review Supervisor at 904 209-0720*
4. Motion to adopt Resolution 2024-_____, accepting a **Grant of Easement** for the maintenance of drainage facilities along Moon Bay Parkway. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
5. Motion to adopt Resolution 2024-_____, accepting a **Grant of Easement** for future maintenance of a sidewalk along a portion of County Road 16A. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
6. Motion to adopt Resolution 2024-_____, accepting a **Bill of Sale, Final Release of Lien and Warranty** associated with the water and reuse systems to serve Texas Roadhouse. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
7. Motion to adopt Resolution 2024-_____, accepting a **Bill of Sale, Final Release of Lien and Warranty** associated with the water system to serve Silverleaf 23 Access Driveways. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
8. 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 2nd Street Extension (COSAB). *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
9. Motion to adopt Resolution 2024-_____, accepting a **Deed of Dedication** from Memorial Healthcare Group, Inc., to St. Johns County donating property for right-of-way along Woodlawn Road for the roadway widening project. *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 **Fourth Lease Modification and Assignment Agreement** with Mickler's Landing LLC for lease space for a St. Johns County Sheriff's Office substation in Ponte Vedra. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*

11. Motion to adopt Resolution 2024-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Memorandum of Understanding** with the St. Johns County Sheriff's Office for use of a Parks & Recreation pavilion located in Ponte Vedra. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
12. Motion to adopt Resolution 2024-_____, approving the **Assignment of Lease** and terms and conditions of three (3) Commercial and Industrial Lease Agreements between St. Johns County Sheriff's Office and Meadow Commercial Properties, Inc., and authorizing the County Administrator, or designee, to execute the **Assignments of Lease** on behalf of the County. *For more information, contact Corey Bowens, Director, Land Management Systems at 904 209-0776*
13. Motion to adopt Resolution 2024-_____, approving the terms and authorizing the County Administrator, or designee, to execute a **Commercial Lease Agreement** with YY & G LLC for lease space for a St. Johns County Sheriff's Office Substation in Hastings. *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 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*
15. Motion to adopt Resolution 2024-_____, approving the term, conditions, provisions, and requirements of the **State-Funded Grant Agreement with the Florida Department of Transportation** to receive \$6,500,000 for design, permitting, construction, post design and CEI services for CR2209; authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
16. Motion to adopt Resolution 2024-_____, approving the term, conditions, provisions, and requirements of the **State-Funded Grant Agreement with the Florida Department of Transportation** to receive \$7,500,000 for design, permitting, construction, post design services and construction engineering and inspection (CEI) for the widening of SR 16; authorizing the County Administrator, or designee, to execute the **Agreement** on behalf of the County and **amending the FY 2025 budget** to recognize and appropriate grant revenue (1111-33440) in the amount not to exceed \$7,500,000 within the FY 2025 Transportation Trust Fund Budget (State Grant 1114-55305). *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
17. Motion to adopt Resolution 2024-_____, approving and authorizing the County Administrator, or designee, to execute and deliver, on behalf of the County, the **LED Lighting Agreement** between St. Johns County and Florida Power & Light Company for the installation of street lighting on SR A1A and Surfside, in substantially the same form as attached hereto. *For more information, contact Greg Caldwell, Public Works Director at 904 209-0266*
18. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to **award IFB No: 1923**; Hastings Water Transmission Main Project - ARPA Funded to G & H Underground Construction, Inc., as the most responsive and responsible bidder, at a total not-to-exceed bid price of \$2,271,056.33 for the completion of the specified project, which includes Bid Alternate #1 and Bid Alternate #2. *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 RFQ No: 1900**; Design of New Library at Northeast Community Park to Harvard Jolly, Inc., as the top ranked Proposer, and to execute a contract, in substantially the same form and format as attached, at a not-to-exceed amount of \$729,760.00, to perform the required services in accordance with RFQ 1900; Design of New Library at Northeast Community Park. *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
20. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to **award Bid No: 1874**; CDBG-CV Construction of the EOC Annex Building to Atlantic Coast Sales & Service, Inc. d.b.a. Atlantic Coast Construction Group, as the lowest, responsive, and responsible bidder, and to execute a contract in substantially same form and format as attached hereto, at a total lump sum bid price of \$1,220,000.00 for completion of the specified project. *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
21. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to award **IFB No: 1910**; Marsh Landing Wastewater Treatment Facility (WWTF) Electrical Improvements Funded to SGS Contracting Services, Inc., as the most responsive and responsible bidder, at a total lump sum bid price of \$1,841,700.00 for the completion of the specified project. *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
22. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to execute **Contract Amendment No: 02 under Master Contract 22-PSA-ELB-17084 with Elbow Tree Cooperative, LLC.**, (Misc. 23-03; Mental Health Services for Fire Rescue) which exercises a 1-year renewal of the Contract, and increases the annual amount to \$545,485.00 for performance of the services as provided in the amendment; and to transfer \$69,119 from Fire District Fund Reserve to the Fire Rescue Department. *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
23. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to **award IFB No. 1954**; Las Calinas Boulevard Force Main to Ferreira Construction Co., Inc., as the lowest, responsive, responsible bidder, for the Not-To-Exceed Bid Price of \$714,138.12 for completion of the project as specified. *For more information, contact Jaime Locklear, Director of Purchasing at 904 209-0158*
24. Motion to Authorize the **Reappropriation of American Rescue Plan Act (ARPA) Funding** from Completed Categories to BCC-Approved Categories In Order to Maximize Spending of the Program. *For more information, contact Jesse Dunn, Director, OMB at 904 209-0568*
25. Motion to **appropriate, into the Fiscal Year 2025 Budget**, previously Board-approved actions, including the use of \$3,000,000 of TDT Category V Reserves to fund repair costs for the St. Johns County Pier; and to adopt Resolution 2024-_____, **amending the Fiscal Year 2025** Fire District Fund and General Fund Budgets to incorporate the awarded Staffing For Adequate Fire and Emergency Response (SAFER) Grant Revenue. *For more information, contact Jesse Dunn, Director, OMB at 904 209-0568*
26. Motion to adopt Resolution 2024-_____, approving the issuance by the St. Johns County Industrial Development Authority of **its Senior Living Revenue Bonds** (Vicar's Landing Project), Series 2024 in an aggregate principal amount not to exceed \$66,000,000. *For more information, contact Rich Komando, Interim County Attorney at 904 209-0805*
27. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to execute and **submit an application** to amend the Florida Department of Environmental Protection's Florida Forever Northeast Florida Blueway project boundary, on behalf of the County. *For more information, contact Joel Sneed, Manager, Office of Intergovernmental Affairs at 904 209-3254*

28. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee to **submit an application** to the U.S. Department of Housing and Urban Development for the PRO Housing grant program, on behalf of the County, to support the West Augustine Affordable Housing project. *For more information, contact Sarah Newell, Senior Strategist at 904 209-0566*
29. Motion to adopt Resolution 2024-_____, authorizing the County Administrator, or designee, to execute a **funding assistance agreement** by and between St. Johns County and West Augustine for a capital distribution of a sub award of \$5,000,000.00, from the American Rescue Plan Revenue Fund Budget. *For more information, contact Shari Shuman, Consultant at 904 209-0530*
30. Motion to adopt Resolution 2024-_____, approving the terms, conditions, and requirements of the **Funding Agreement** in substantially the same form as the template attached hereto, and authorizes the County Administrator, or designee, to execute and deliver Funding Agreements between the County and the nonprofit agencies identified on attached Exhibit 2 and any subsequent amendments or extensions to the Funding Agreements, without further Board action, that do not propose to amend, modify, or otherwise change the funding, material terms, conditions, provisions, or requirements of the Funding Agreement. *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*
31. Motion to adopt Resolution 2024-_____, approving and authorizing the Chair, or designee, to **execute the Contract for Behavioral Health Services** between the County and SMA Healthcare, Inc. in a not to exceed amount of \$230,000, in substantially the same form as attached hereto. *For more information, contact Shawna Novak, Health and Human Services Director at 904 209-6089*
32. Motion to adopt Resolution 2024-_____, approving and authorizing the County Administrator, or designee, to **execute and deliver Amendment Five to Contract P021-STJBCC** between St. Johns County Board of County Commissioners and ElderSource for the Emergency Home Energy Assistance Program to renew the contract term for an additional year and recognize and appropriate unanticipated funds in the County's Fiscal Year 2025 budget. *For more information, contact Shawna Novak, Director, Health and Human Services at 904 209-6089*
33. Motion to adopt Resolution 2024-_____, approving and authorizing the Chair, or designee, to **execute the Contract** between St. Johns County Board of County Commissioners and Florida Department of Health for the operation of the St. Johns County Health Department for contract year 2024-2025, in an amount not to exceed \$842,712, in sustainably the same form as attached hereto. *For more information, contact Lisa Bonitatis, Public Health Services Manager at 904 506-6152*
34. Motion to adopt Resolution 2024-_____, approving the terms and conditions of **FDEP Agreement 25SJ2 for the cost share** of the post-construction monitoring of the South Ponte Vedra and Vilano Beach Restoration Coastal Storm Risk Management Project, and authorizing the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County; and to recognize and appropriate FDEP Agreement 25SJ2 in the amount of \$61,215 within the Fiscal Year 2025 Budget. *For more information, contact Joseph Giammanco, Emergency Management Director at 904 209-0152*
35. Motion to adopt Resolution 2024-_____, approving the terms and conditions of **FDEP Agreement 25SJ1 for the cost share** of the post-construction monitoring of the St. Johns County Shore Protection Project, and authorizing the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County; and to recognize and appropriate FDEP Agreement 25SJ1 in the amount of \$76,230 within the Fiscal Year 2025 Budget. *For more information, contact Joseph Giammanco, Emergency Management Director at 904 209-0152*

- 36.** Motion to adopt Resolution 2024-_____, approving the terms and conditions of **Amendment No. 3 to FDEP Agreement 22SJ2 the State cost share** of the post-construction monitoring South Ponte Vedra Dune Restoration project, and authorizing the County Administrator, or designee, to execute the Agreement, along with any supplemental documentation, on behalf of the County; and to recognize and appropriate an additional \$45,630.00 for FDEP Agreement 22SJ2 within the FY25 budget year to bring the total agreement amount to \$180,765.00. *For more information, contact Joseph Giammanco, PhD, Emergency Management Director at 904 209-0152*
- 37.** Motion to **re-appoint** Samuel Crozier to the **Ponte Vedra Zoning and Adjustment Board** to a full (4) year term scheduled to expire on October 1, 2028. *For more information, contact Joanne Spencer, Sr. Asst. to the Board of County Commissioners at 904 209-0308*
- 38.** Motion to approve **minutes:**
- 09/17/24, BCC Regular
 - 09/17/24, BCC Special
- 39. Proofs:**
- Proof: Notice of Special Meeting, Public hearing to consider and adopt the tentative millage rates and budget for Fiscal Year 2025, held on September 3, 2024, published on August 19, 2024, in the St. Augustine Record.
- Proof: Notice of Public Hearing, public hearing held to consider adoption of the following ordinance; 2011-31, held on September 3, 2024, published on August 19, 2024, in the St. Augustine Record.
- Proof: Notice of a Proposed Resolution, held on September 3, 2024, published on August 29, 2024, in the St. Augustine Record.
- Proof: Notice given for soliciting Qualifications for RFQ No: 1893, County-wide Bridge and Box Culvert Safety Maintenance and Repair Services, published on July 30, 2024 and August 8, 2024, in the St. Augustine Record.
- Proof: Request for bids, Bid N0.:1956; Butler Park West Improvements - Phase 1, published on August 1, 2024 and August 8, 2024, in the St. Augustine Record.
- Proof: Request for bids, Bid No.; 1954, Las Calinas Boulevard Force Main, published on August 5, 2024 and August 12, 2024, in the St. Augustine Record.
- Proof: Request for bids, Bid No.; 1973 Hastings Water Treatment Plant Expansion Project - ARPA FUNDED, published on August 14, 2024 and August 21, 2024, in the St. Augustine Record,
- Proof: Request for bids, Bid No.; 1972 Design-Build Services for Hastings Ground Storage Tank - APRA FUNDED, published on August 15, 2024 and August 22, 2024, in the St. Augustine Record.
- Proof: Request for bids, Bid No.; 1959 Repair of Scale Damage and Removal of Channel Debris on CR 13 Six Mile Creek Bridge (#784026), published on August 19, 2024, and August 26, 2024, in the St. Augustine Record.