

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 1, 2020
9:00 A.M.**

Proceedings of a regular meeting of the Board of County Commissioners (BCC) of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: Henry Dean, District 5, Vice Chair
Christian Whitehurst, District 1
Jeb S. Smith, District 2
Paul M. Waldron, District 3
Hunter S. Conrad, County Administrator
Patrick McCormack, County Attorney
Crystal Smith, Deputy Clerk

Also present: Brad Bradley, Deputy County Administrator Chief of Staff; Joy Andrews, Deputy County Administrator of Strategic Affairs; and Brad Bulthuis, Senior Assistant County Attorney

Absent: Jeremiah R. Blocker, District 4, Chair

(12/01/20 - 1 - 9:00 a.m.)

CALL TO ORDER

Dean called the meeting to order. He provided opening comments regarding remote public participation.

(12/01/20 - 1 - 9:03 a.m.)

ROLL CALL

The clerk called the roll. Commissioners Smith, Dean, Waldron, and Whitehurst were present. Commissioner Blocker was absent.

(12/01/20 - 1 - 9:04 a.m.)

INVOCATION

Pastor Matt McCloghry, Colonial Church, gave the invocation.

(12/01/20 - 1 - 9:05 a.m.)

PLEDGE OF ALLEGIANCE

Waldron led the Pledge of Allegiance.

(12/01/20 - 1 - 9:06 a.m.)

PUBLIC COMMENT

(9:08 a.m.) Sherry Badger, 2772 S. Collins Avenue, requested that staff be sworn in during Regular Agenda Item 8.

(9:08 a.m.) Geoff Sample, St. Johns River Water Management District, Jacksonville Service Center, announced a public hearing regarding the land management plan at the Julington Durbin Preserve.

(9:09 a.m.) Brent Batchelder, Bureau of Land Resources Supervisor, invited the commissioners and the public to attend a public hearing regarding the land management plan at the Julington Durbin Preserve on Wednesday, December 16, 2020, at 6:00 p.m.

(9:12 a.m.) BJ Kalaidi, 8 Newcomb Street, expressed her concerns on the wait to secure the memorial at Trout Creek Fish Camp; requested that Regular Agenda Item 9 be heard at the beginning of the meeting, and to move Consent Agenda Item 16 to the Regular Agenda.

(9:15 a.m.) Ed Slavin, P.O. Box 3084, suggested hearing Regular Agenda Item 9 at the beginning of the meeting and expressed his concerns that no back-up materials were provided for the item.

(9:18 a.m.) Tom Reynolds, 50 Brigantine Court, spoke on his concerns with Commissioner Blocker not being in attendance during meetings, Sherry Badger's flooding issue, and public records request for the contract regarding the Sunshine Bus Company.

(12/01/20 - 2 - 9:22 a.m.)

DELETIONS TO THE CONSENT AGENDA

There were none.

(12/01/20 - 2 - 9:22 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Waldron, seconded by Smith, carried 4/0, with Blocker absent, to approve the Consent Agenda, as submitted.

Yea: Waldron, Smith, Whitehurst, and Dean

Nay: None

Absent: Blocker

1. Motion to approve the Cash Requirement Report
2. Motion to adopt St. Johns County **Emergency Proclamation No. 2020-45**, extending the local state of emergency for an additional seven-day period

EMERGENCY PROCLAMATION NO. 2020-45

A PROCLAMATION EXTENDING THE DECLARATION OF A STATE OF LOCAL EMERGENCY AS PROVIDED BY CHAPTER 252, PART I, FLORIDA STATUTES AND BY ST. JOHNS COUNTY ORDINANCE NO. 2019-40

3. Motion to adopt **Resolution No. 2020-465**, approving the final plat for North Creek (Replat)

RESOLUTION NO. 2020-465

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR NORTH CREEK (REPLAT)

4. Motion to adopt **Resolution No. 2020-466**, approving the final plat for Grand Oaks, Phase 1C, Unit 1

RESOLUTION NO. 2020-466

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR GRAND OAKS, PHASE 1C, UNIT 1

5. Motion to adopt **Resolution No. 2020-467**, approving the final plat for Entrada, Phase 1, Unit 1

RESOLUTION NO. 2020-467

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ENTRADA, PHASE 1, UNIT 1

6. Motion to adopt **Resolution No. 2020-468**, approving the final plat for Crosswater Village, Phase 6A

RESOLUTION NO. 2020-468

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR CROSSWATER VILLAGE, PHASE 6A

7. Motion to adopt **Resolution No. 2020-469**, approving the final plat for Rock Springs Farms

RESOLUTION NO. 2020-469

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ROCK SPRINGS FARMS

8. Motion to adopt **Resolution No. 2020-470**, approving the final plat for Orchard Park, Phase 2

RESOLUTION NO. 2020-470

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ORCHARD PARK, PHASE 2

9. Motion to adopt **Resolution No. 2020-471**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values conveying all personal property associated with the lift station, to serve Parkland Preserve, Phase 1, located off International Golf Parkway

RESOLUTION NO. 2020-471

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE LIFT STATION TO SERVE

**PARKLAND PRESERVE, PHASE 1, LOCATED OFF
INTERNATIONAL GOLF PARKWAY**

10. Motion to adopt **Resolution No. 2020-472**, accepting an Easement for Utilities and a Warranty, associated with the water meter system, to serve Moultrie Oaks Retirement Community, Phase VI, located off Wildwood Drive

RESOLUTION NO. 2020-472

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES AND A WARRANTY, ASSOCIATED WITH THE WATER METER SYSTEM, TO SERVE MOULTRIE OAKS RETIREMENT COMMUNITY, PHASE VI, LOCATED OFF WILDWOOD DRIVE

11. Motion to adopt **Resolution No. 2020-473**, authorizing the county administrator, or designee, to award Bid No. 20-50, FEMA Project, Old A1A South Berm Restoration to Turnbull Environmental, 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 work at a total lump sum cost of \$937,500

RESOLUTION NO. 2020-473

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 20-50, TO TURNBULL ENVIRONMENTAL, INC., AS THE LOWEST, RESPONSIVE, RESPONSIBLE BIDDER, AND TO EXECUTE AN AGREEMENT FOR COMPLETION OF THE WORK FOR FEMA PROJECT, OLD A1A SOUTH BERM RESTORATION

12. Motion to adopt **Resolution No. 2020-474**, authorizing the county administrator, or his designee, to award Bid No. 21-07, Group 3B Lift Station Improvements Casa De Contera (PS 64) and Island South (PS 57), to G&H Underground Construction, Inc., as the lowest, responsive, responsible bidder, and to execute an agreement, in substantially the same form and format as attached, for the completion of the project, as provided in Bid No. 21-07, for a lump sum price of \$543,300

RESOLUTION NO. 2020-474

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 21-07; GROUP 3B LIFT STATION IMPROVEMENTS CASA DE CONTERA (PS 64) AND ISLAND SOUTH (PS 57), TO G&H UNDERGROUND CONSTRUCTION, INC., AND TO EXECUTE AN AGREEMENT FOR COMPLETION OF THE WORK

13. Motion to adopt **Resolution No. 2020-475**, authorizing the county administrator, or designee, to piggyback the Florida Department of Management Services Contract No. 973-163-10-1 (Contract) with WEX Bank for participation in the State

Fleet Fuel Program, and subject to an annual appropriation of funds, to execute purchase order(s) pursuant to the Contract for its full effective term, including any renewals

RESOLUTION NO. 2020-475

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PIGGYBACK THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES CONTRACT NO. 973-163-10-1 WITH WEX BANK FOR PARTICIPATION IN THE FLEET FUEL CARD PROGRAM

14. Motion to adopt **Resolution No. 2020-476**, approving the revised and restated SJC Purchasing Policy, with the addition of a local preference policy, to be incorporated into the County Administrative Code, for implementation by Staff beginning on January 1, 2021

RESOLUTION NO. 2020-476

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE REVISED AND RESTATED PURCHASING PROCEDURE MANUAL, SECTION III OF THE COUNTY ADMINISTRATIVE CODE, TO INCLUDE A LOCAL PREFERENCE.

15. Motion to declare the attachments as surplus, and authorize the county administrator, or his designee, to dispose of same, in accordance with Purchasing Policy 308 and Florida Statute 274
16. Motion to adopt **Resolution No. 2020-477**, establishing a restricted reserve account for the Clerk of the Circuit Court

RESOLUTION NO. 2020-477

A RESOLUTION OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS, ESTABLISHING A RESERVE ACCOUNT FOR SURPLUS REVENUES OF THE CLERK OF COURT

17. Motion to adopt **Resolution No. 2020-478**, approving the terms, provisions, conditions, and requirements of a Material Removal Agreement between the Florida Inland Navigation District and St. Johns County, related to the Summer Haven FEMA Berm Project, and authorizing the county administrator, or designee, to execute the agreement, on behalf of the County

RESOLUTION NO. 2020-478

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MATERIAL REMOVAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE FLORIDA INLAND NAVIGATION

DISTRICT, FOR THE PROVISION OF OBTAINING BEACH QUALITY SAND; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

18. Motion to adopt **Resolution No. 2020-479**, recognizing and accepting ownership of two Caterpillar C18 600kW engine generators, donated by Ring Power Corporation, for installation and use at the Sheriff's Training Facility

RESOLUTION NO. 2020-479

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO ACKNOWLEDGE AND ACCEPT OWNERSHIP OF TWO (2) CATERPILLAR C18 600KW ENGINE GENERATORS, FOR INSTALLATION AND USE AT THE SHERIFF'S TRAINING FACILITY

19. Motion to adopt **Resolution No. 2020-480**, approving the terms, provisions, conditions, and requirements of a Sewer Unit Connection Refund Agreement between St. Johns County, Florida, and NGMB Properties, LLC, for the provision of a utility sewer unit connection fee refund, and authorizing the county administrator to execute the agreement, on behalf of St. Johns County

RESOLUTION NO. 2020-480

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND NGMB PROPERTIES, LLC, FOR THE PROVISION OF A UTILITY SEWER UNIT CONNECTION FEE REFUND, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE SEWER UNIT CONNECTION REFUND AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

20. Motion to adopt **Resolution No. 2020-481**, amending the FY21 Budget to recognize the \$2,975 contribution by Florida Elite Soccer Association as unanticipated revenue, and approving allocation of the funds for use by the Parks and Recreation Department for the purchase and installation of fencing to provide storage at Veterans Park, as described herein

RESOLUTION NO. 2020-481

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2021 BUDGET TO RECEIVE UNANTICIPATED REVENUE; AND AUTHORIZING ITS APPROPRIATION AND EXPENDITURE BY THE ST. JOHNS COUNTY PARKS AND RECREATION DEPARTMENT

21. Motion to adopt **Resolution No. 2020-482**, recognizing and appropriating unanticipated revenue in the amount of \$4,987 into the FY 2021 General Fund Recreation Facilities Department for park improvements

RESOLUTION NO. 2020-482

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2021 BUDGET TO RECEIVE UNANTICIPATED REVENUE; AND AUTHORIZING ITS APPROPRIATION AND EXPENDITURE BY THE ST. JOHNS COUNTY PARKS AND RECREATION DEPARTMENT

22. Motion to adopt **Resolution No. 2020-483**, approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Finance Authority of St. Johns County, Florida, of multi-family housing revenue debt obligations, in one or more series, to finance or refinance all or a portion of the costs of the acquisition, construction and development of a multi-family housing project to be known as San Marcos Heights; and establishing an effective date

RESOLUTION NO. 2020-483

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING FOR PURPOSES OF SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY, FLORIDA, OF MULTI-FAMILY HOUSING REVENUE DEBT OBLIGATIONS, IN ONE OR MORE SERIES, TO FINANCE OR REFINANCE ALL OR PORTION OF THE COSTS OF THE ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF A MULTI-FAMILY HOUSING PROJECT TO BE KNOWN AS SAN MARCOS HEIGHTS; AND ESTABLISHING AN EFFECTIVE DATE

23. Motion to adopt **Resolution No. 2020-484**, approving the SHIP and Housing Program Multi-Family Mortgage Lien Subordination Agreement template, and authorizing the county administrator to execute the agreement, substantially in the same form as attached

RESOLUTION NO. 2020-484

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, AND CONDITIONS OF THE MULTI-FAMILY LIEN SUBORDINATION AGREEMENTS; PROVIDING CONDITIONS UNDERWHICH THE COUNTY ADMINISTRATOR MAY EXECUTE THE LIEN SUBORDINATION AGREEMENTS

24. Motion to adopt **Resolution No. 2020-485**, authorizing the county administrator, or authorized designee, to submit a grant application to the Florida Department of Health Emergency Medical Services Program, and to execute a grant agreement,

or other documents associated with the grant, upon a finding of legal sufficiency by the Office of the County Attorney

RESOLUTION NO. 2020-485

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO APPLY FOR THE GRANT FUNDS UNDER THE STATE OF FLORIDA'S EMERGENCY MEDICAL SERVICES COUNTY GRANT PROGRAM, ON BEHALF OF ST. JOHNS COUNTY FLORIDA, AND CERTIFYING THAT THE GRANT FUNDS WILL BE USED FOR THE IMPROVEMENT AND EXPANSION OF THE COUNTY'S PRE-HOSPITAL EMERGENCY MEDICAL SERVICES SYSTEM

25. Motion to approve Minutes:

- 10/20/20, BCC Regular Meeting
- 10/27/20, BCC Special Meeting
- 11/10/20, BCC Special Meeting
- 11/03/20, BCC Regular Meeting

(12/01/20 - 8 - 9:23 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were none.

(12/01/20 - 8 - 9:23 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Waldron, seconded by Smith, carried 4/0, with Blocker absent, to approve the Regular Agenda, as submitted.

Yea: Waldron, Smith, Whitehurst, and Dean

Nay: None

Absent: Blocker

(12/01/20 - 8 - 9:23 a.m.)

1. PUBLIC HEARING - LDC AMENDMENT - SHORT TERM VACATION RENTALS. PROPOSED LAND DEVELOPMENT CODE AMENDMENTS - AMENDING ARTICLES II AND XII OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE FOR SHORT TERM VACATION RENTALS

Proof of publication of the notice of public hearing for LDC Amendment, Short Term Vacation Rentals, was received, having been published in *The St. Augustine Record* on November 17, 2020.

Joseph Cearley, Special Projects Manager, presented details on the short-term vacation rental Land Development Code (LDC) amendments, via PowerPoint.

(9:32 a.m.) David and Barbara Goldberg, 6010 A1A South, spoke on their concerns with noise, parties, and venues taking place at Airbnb's.

(9:36 a.m.) Mel Longo, 620 21 Street, provided a sketch that outlined his block, *Exhibit A*, and spoke on his concerns with trespassing. He encouraged the Board to regulate vacation rentals.

(9:40 a.m.) Scott Stanley, 616 21 Street, spoke on his concerns with foot traffic and trespassing. He encouraged stricter guidelines for short-term vacation rentals.

(9:42 a.m.) Paul Spengler, 5479 4 Street, spoke on his concerns with noise and the total number of occupants at short-term vacation rentals.

(9:44 a.m.) Charles Delony, 5530 Atlantic View, spoke on his concerns with maximum occupancy.

(9:46 a.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with unanswered phone calls with the Sheriff's Office and Code Enforcement.

(9:47 a.m.) Leslie Shapiro, 4942 Atlantic View, spoke on her concerns with noise, maximum occupancy, and the quality of life for her community.

(9:50 a.m.) Vivian Browning, 30 Beachcomber Way, suggested implementing a two-tiered ordinance.

(9:54 a.m.) Cindy Bruce, 33 Hibiscus Avenue, expressed her concerns on short-term rental time limits.

(9:57 a.m.) Christina Candler, 140 Pintero Drive, suggested that staff have answers to community questions before moving forward with changes, and to require rental stickers to be hung in a frame.

(10:01 a.m.) Jane Peaver, 23 Rohde Avenue, suggested implementing a two-tiered approach on guidelines for short-term vacation rentals.

(10:03 a.m.) Mark Odekirk, Sun Castle Properties of Ponte Vedra Beach, spoke in support of the amendments. He asked that the application and regulation process be easy to comply with.

(10:05 a.m.) Tom Nestor, 5478 4 Street, spoke on his personal experience with short-term vacation rentals in his neighborhood; and expressed his concerns with parking, noise, and the quality of life of his neighborhood.

(10:09 a.m.) Sandra Marvin, 5340 Riverview Drive, spoke on the positive experience she had with living in a short-term rental.

(10:12 a.m.) Keto Burns, 6857 East Sea Cove Avenue, expressed his concerns with short-term vacation rentals affecting the rural beach neighborhoods.

(10:14 a.m.) Fred Harris, 829 Kings Estate Road, explained that certain exemptions with the ordinance should be implemented depending on where you live and if you live in the Airbnb. Additionally, he expressed his concerns with his property tax bill, due to the type of property he lived in.

(10:18 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on her concerns with residential areas being destroyed by short-term rental homes.

(10:22 a.m.) Waldron clarified there was not a one-week limitation with the County's ordinance, vesting was only for existing contracts, and suggested Board discussion on party and septic tank issues and having certificate stickers placed on the inside of the home. McCormack explained St. Johns County was prohibited from having a minimum stay for vacation rentals. Discussion ensued on the placement of certificate stickers, the

cost analysis to implement the amendments, property registry fees, rental agreement vesting, and maximum occupancy.

(10:26 a.m.) *Consensus was given from the Board to require the certificate sticker be placed on the inside of the short-term vacation rental.*

(10:36 a.m.) Whitehurst questioned whether the ordinance could be separated into two tiers. McCormack stated he would bring back information before the Board made a decision.

(10:37 a.m.) **Motion by Smith, seconded by Waldron, carried 4/0, with Blocker absent, to announce public hearings before the Planning and Zoning Agency on January 21, 2021, and the Board of County Commissioners on February 16, 2021.**

Yea: Waldron, Smith, Whitehurst, and Dean

Nay: None

Absent: Blocker

(12/01/20 - 10 - 10:38 a.m.)

2. PUBLIC HEARING - REZ 2020-17, RAVENSWOOD SUBDIVISION. REQUEST TO REZONE APPROXIMATELY 65 ACRES OF LAND FROM PLANNED UNIT DEVELOPMENT (PUD) AND OPEN RURAL (OR) TO WORKFORCE HOUSING (WH) TO ALLOW 198 SINGLE-FAMILY HOMES AND 124 MULTI-FAMILY HOMES

Proof of publication of the notice of public hearing for REZ 2020-17, Ravenswood Subdivision, was received, having been published in *The St. Augustine Record* on October 12, 2020.

Ex parte communications: Smith had a phone conversation with Darren Vorhees who expressed his concerns on density; received a phone call and emails from Franny Hileman and discussed her concerns with density and multi-family in the neighborhood. Waldron had a phone conversation with Darren Vorhees; and a phone conversation with Brad Burchfield, on November 30, and discussed concerns with traffic density. Dean received a few emails with concerns on flooding.

(10:41 a.m.) Bob Porter, 4220 Racetrack Road, D.R. Horton, presented details of the request, via PowerPoint.

(10:48 a.m.) Smith questioned how much acreage was added by the St. Johns Housing Partnership. Porter explained the Planned Unit Development (PUD) was for one hundred lots. Discussion ensued on the increased density, wetland impacts, and traffic improvements.

(10:54 a.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with flooding.

(10:56 a.m.) Bradley Burchfield, 357 Tirana Avenue, spoke on his concerns with the potential for increased traffic.

(10:57 a.m.) Ed Slavin, P.O. Box 3084, spoke on his concerns with Porter not being sworn in before giving his testimony and flooding. He urged the Board to table the item.

(11:01 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke on her concerns with flooding and traffic; and requested the item be tabled.

(11:04 a.m.) **Motion by Dean to enact an ordinance, approving REZ 2020-17, Ravenswood Subdivision, based on four findings of fact, as provided in the Staff Report. The motion failed for lack of a second.**

(11:06 a.m.) McCormack clarified when there was a denial, the County was required to send a letter to the applicant that explained the reason.

(11:07 a.m.) *Consensus was given from the Board to send a letter of denial to the applicant.*

(12/01/20 - 11 - 11:08 a.m.)

3. PUBLIC HEARING - PLNAPPL 2020-05, PLANNING AND ZONING AGENCY APPEAL OF ZVAR 2020-19. APPEAL OF THE PLANNING AND ZONING AGENCY FINAL ORDER APPROVING A VARIANCE TO THE LAND DEVELOPMENT CODE, SECTION 2.02.04.B.12, TO ALLOW AN 8-FOOT FENCE IN LIEU OF THE 6-FOOT REQUIREMENT, SPECIFICALLY LOCATED AT 6864 MIDDLETON AVENUE

Proof of publication of the notice of public hearing for PLNAPPL 2020-05, Planning and Zoning Agency Appeal of ZVAR 2020-19, was received, having been published in *The St. Augustine Record* on November 2, 2020.

There were no ex parte communications.

Marcelle and Brian Grimard, 6848 Middleton Avenue, Appellant, referenced images, *Exhibit A*; and provided details of the appeal request.

(11:19 a.m.) Josh Deloach, 6864 Middleton Road, presented reasons for the request; noted the fence had been lowered by half a foot; and referenced a photo that reflected the elevation of the home, *Exhibit B*.

(11:22 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in support of the appeal; and submitted a letter from the back up materials, *Exhibit C*.

(11:26 a.m.) Grimard provided rebuttal on the height of the original home.

(11:30 a.m.) **Motion by Waldron, seconded by Whitehurst, carried 3/1, with Smith dissenting, and Blocker absent, to deny PLNAPPL 2020-05, Zoning Variance Appeal, UPHOLDING the decision of the Planning and Zoning Agency, and allowing the request for Zoning Variance to Land Development Code, Section 2.02.04.B.12, to allow a seven-and-a-half-foot fence, in lieu of the six-foot requirement to the northside, specifically located at 6864 Middleton Avenue.**

(11:31 a.m.) Bulthuis clarified the site plan and the ordinance would be amended.

Yea: Waldron, Dean, and Whitehurst

Nay: Smith

Absent: Blocker

(12/01/20 - 11 - 11:32 a.m.)

4. PUBLIC HEARING - CPA (SS) 2020-04, BELL COVERED STORAGE. ADOPTION OF CPA (SS) 2020-04 BELL COVERED STORAGE, A REQUEST FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.16 ACRES OF LAND, LOCATED ALONG OLD DIXIE HIGHWAY, NORTH OF CROSS RIDGE DRIVE AND SOUTH OF THE NOCATEE PARKWAY, FROM RURAL/SILVICULTURE (R/S) TO MIXED USE DISTRICT (MD). THIS REQUEST WAS HEARD BY THE

PLANNING AND ZONING AGENCY AT ITS REGULARLY SCHEDULED PUBLIC HEARING ON NOVEMBER 5, 2020. AGENCY MEMBERS VOTED 6-1 TO RECOMMEND APPROVAL

Proof of publication of the notice of public hearing for CPA (SS) 2020-04, Bell Covered Storage, was received, having been published in *The St. Augustine Record* on October 9, 2020.

Regular Agenda Items 4 and 5 were discussed together.

There were no ex parte communications.

Jamie Mackey, 54 Sugar Magnolia Drive, Ponte Vedra, presented details of the request, via PowerPoint; and submitted a map, *Exhibit A*.

(11:40 a.m.) **Motion by Smith, seconded by Waldron, carried 4/0, with Blocker absent, to enact Ordinance No. 2020-57, adopting CPA (SS) 2020-04, Bell Covered Storage, a request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation of approximately 1.16 acres of land from Rural/Silviculture (R/S) to Mixed Use District (MD), based upon four findings of fact, as provided in the Staff Report.**

Yea: Smith, Waldron, Dean, and Whitehurst

Nay: None

Absent: Blocker

ORDINANCE NO. 2020-57

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURE (R/S) TO MIXED USE DISTRICT (MD) FOR APPROXIMATELY 1.16 ACRES OF LAND LOCATED AT 11305 OLD DIXIE HIGHWAY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(12/01/20 - 12 - 11:32 a.m.)

5. PUBLIC HEARING - REZ 2020-15, BELL COVERED STORAGE. REQUEST TO REZONE APPROXIMATELY 1.16 ACRES OF LAND FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI), WITH CONDITIONS, TO ALLOW FOR A COVERED RV/BOAT STORAGE FACILITY

Proof of publication of the notice of public hearing for REZ 2020-15, Bell Covered Storage, was received, having been published in *The St. Augustine Record* on October 9, 2020.

Regular Agenda Items 4 and 5 were discussed together.

(11:41 a.m.) **Motion by Smith, seconded by Waldron, carried 4/0, with Blocker absent, to enact Ordinance No. 2020-58, approving REZ 2020-15, Bell Covered Storage, based on four findings of fact, and subject to one condition, as provided in the Staff Report.**

Yea: Smith, Waldron, Dean, and Whitehurst

Nay: None

Absent: Blocker

ORDINANCE NO. 2020-58

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL, INTENSIVE (CI) WITH CONDITIONS; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(12/01/20 - 13 - 11:42 a.m.)

6. PUBLIC HEARING - PUD 2020-09, FOUNTAINS EAST PUD. A REQUEST TO REZONE APPROXIMATELY 41 ACRES OF LAND FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A MIX OF MULTI-FAMILY RESIDENTIAL AND GENERAL BUSINESS/COMMERCIAL USES, SPECIFICALLY LOCATED IN THE NORTHEAST QUADRANT OF INTERSTATE 95 AND COUNTY ROAD 210. THE PZA HELD A PUBLIC HEARING ON NOVEMBER 19, 2020, AND VOTED 5-1, IN FAVOR OF RECOMMENDING APPROVAL

Proof of publication of the notice of public hearing for PUD 2020-09, Fountains East PUD, was received, having been published in *The St. Augustine Record* on November 3, 2020.

Ex parte communication: Whitehurst had a phone conversation with Brad Wester regarding parking spaces on the property.

(11:42 a.m.) Brad C. Wester, Driver McAfee Hawthorne & Diebenow, PLLC, 1 Independent Drive, Suite 100, Jacksonville, presented details of the request, via PowerPoint.

(11:49 a.m.) Whitehurst questioned the parking plan. Wester explained the two parking waivers, which included a 1.1 parking ratio for Assisted Living Facilities (ALF) and 1.8 parking ratio for conventional multi-family apartments.

(11:53 a.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with parking.

(11:54 a.m.) Waldron spoke on concerns with limited parking spaces.

(11:55 a.m.) **Motion by Whitehurst, seconded by Smith, carried 3/1, with Waldron dissenting, and Blocker absent, to enact Ordinance No. 2020-59, approving PUD 2020-09, Fountains East PUD, based on nine findings of fact, as listed in the Staff Report, including the 1.1 proffer to parking spaces at assisted living facilities.**

Yea: Smith, Dean, and Whitehurst

Nay: Waldron

Absent: Blocker

ORDINANCE NO. 2020-59

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(12/01/20 - 14 - 11:56 a.m.)

7. PUBLIC HEARING - MAJMOD 2020-04, OLD MOULTRIE BLUFF PUD, REQUEST FOR A MAJOR MODIFICATION TO THE EXPIRED OLD MOULTRIE BLUFF PUD (ORD 2006-108, AS AMENDED) TO ALLOW A MAXIMUM OF 119 TOWNHOME UNITS, WITH RELATED RECREATIONAL FACILITIES AND OPEN SPACE; AND EXTENDING PROJECT COMMENCEMENT AND COMPLETION DATES. THE OLD MOULTRIE BLUFF PUD IS LOCATED WEST OF US 1 S., EAST OF OLD MOULTRIE RD., AND SOUTH OF KINGS ESTATE RD. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM ON OCTOBER 15, 2020, AND VOTED 6-0 IN FAVOR OF RECOMMENDING APPROVAL

Proof of publication of the notice of public hearing for MAJMOD 2020-04, Old Moultrie Bluff PUD, was received, having been published in *The St. Augustine Record* on September 21, 2020.

There were no ex parte communications.

Ellen Avery-Smith, Esq., Rogers Towers, 100 Whetstone Place, representing the applicant, presented details of the request, via PowerPoint.

(12:01 p.m.) BJ Kalaidi, 8 Newcomb Street, questioned the commencement dates and the completion dates.

(12:04 p.m.) Bulthuis read language from the master development plan text that explained the commencement and completion dates.

(12:09 p.m.) Tom Reynolds, 50 Brigantine Court, spoke in support of the request.

(12:10 p.m.) **Motion by Waldron, seconded by Smith, carried 4/0, with Blocker absent, to enact Ordinance No. 2020-60, approving MAJMOD 2020-04, Old Moultrie Bluff PUD, based on six findings of fact.**

Yea: Smith, Waldron, Dean, and Whitehurst

Nay: None

Absent: Blocker

ORDINANCE NO. 2020-60

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE OLD MOULTRIE BLUFF PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 2006-108, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(12/01/20 - 14 - 12:10 p.m.)

8. PUBLIC HEARING - MAJMOD 2020-06, ELEVATION POINTE AT ANDERSON PARK PUD. REQUEST FOR A MAJOR MODIFICATION TO THE ANDERSON PARK PUD (ORDINANCE 1996-66, AS AMENDED) TO ALLOW UP TO 190,000 SQUARE FEET OF NON-RESIDENTIAL USES, 240 HOTEL ROOMS, 430 TOWNHOMES, AND 320 MULTI-FAMILY RESIDENTIAL UNITS. THIS REQUEST WAS HEARD BY THE PLANNING AND ZONING AGENCY (PZA) AT ITS REGULARLY SCHEDULED PUBLIC HEARING ON NOVEMBER 5, 2020. AGENCY MEMBERS VOTED TO RECOMMEND APPROVAL, 6-1

Proof of publication of the notice of public hearing for MAJMOD 2020-06, Elevation Pointe at Anderson Park PUD, was received, having been published in *The St. Augustine Record* on October 9, 2020.

Ex parte communications: Smith met on November 19, with Kathryn Whittington, Mike Rich, Bill Schultz, and Mike Roberson to discuss the history of the item, the expiration in 2016, the original approval versus the new request, the 70-foot buffer at Grey Hawk, realignment of C.R. 208, traffic, the portion of Toms Road that was privately owned, and the four waivers in the backup material. Dean met on November 16, with Kathryn Whittington, Mike Rich, and Bill Schilling and discussed similar issues as Commissioner Smith. Waldron met on November 19, with Kathryn Whittington, Mike Rich, and Bill Schilling to discuss the scope of the project, traffic, and businesses that could be affected. Whitehurst met on November 30, with Kathryn Whittington, Mike Rich, and Bill Schilling to discuss all aspects of the project, including traffic, environmental impacts, and the waiver that would allow alcoholic beverages.

(12:12 p.m.) Kathryn Whittington, Esq., Whittington Law, PLLC, 236 San Marco Avenue, representing the applicant, presented details of the request, via PowerPoint.

(12:22 p.m.) William "Bill" Schilling, Jr., P.E., Kimley-Horn & Associates, Inc., 12740 Grand Bay Parkway West, Suite 2350, Jacksonville, presented additional information on the request, via PowerPoint, including school concurrencies, four waivers, and transportation.

(12:38 p.m.) Dean questioned the CR 208 and SR 16 alignment. Schilling explained the intention was to make it a T-intersection. Phong Nguyen, Transportation Development Manager, provided additional comments on widening the 208 interchange. Discussion ensued on traffic flow.

(12:47 p.m.) Tom Reynolds, 50 Brigantine Court, spoke in support of the project.

(12:48 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke on her concerns with the project being built on wetlands, increased traffic, and the Planning and Zoning Agency's (PZA) objection.

(12:51 p.m.) Whittington responded to Smith's question regarding the length of Toms Road and explained the portion of the road was approximately 30 feet wide by 440 feet. Additionally, she addressed Kalaidi's concerns with the wetlands.

(12:52 p.m.) McCormack clarified the 79.4 acres of wetlands were proposed to be preserved on the site.

(12:53 p.m.) **Motion by Smith, seconded by Whitehurst, carried 4/0, with Blocker absent, to enact Ordinance No. 2020-61, approving MAJMOD 2020-06, Elevation Pointe at Anderson Park PUD, based on six findings of fact, as provided in the Staff Report.**

Yea: Smith, Whitehurst, Dean, and Waldron

Nay: None

Absent: Blocker

ORDINANCE NO. 2020-61

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE ANDERSON PARK PLANNED
UNIT DEVELOPMENT (PUD), ORDINANCE NO. 1996-66,**

**AS AMENDED; MAKING FINDINGS OF FACT;
PROVIDING A SAVINGS CLAUSE; REQUIRING
RECORDATION; AND PROVIDING FOR AN
EFFECTIVE DATE**

(12/01/20 - 16 - 12:53 a.m.)

9. S. COLLINS AVENUE / WESTGATE BUSINESS PARK STAFF REPORT. THE BOARD PREVIOUSLY DIRECTED STAFF TO EVALUATE CITIZEN CONCERNS RELATED TO S. COLLINS AVENUE AND THE WESTGATE BUSINESS PARK. THE CITIZEN CONCERNS SPECIFICALLY REGARD BUFFER COMPLIANCE, COMMERCIAL TRUCK USAGE, AND DRAINAGE AND FLOODING. STAFF HAS EVALUATED THESE ITEMS AND WILL PRESENT THE FINDINGS AND POTENTIAL OPTIONS TO ADDRESS THESE FINDINGS FOR THE BOARD'S CONSIDERATION. STAFF IS SEEKING BOARD DIRECTION FOR FURTHER ACTION ON THIS ITEM

Waldron referenced photos of flooding on South Collins Avenue, *Exhibit A*.

(12:55 p.m.) Greg Caldwell, Public Works Assistant Director, explained the Department of Environmental Protection (DEP) was called in to help with enforcement on the property, an easement was placed on the property by the County, and stated the owner was in compliance.

(12:56 p.m.) Joy Andrews, Deputy County Administrator, presented details of the item, via PowerPoint.

(1:00 p.m.) Sindy Wiseman, Deputy Clerk entered the meeting and Crystal Smith, Deputy Clerk left the meeting.

(1:05 p.m.) Sherry Badger, 2772 South Collins Avenue, requested an investigation regarding the required buffers, showing a copy of the roadway and photos of the buffer area (not submitted for the record).

(1:12 p.m.) Alison Rose, 561 Lawrence Avenue, presented pictures of the flooding on Lawrence Avenue, *Exhibit B*. She requested that the Board offer relief to the problem.

(1:18 p.m.) Sharon Badger, 2725 South Collins Avenue, spoke on the flooding on South Collins Avenue. She stated that Mr. Baker filled in a portion of the ditch and placed a raised septic system, causing the water to divert to neighboring properties.

(1:21 p.m.) Ed Plozner, 2765 South Collins Avenue, presented a video on his phone of the flooding on Lawrence Avenue and South Collins Avenue. He said that the flooding started when the exit from the shopping center was added.

(1:23 p.m.) Sherry Badger, 2772 South Collins Avenue, presented pictures of the flooding and spoke on the required buffer, *Exhibit C*.

(1:25 p.m.) Tom Reynolds, 50 Brigantine Court, spoke on the flooding and traffic issues stemming from the shopping center.

(1:28 p.m.) BJ Kalaidi, 8 Newcomb Street, suggested finding the funding and fixing the problem.

(1:31 p.m.) Smith questioned whether staff had determined who was responsible for the engineering of the property; who recommended the culvert size; and whether the impervious service area from the shopping center impeded the problem. Greg Caldwell,

Assistant Director of Public Works, responded. Discussion ensued on contributing factors to the flooding issues, accountability, and maintenance of the culverts.

(1:58 p.m.) Motion by Smith, seconded by Waldron, carried 4/0, to correct the flooding issue, by taking any means possible, to place the liability on who ever created the current flooding conditions.

(12/01/20 - 17 - 1:58 p.m.)
COMMISSIONERS' REPORTS

Commissioner Smith

Smith provided an agricultural report.

Commissioner Waldron

(1:58 p.m.) Waldron spoke on visiting the Nights of Lights display. Additionally, he expressed his appreciation to the Florida Elite Soccer, for their donation of \$2,975, to the St. Johns County Parks and Recreation and Recreation; and to Ponte Vedra Le Cross for their donation of \$4,987, to the St. Johns County Parks and Recreation.

Commissioner Whitehurst

(1:59 p.m.) Whitehurst congratulated Bartram Trail High School and St. Augustine High School for continuing to move forward in the football playoffs.

Commissioner Dean

No report.

(12/01/20 - 17 - 2:00 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Conrad requested consideration to cancel the January 5, 2021, meeting. *Consensus was given to cancel the January 5, 2021, meeting.*

(12/01/20 - 17 - 2:01 p.m.)
COUNTY ATTORNEY'S REPORT

No report.

(12/01/20 - 17 - 2:02 p.m.)
CLERK OF COURT'S REPORT

No report.

(12/01/20 - 17 - 2:02 p.m.)
ADJOURN

With there being no further business to come before the Board, Dean adjourned the meeting at 2:02 p.m.

REPORTS:


1. St. Johns County Board of County Commissioners Check Register, Check Nos. 586007-586141, totaling \$543,574.41 and Voucher Register, Voucher Nos. 54021-54059, totaling \$618,644.44 (12/01/20)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 586142-586182, totaling \$47,428.71 and Voucher Register, Voucher Nos. 54060-54107, totaling \$55,828.85 (12/02/20)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 586183-586189, totaling \$3,299.54 and Voucher Register, Voucher Nos. 54108-54110, totaling \$755.11 (12/03/20)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 54111-54112, totaling \$8,486.44 (12/03/20)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 586190-586193, totaling \$844,161.20 (12/04/20)

CORRESPONDENCE:


There was none.

Approved _____ January 19 _____, 2021

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Henry Dean, Vice Chairman

ATTEST: BRANDON J. PATTY,
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By: 
Deputy Clerk

