

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 16, 2021
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, Chair
Christian Whitehurst, District 1, Vice Chair
Vacant, District 2
Paul M. Waldron, District 3
Jeremiah R. Blocker, District 4, Chair
Hunter S. Conrad, County Administrator
Patrick McCormack, County Attorney
David Migut, County Attorney
Crystal Smith, Deputy Clerk

Also present: Brad Bradley, Deputy County Administrator Chief of Staff; Joy Andrews, Deputy County Administrator of Strategic Affairs; Sarah Taylor, Assistant County Administrator; Brad Bulthuis, Senior Assistant County Attorney; and Christine Valliere, Assistant County Attorney; Rhonda Ratajczak, Clerk

(11/16/21 - 1 - 9:11 a.m.)
CALL TO ORDER

Dean called the meeting to order.

(11/16/21 - 1 - 9:12 a.m.)
ROLL CALL

The clerk called the roll. Commissioners Blocker, Dean, Whitehurst, and Waldron were present.

(11/16/21 - 1 - 9:12 a.m.)
INVOCATION

Commissioner Blocker gave the invocation.

(11/16/21 - 1 - 9:13 a.m.)
PLEDGE OF ALLEGIANCE

Commissioner Whitehurst led the Pledge of Allegiance.

(11/16/21 - 1 - 9:13 a.m.)
PROCLAMATION RECOGNIZING NOVEMBER 2021 AS ADOPTION MONTH

Whitehurst presented the proclamation and spoke on the importance of adoption. Lorena Inclan, Director of Public Affairs, read the proclamation.

(9:17 a.m.) Bethany Forbes, Family Integrity Program, expressed appreciation to the Board for recognizing Adoption Month. Justin Forbes spoke on the experience of adopting a child.

(11/16/21 - 2 - 9:23 a.m.)

PROCLAMATION RECOGNIZING NOVEMBER 2021 AS NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

Dean presented the proclamation. Lorena Inclan, Director of Public Affairs, read the proclamation.

(11/16/21 - 2 - 9:26 a.m.)

PROCLAMATION RECOGNIZING MENENDEZ PARK

Blocker presented the proclamation. Lorena Inclan, Director of Public Affairs, read the proclamation.

(9:29 a.m.) Paul Dixon, Menendez Park representative, spoke on the history of Menendez Park and expressed appreciation for the recognition.

(11/16/21 - 2 - 9:32 a.m.)

PROCLAMATION RECOGNIZING NOVEMBER 17-19, AS SAPNA FOUNDATION ENTERCIRCLE ENTREPRENEURSHIP WEEK AT "THE LINK"

Blocker presented the proclamation. Lorena Inclan, Director of Public Affairs, read the proclamation.

(9:34 a.m.) Maria Isabel Montoya, Sapna Foundation, spoke on the history of Sapna Foundation and on the importance of recognizing EnterCircle Entrepreneurship Week.

(11/16/21 - 2 - 9:37 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Waldron, seconded by Whitehurst, carried 4/0, with District 2 seat vacant, to accept the proclamations.

Yea: Dean, Whitehurst, Waldron, Blocker

Nay: None

(11/16/21 - 2 - 9:37 a.m.)

PUBLIC SAFETY UPDATE

Scott Beaver, St. Johns County Sheriff's Office, expressed his appreciation to the outgoing and incoming chairs and vice-chairs for their service. He spoke on the increased activity through the holiday season and the upcoming year, new technology, bike and mounted units, and gave an update on the correction facility.

(9:40 a.m.) Jeff Prevatt, Fire Chief, provided statistics on marine services provided during the recent nor'easter.

(11/16/21 - 2 - 9:42 a.m.)

CLERK OF COURT'S REPORT

Nilsa Arissa, Inspector General, spoke on Fraud Awareness Week. She provided contact information for reporting fraud, waste, and abuse.

(11/16/21 - 2 - 9:46 a.m.)

DELETIONS TO THE CONSENT AGENDA

Waldron requested that Consent Agenda Items 7, 8, and 9 be pulled, for a future meeting. McCormack requested that Consent Agenda Item 27 be pulled, for a future meeting.

Conrad requested that Consent Agenda Item 11 be pulled, and stated that it was no longer applicable.

(9:48 a.m.) BJ Kalaidi, 8 Newcomb Street, clarified that Consent Agenda Items 7, 8, 9, and 11 would be heard at a later meeting. Conrad noted that Consent Agenda Item 11 would not be heard in the future.

(11/16/21 - 3 - 9:49 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Waldron, seconded by Blocker, carried 4/0, with District 2 seat vacant, to approve the Consent Agenda, as amended.

Yea: Waldron, Dean, Whitehurst, Blocker

Nay: None

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2021-480**, approving the final plat for Sandy Creek, Phase 2E

RESOLUTION NO. 2021-480

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SANDY CREEK, PHASE 2E

3. Motion to adopt **Resolution No. 2021-481**, approving the final plat for Waterford Lakes, Phase 3

RESOLUTION NO. 2021-481

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WATERFORD LAKES, PHASE 3

4. Motion to adopt **Resolution No. 2021-482**, approving the final plat for Whisper Creek, Phase 9, Unit A

RESOLUTION NO. 2021-482

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 9, UNIT A

5. Motion to adopt **Resolution No. 2021-483**, approving the final plat for Whisper Creek, Phase 9, Unit C

RESOLUTION NO. 2021-483

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR WHISPER CREEK, PHASE 9, UNIT C

6. Motion to adopt **Resolution No. 2021-484**, approving the final plat for Courtney Oaks & Courtney Chase, Silverleaf, Parcels 7A-7B

RESOLUTION NO. 2021-484

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR COURTNEY OAKS AND COURTNEY CHASE, SILVERLEAF, PARCELS 7A-7B

(Consent Agenda Item 7 was pulled.)

7. Motion to adopt a resolution approving transfer of \$153,000, in road impact fee credits from the Vinings PUD to the Bridgewater PUD, finding the request consistent with Florida Statute

(Consent Agenda Item 8 was pulled.)

8. Motion to adopt a resolution approving transfer of \$274,757.12, in road impact fee credits from the Cordova Palms PUD to the North Creek PUD, finding the request consistent with Florida Statute

(Consent Agenda Item 9 was pulled.)

9. Motion to adopt a resolution approving use of the unused road impact fee credits awarded to the Fountains South PUD, within the Fountains North PUD and/or the Fountains East PUD, finding the request consistent with Florida Statute
10. Motion to adopt **Resolution No. 2021-485**, approving the terms of, and authorizing the county administrator, or designee, to execute, a Contract Agreement, with an occupant and an owner, of a mobile home located on County property, for security purposes

RESOLUTION NO. 2021-485

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A CONTRACT AGREEMENT, WITH AN OCCUPANT AND AN OWNER, OF A MOBILE HOME, LOCATED ON COUNTY PROPERTY, FOR SECURITY PURPOSES

(Consent Agenda Item 11 was pulled.)

11. Motion to adopt a resolution approving the terms of, and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement, for Sunshine Land Holdings, LLC, to acquire 33 acres of vacant land, located on State Road 16, adjacent to County-owned property known as Villages Regional Park West; and authorize a transfer from Road Impact Fee, Zone A Reserves, and Transportation Trust Fund Reserves
12. Motion to adopt **Resolution No. 2021-486**, accepting a Corrective Warranty Deed, for a portion of the right-of-way of Porter Road; and authorizing the chair to execute a County Deed, to clear the title to certain property, located west of Porter Road

RESOLUTION NO. 2021-486

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A CORRECTIVE WARRANTY DEED, FOR A PORTION OF THE RIGHT-OF-WAY OF PORTER ROAD; AND AUTHORIZING THE CHAIR TO EXECUTE A COUNTY DEED, TO CLEAR THE TITLE TO CERTAIN PROPERTY, LOCATED WEST OF PORTER ROAD

13. Motion to adopt **Resolution No. 2021-487**, authorizing the county administrator, or his designee, to execute a consent to transaction, as requested by Atrium TRS IV, L.P., a Delaware limited partnership

RESOLUTION NO. 2021-487

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE A CONSENT TO TRANSACTION, AS REQUESTED BY ATRIUM TRS IV L.P., A DELAWARE LIMITED PARTNERSHIP

14. Motion to adopt **Resolution No. 2021-488**, approving the terms and conditions of a Purchase and Sale Agreement, for the acquisition of an easement required for the Santa Rosa CDBG Drainage Improvement Project; and authorizing the county administrator, or designee, to execute the agreement, on behalf of the County, and to close the transaction

RESOLUTION NO. 2021-488

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT, FOR THE ACQUISITION OF AN EASEMENT REQUIRED FOR THE SANTA ROSA CDBG DRAINAGE IMPROVEMENT PROJECT; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT, ON BEHALF OF THE COUNTY

15. Motion to adopt **Resolution No. 2021-489**, to authorize the county administrator, or designee, to piggyback the Sourcewell Contract No. 112420-arc; and to execute a contract, in substantially the same form and format as the attached, with American Ramp Company, in the amount of \$135,304, for completion of the project

RESOLUTION NO. 2021-489

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AUTHORIZE THE PIGGYBACK OF THE SOURCEWELL CONTRACT NO. 112420-ARC; FOR THE PURCHASE AND INSTALLATION OF SKATE PARK EQUIPMENT, FOR VETERANS PARK SKATE PARK; AND EXECUTE A CONTRACT WITH AMERICAN RAMP COMPANY, FOR THE COMPLETION OF THE PROJECT

16. Motion to adopt **Resolution No. 2021-490**, authorizing the county administrator, or designee, to standardize Musco Sports Lighting Equipment, for St. Johns County Parks and Recreation; and to purchase Musco Sports Lighting Equipment, as appropriately budgeted in each fiscal year. Purchases within budget shall not require additional BOCC approval for the execution and issuance of purchase orders for standardized equipment

RESOLUTION NO. 2021-490

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE STANDARDIZATION OF MUSCO SPORTS LIGHTING EQUIPMENT, FOR ST. JOHNS COUNTY PARKS AND RECREATION FACILITIES

17. 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
18. Motion to adopt **Resolution No. 2021-491**, authorizing the county administrator, or designee, to enter into negotiations with Shuman Consulting Services, LLC, as the top-ranked firm under RFP No. 22-09, American Rescue Plan Act Oversight, and upon successful negotiations, awarding and executing an Agreement, in substantially same form and format as attached hereto, for the performance of the work, in accordance with RFP No. 22-09, and the ARPA program

RESOLUTION NO. 2021-491

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE, AND UPON SUCCESSFUL NEGOTIATIONS, AWARD RFP NO. 22-09, AMERICAN RESCUE PLAN ACT OVERSIGHT TO SHUMAN CONSULTING SERVICES, LLC; AND TO EXECUTE AN AGREEMENT, FOR PERFORMANCE OF SERVICES, IN ACCORDANCE WITH THE RFP AND ARPA PROGRAM

19. Motion to approve the terms, conditions, and provisions contained in the attached American Rescue Plan Act (ARPA) Subrecipient Subaward Funding Agreement, by and between St. Johns County and the St. Johns County Sheriff's Office; and to authorize the county administrator, or designee, to execute, on behalf of the County
20. Motion to approve the Fiscal Year 2021 end-of-year fund reserve transfers, per the attached schedule, to ensure fiscal year end positive account balances, per the Administrative Code
21. Motion to approve the write-off of delinquent EMS accounts receivable accounts, effective September 30, 2021, totaling \$30,058.36
22. Motion authorizing the chair to execute the attached letter (or a letter in substantially the same form and format), notifying the Division of Elections of the County's intent to purchase voting equipment, as required under Section 101.294(2), of the Florida Statutes

23. Motion to approve the transfer from reserves for the purchase of approved FY 2022 vehicles and the conversion to CNG, for vehicles purchased in FY 2021
24. Motion to adopt **Resolution No. 2021-492**, approving the terms, provisions, conditions, and requirements of the Non-Exclusive Franchise Agreement, for Construction and Demolition Debris, between St. Johns County, Florida, and Sivar Hospitality Consultants, Inc., dba ORS Waste Removal; and authorizing the county administrator, or designee, to execute the Non-Exclusive Franchise Agreement, on behalf of the County

RESOLUTION NO. 2021-492

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT, FOR CONSTRUCTION AND DEMOLITION DEBRIS, BETWEEN ST. JOHNS COUNTY, FLORIDA, AND SIVAR HOSPITALITY CONSULTANTS, INC., DBA ORS WASTE REMOVAL; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS, ON BEHALF OF ST. JOHNS COUNTY

25. Motion to adopt **Resolution No. 2021-493**, approving the terms, provisions, conditions, and requirements of a State Highway Lighting Agreement (Financial Project #41442017801) (Contract No. ASO81), with the State of Florida Department of Transportation; and authorizing the chair to execute the agreement, on behalf of the County

RESOLUTION NO. 2021-493

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, PROVISIONS, AND REQUIREMENTS OF A STATE HIGHWAY LIGHTING MAINTENANCE AND COMPENSATION AGREEMENT (ASO81), WITH THE STATE OF FLORIDA'S DEPARTMENT OF TRANSPORTATION; AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

26. Motion to approve the Letter of Support regarding the U.S. Economic Development Administration Grant regarding the Build Back Better Program

(Consent Agenda Item 27 was pulled.)

27. Motion to adopt a resolution authorizing the chair of the Board of County Commissioners to execute a contract with the Florida Department of Health, for operation of the St. Johns County Health Department, in substantially the same form as attached; and authorizing the county administrator, or his designee, to execute a Lease Agreement with the Florida Department of Health, in substantially the same form as attached

28. Motion to adopt **Resolution No. 2021-494**, approving the Library's Annual Plan of Service 2021-2022, as required by the State Library of Florida, in order to receive annual State Aid to Libraries grant funding

RESOLUTION NO. 2021-494

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE LIBRARY'S ANNUAL PLAN OF SERVICE 2021-2022, AS REQUIRED BY THE STATE LIBRARY OF FLORIDA, IN ORDER TO RECEIVE ANNUAL STATE AID TO LIBRARIES GRANT FUNDING IN FY2022

29. Motion to adopt **Resolution No. 2021-495**, allowing the redirection of previously pledged funding in the amount \$50,000, to be used as a match for the African American Cultural and Historical Grant, in lieu of a Special Categories Grant

RESOLUTION NO. 2021-495

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ALLOWING THE REDIRECTION OF PREVIOUSLY PLEDGED FUNDING IN THE AMOUNT OF \$50,000, TO BE USED AS A MATCH FOR THE AFRICAN AMERICAN CULTURAL AND HISTORICAL GRANT, IN LIEU OF A SPECIAL CATEGORIES GRANT

30. Motion to adopt **Resolution No. 2021-496**, approving the terms, provisions, conditions, and requirements of FDEP Grant Agreement 22SJ2; authorizing the county administrator, or designee, to execute the Agreement and any supplemental documentation necessary to the goal of enabling the reimbursement of eligible expenses related to the South Ponte Vedra Dune Restoration Project post-construction monitoring, in the vicinity of South Ponte Vedra Beach

RESOLUTION NO. 2021-496

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT AND SUPPLEMENTAL DOCUMENTATION; PROVIDING FOR CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

31. Motion to adopt **Resolution No. 2021-497**, authorizing the county administrator, or designee, to submit an application seeking funding assistance through the Florida Division of Emergency Management Covid-19 Hazard Mitigation Grant Program, for the purchase and installation of an emergency generator, for the special medical needs shelter at Freedom Crossing Academy

RESOLUTION NO. 2021-497

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT COVID-19 HAZARD MITIGATION GRANT PROGRAM, FOR THE PURCHASE AND INSTALLATION OF AN EMERGENCY GENERATOR, FOR THE SPECIAL MEDICAL NEEDS SHELTER AT FREEDOM CROSSING ACADEMY

32. Motion to approve the terms, conditions, provisions, and requirements of the Collective Bargaining Agreements, for Supervisory Unit and Rank and File bargaining units, between the St. Johns County Board of County Commissioners and St. Johns County Professional Firefighters and Paramedics Local No. 3865; and authorizing the chair, county administrator, and fire chief, to execute the Collective Bargaining Agreements, on behalf of the County
33. Motion to adopt **Resolution No. 2021-498**, recognizing unanticipated revenue in the amount of \$30,472.13, increasing the General Fund revenue budget and appropriating this receipt to the St. Johns County Animal Control Department

RESOLUTION NO. 2021-498

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2022 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE; AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY ANIMAL CONTROL DEPARTMENT, FOR THE REPLACEMENT OF A FORD F250 PICKUP TRUCK

34. Motion for approval of minutes:
 - 11/02/21, BCC Regular
 - 11/02/21, Joint BCC/School Board

(11/16/21 - 9 - 9:50 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were none.

(11/16/21 - 9 - 9:50 a.m.)

APPROVAL OF REGULAR AGENDA

The Regular Agenda was approved by consensus.

(11/16/21 - 9 - 9:50 a.m.)

1. PUBLIC HEARING - DRIMOD 2021-04, ST. AUGUSTINE CENTRE. REQUEST TO AMEND THE ST. AUGUSTINE CENTRE DRI, TO ALLOW THE REDEVELOPMENT OF THE OUTLET RETAIL PORTION OF DEVELOPMENT AREA A, WITH A MIXED-USE PROJECT, CONTAINING A MAXIMUM OF 99,500 SQUARE FEET OF RETAIL/COMMERCIAL SPACE AND 350 MULTI-FAMILY RESIDENTIAL UNITS. THIS REQUEST WAS HEARD BY THE PLANNING AND ZONING AGENCY AT ITS REGULARLY SCHEDULED

PUBLIC HEARING ON OCTOBER 7, 2021, AND WAS UNANIMOUSLY RECOMMENDED FOR APPROVAL, 7-0

Proof of publication of the notice of a public hearing on DRIMOD 2021-04, St. Augustine Centre, was received, having been published in *The St. Augustine Record* on September 15, 2021.

Regular Agenda Items 1 and 2 were heard together.

Ex parte communications: Whitehurst met on November 4, with Akiva Elazary, Ellen Avery-Smith, and staff to discuss the desire for the property and the proposed changes to meet the needs of the community. Dean met on November 4, with Avery-Smith and Elazary to discuss the proposed transition from the existing outlet mall, traffic, and any other issues involving the units. Waldron met on November 4, with Avery-Smith and Elazary to discuss the changes requested, the mixed-use, and the future commercial property. Blocker met on November 4, with Avery-Smith and Elazary to discuss the scope of the project, potential traffic impacts, infrastructure challenges, and economic challenges with the outlet mall.

(9:54 a.m.) Ellen Avery Smith, Esq., Rogers Towers, 100 Whetstone Place, representing the applicant, presented details of the item, via PowerPoint. She provided a history of the project and the purpose of the land use conversion.

(9:59 a.m.) Waldron asked for clarification of the HOA's responsibilities. Avery-Smith responded.

(10:00 a.m.) Heather Studwell, 325 Lures Lane, spoke on the need for affordable housing. Avery-Smith addressed the request for affordable housing.

(10:02 a.m.) Royce Frame, 205 Morteilo Drive, spoke on construction in the area.

(10:04 a.m.) **Motion by Dean, seconded by Whitehurst, carried 4/0, with District 2 seat vacant, to adopt Resolution No. 2021-499, based on five findings of fact, as provided in the staff report.**

Yea: Dean, Whitehurst, Waldron, Blocker

Nay: None

RESOLUTION NO. 2021-499

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS' RESOLUTION NO. 2021-499, AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR ST. AUGUSTINE CENTRE, A DEVELOPMENT OF REGIONAL IMPACT, UNDER CHAPTER 380, FLORIDA STATUTES, AUTHORIZING DEVELOPMENT OF APPROXIMATELY 315 ACRES IN EAST CENTRAL ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS, INCLUDING TRANSPORTATION IMPACTS; PROVIDING DEVELOPMENT PHASING AND BUILDOUT DATES; INCORPORATING CHANGES TO ALLOW FOR MIXED-USE DEVELOPMENT ON A PROPERTY LOCATED IN AREA A, AS IDENTIFIED ON THE MASTER DEVELOPMENT PLAN, MAP H; AND ESTABLISHING AN EFFECTIVE DATE

(11/16/21 - 11 - 9:50 a.m.)

2. PUBLIC HEARING - MAJMOD 2021-09, ST. AUGUSTINE CENTRE. REQUEST FOR A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PUD (ORDINANCE 1997-23, AS AMENDED), TO ALLOW FOR THE REDEVELOPMENT OF THE OUTLET RETAIL PORTION OF AREA A, WITH A MIXED-USE PROJECT CONTAINING A MAXIMUM OF 99,500 SQUARE FEET OF RETAIL/COMMERCIAL SPACE AND 350 MULTI-FAMILY RESIDENTIAL UNITS. THIS REQUEST WAS HEARD BY THE PLANNING AND ZONING AGENCY AT ITS REGULARLY SCHEDULED PUBLIC HEARING ON OCTOBER 7, 2021, AND WAS UNANIMOUSLY RECOMMENDED FOR APPROVAL, 7-0

Proof of publication of the notice of a public hearing on MAJMOD 2021-09, St. Augustine Centre, was received, having been published in *The St. Augustine Record* on September 16, 2021.

Discussion occurred during Regular Agenda Item 1.

(10:06 a.m.) **Motion by Dean, seconded by Whitehurst, carried 4/0, with District 2 seat vacant, to enact Ordinance No. 2021-83, MAJMOD 2021-09, St. Augustine Centre, based on six findings of fact, as provided in the staff report.**

Yea: Dean, Whitehurst, Waldron, Blocker

Nay: None

ORDINANCE NO. 2021-83

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NO. 1997-23, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(11/16/21 - 11 - 10:06 a.m.)

3. PUBLIC HEARING - ARC APPEAL 2021-01, VILANO BEACH HOTEL APPEAL. ARC APPEAL 2021-01, VILANO BEACH HOTEL APPEAL, APPEALING THE DECISION OF THE NORTH COASTAL DESIGN REVIEW BOARD, DENYING APPLICATION VBTCDR 2021-05, A REQUEST FOR DESIGN APPROVAL OF A NEW HOTEL, BASED MIXED-USE DEVELOPMENT

Proof of publication of the notice of a public hearing on ARC APPEAL 2021-01, Vilano Beach Hotel Appeal, was received, having been published in *The St. Augustine Record* on October 29, 2021.

Ex parte communications: Whitehurst had a phone conversation on November 10, with John Kittel, Ryan McCormick, and staff to discuss their concerns and the desire for denial; he met on November 4, with Ellen Avery-Smith, Diego Ardid, Colon Gorsuch, and Taylor French to discuss the vision for the hotel, whether it met Florida Vernacular, and concessions that had been made; he met on November 4, with Breau Alexander, Sally O'Hara, and Carol and Joe Anderson to discuss their desire for denial; and he met on October 28, with Avery-Smith, Gorsuch, and Ardid to discuss the project and how they felt it met the guidelines of Florida Vernacular. Dean met on November 10, with Kittel and Larry McCormick to discuss items pertaining to the proposed hotel; he met on November 4, with Avery-Smith and Ardid to discuss the proposed application and similar topics as Whitehurst; and he met on November 1, with O'Hara, Anderson's, and

Alexander to discuss concerns that were raised. Waldron met on November 10, with Kittel and McCormick to discuss their reasons to deny the project and traffic capability; he met on November 4, with Avery-Smith, Ardid, Gorsuch, and French to discuss the plans, number of parking spots, and the design of the building; he met on November 4, with O'Hara and the Anderson's to discuss the area and concerns they had; he also stated that he heard the item during a Cultural Review Board meeting. Blocker met on October 28, with Avery-Smith, Gorsuch, and Ardid to discuss the scope of the project; he met on November 4, with O'Hara and the Anderson's to discuss concerns that were given by the community; he had a discussion on November 4, with Avery-Smith to discuss concerns that were raised; had a phone conversation on November 9, with Kittel to discuss concerns with the impact to the community; he made a site visit on November 4; and he received emails in support and in opposition of the appeal.

(10:15 a.m.) McCormack provided the recommended format for the appeal process.

(10:26 a.m.) Ralf Brookes, attorney representing North Community Beach Alliance, Inc., 1217 E. Cape Coral Parkway, Cape Coral, Florida, spoke on public comment pertaining to the PowerPoint presentations that would be discussed by different individuals.

(10:29 a.m.) The following witnesses were sworn in:

Diego Ardid, Key International, 848 Brickell Avenue, Suite 1100, Miami, Florida
Shannon Acevedo, Matthews Design Group, 7 Waldo Street
Taylor French, 260 Peachtree Street, Atlanta, Georgia
Colon Gorsuch, Key International, 848 Brickell Avenue, Suite 1100, Miami, Florida
Scott Knowles, Matthews Design Group, 7 Waldo Street
Vincent Spahr, Kimley-Horn, 800 South West Second Avenue, Suite 100
Bill Warinner, 306 North East 5th Avenue, Gainesville, Florida
Ralf Brookes, 1217 E. Cape Coral Parkway, Cape Coral, Florida
Sally O'Hara, 3025 Kings Road
Andy Hill, 184 Lawn Avenue
Elisa Hill, 184 Lawn Avenue
Maureen Long, 1821 Castile Street
Breau Alexander, 302 11th Street
Catherine Aissen, 307 12th Street
Shane Jones, 136 Surfside Avenue
Michael Cumpton, 114 3rd Street
Barbara Jenness, 203 Porpoise Point Drive
Glenn Anders, 3200 Coastal Hwy.
Jeff Smiley, 2822 Coastal Hwy.
John Kittel, 324 Village Drive, Unit E
Georgia Katz, 2601 Sea Gate Lane

(10:35 a.m.) Blocker requested clarification on the request regarding the absence of the architect.

(10:37 a.m.) Diego Ardid provided information on the functionality of the project.

(10:40 a.m.) Ellen Avery-Smith, Esq., Rogers Towers, 100 Whetstone Place, representing the applicant, presented details of the item, via PowerPoint.

(10:43 a.m.) Shannon Acevedo provided a brief overview of the current process with the project, via PowerPoint.

(10:44 a.m.) Taylor French presented details of the item, via PowerPoint, and stated that the project met all applicable design requirements of both the Vilano Beach Town Center and the Land Development Code.

(10:54 a.m.) Avery-Smith provided documents, including a third-party architect letter, *Exhibit A*.

(10:56 a.m.) Bill Warinner, architect, spoke on the term Florida Vernacular and submitted a white paper with his qualifications, *Exhibit B*.

(11:01 a.m.) Blocker asked for clarification on what type of architecture he felt the project would fall under. Warinner responded.

(11:06 a.m.) Waldron asked for clarification as to what part of the Vilano Town Center best resembled Florida Vernacular. Warinner responded.

(11:07 a.m.) Whitehurst asked for a side-by-side picture of the Holiday Inn Express that showed the differences between the original and proposed changes that met the Florida Vernacular. Warinner responded.

(11:11 a.m.) Elisa Hill, 184 Lawn Avenue, voiced her concerns with compliance with the Land Development Code (LDC), via PowerPoint.

(11:13 a.m.) Michael Cumpton, 114 3rd Street, voiced his concerns with the applicants' architect's conflict of interest, and continued with the previous PowerPoint.

(11:16 a.m.) Maureen Long, 1821 Castile Street, spoke on a survey that was not submitted, provided written public comment, maps, reports, licensee details, photos, and architecture documents, *Exhibit C*; and requested to uphold the decision.

(11:19 a.m.) Andy Hill, 184 Lawn Avenue, voiced his concerns with compliance with the LCD, and continued with the previous PowerPoint.

(11:23 a.m.) Catherine Aissen, 307 12th Street, voiced her concerns with the view not meeting the comprehensive plan, and continued with previous PowerPoint.

(11:24 a.m.) Breau Alexander, 302 11th Street, voiced her concerns with traffic and parking, and continued with previous PowerPoint.

(11:26 a.m.) Shane Jones, 136 Surfside Avenue, spoke on hotel and beach accessibility, and continued with previous PowerPoint.

(11:29 a.m.) Sally O'Hara, 3025 Kings Road, spoke on the Vilano Beach Community Redevelopment Agency (CRA), and continued with previous PowerPoint, and submitted a Dashboard Summary of the Vilano Beach Community Assessment and signatures for a petition, *Exhibit D*.

(11:32 a.m.) John Kittel, 324 Village Drive, Unit E, spoke on the acreage of the hotel, and continued with previous PowerPoint, and submitted a paper copy of his PowerPoint, *Exhibit E*; and requested to deny the appeal.

(11:36 a.m.) Joe McAnarney, 1005 Blackberry Lane, spoke on the LDC regarding Florida Vernacular, errors that were made, and submitted documentation supporting denial of the appeal, *Exhibit F*.

(11:39 a.m.) David Doherty, 2826 Coastal Hwy, spoke on the need for more restaurants and shops for the community and spoke in support of the development.

(11:42 a.m.) Georgia Katz, 2601 Sea Gate Lane, spoke in opposition of the request and submitted written public comment, *Exhibit G*.

(11:45 a.m.) Beth Tate, 441 East Kesley Lane, spoke in support of denying the appeal and requested to move forward with a growth management workshop.

(11:47 a.m.) Nicole Crosby, 1169 Neck Road, spoke on the scenic highway, traffic, and finished Katz's presentation, *Exhibit G*; and requested to uphold the decision made.

(11:49 a.m.) Heather Studwell, 325 Lures Lane, voiced her concerns with the lack of information that was presented on the item.

(11:52 a.m.) McCormack provided clarification on using substantive facts.

(11:52 a.m.) Glenn Anders, 3200 Coastal Hwy., spoke in opposition of the development.

(11:55 a.m.) Barbara Jenness, 203 Porpoise Point Drive, spoke in opposition of the development and submitted written public comment, *Exhibit H*.

(11:58 a.m.) Barbara Valentine, 105 Surfside Avenue, voiced her concerns with the overdevelopment in the Vilano Beach area.

(11:59 a.m.) Michelle Varande, 128 Water Wood Lane, voiced her concerns with overdevelopment and the need for proper growth management.

(12:01 p.m.) Vivian Browning, 30 Beachcomber Way, spoke in support of upholding the decision of the North Coastal Design Review Board (NCDRB).

(12:05 p.m.) Robert Slawson, 2960 Coastal Hwy., spoke in support of overturning the decision of the NCDRB.

(12:06 p.m.) Kristyn Sheridan, 129 Kingston Drive, spoke in support of overturning the decision of the NCDRB.

(12:07 p.m.) BJ Kalaidi, 8 Newcomb Street, suggested tabling the item or upholding the decision of the NCDRB.

(12:09 p.m.) Sasha Martin, 133 Coastal Hollow Circle, on behalf of the NCDRB, spoke on the process of the NCDRB. She also spoke on the missing steps by the architect, non-compliance, and lack of request for variances.

(12:14 p.m.) Blocker spoke on the missing steps by the architect. Discussion ensued on the missing requirements.

(12:20 p.m.) Ralf Brookes, 1217 E. Cape Coral Parkway, Cape Coral, Florida, spoke in support of upholding the decision of the NCDRB, and submitted pictures and written public comment regarding his concerns, *Exhibit I*.

(12:24 p.m.) McCormack spoke on the rebuttal format.

(12:24 p.m.) Avery-Smith presented her rebuttal on the concerns from public comment.

(12:27 p.m.) Acevedo spoke on compliance with the LDC, the floor ratio, the height of the building, and loading docks; and referenced a map of the CRA boundary, *Exhibit J*.

(12:31 p.m.) Taylor spoke on the requirement range by the overlay and the methodology of determining Florida Vernacular.

(12:34 p.m.) Waldron questioned whether there were ramp access points other than on the coastal highway. Taylor responded.

(12:34 p.m.) McCormack noted that the architectural review was in code.

(12:35 p.m.) Waldron questioned whether the number of hotel rooms were within the percentage of the LDC. Teresa Bishop, Planning Division Supervisor, responded that they were within the percentages and calculations. McCormack spoke on the method of calculation.

(12:36 p.m.) Dean spoke on his position with the project and referenced language within the LDC, *Exhibit K*. He suggested to approve the hotel design as submitted and limit the number of hotel rooms to 120. Discussion ensued.

(12:45 p.m.) Blocker voiced his concerns with the LDC not being followed, testimony that was given from the independent architect, and missing requirements.

(12:49 p.m.) Whitehurst questioned the acreage, the square footage, and the parking garage grates being compliant. Bishop responded, with additional comments from Taylor regarding the parking garage compliance to the LDC.

(12:57 p.m.) Avery-Smith spoke on the number of rooms and offered to reduce the number of rooms to 174.

(12:58 p.m.) Gorsuch showed a rendering of the hotel and spoke on the scale, *Exhibit L*.

(2:14 p.m.) Subsequently, Maureen Long, 1821 Castile Street, suggested creating a LDC compliance checklist for future use.

(12:59 p.m.) Motion by Blocker, seconded by Whitehurst, with District 2 seat vacant, to deny ARC Appeal 2021-01, Vilano Beach Hotel Appeal, UPHOLDING the decision of the North Coastal Design Review Board and denying the design review request for a new hotel, based on the mixed-use development, as amended.

(1:00 p.m.) McCormack requested to include that the *scale of the application did not comply with objective A.3.2*.

(1:01 p.m.) **The motion carried 4/0.**

Yea: Blocker, Whitehurst, Dean, Waldron

Nay: None

(1:02 p.m.) Avery-Smith requested that the application have the ability to legally be submitted back to the DRB. McCormack responded. Dean spoke on the DRB procedures.

The Board recessed the meeting at 1:06 p.m. and reconvened at 1:37 p.m., with Commissioners Dean, Whitehurst, Blocker, and Waldron; Conrad, Bradley, Andrews, Taylor, McCormack, Migut, Valliere, and Deputy Clerk Natasha McGee in attendance. The Board moved to Regular Agenda Item 4.

(11/16/21 - 16 - 1:37 p.m.)

4. USP 2021-01, FOUNTAINS UNIFIED SIGN PLAN. A SIGN PLAN TO GUIDE CONSTRUCTION OF NEW SIGNS WITHIN THE DEVELOPMENTS OF FOUNTAINS NORTH, ORDINANCE NO. 2020-15, FOUNTAINS SOUTH, ORDINANCE NO. 2016-56, FOUNTAINS EAST, ORDINANCE NO. 2020-59, AND TRACTOR SUPPLY, ORDINANCE NO. 2019-17

Proof of publication of the notice of a public hearing on USP 2021-01, Fountains Unified Sign Plan, was received, having been published in *The St. Augustine Record* on October 22, 2021.

Anthony Robbins, AICP - Prosser, Inc., 13901 Sutton Park Drive South, Jacksonville, Florida, representing the applicant, presented the details of the item, including waivers, via PowerPoint.

(1:43 p.m.) Discussion ensued between Waldron and Teresa Bishop, AICP, Planning Division Manager, on the current signage, if any, in the County right-of-way, on County Road 210. Robbins and Mike Roberson, Assistant Director of Growth Management, provided additional comments.

(1:44 p.m.) Joe McAnarney, 1005 Blackberry Lane, spoke in support of additional development signage on County Road 210.

(1:47 p.m.) **Motion by Whitehurst, seconded by Waldron, carried 4/0, with District 2 seat vacant, to adopt Resolution No. 2021-500, approving USP 2021-01, Fountains Joint Unified Sign Plan, based on four findings of fact, as provided in the staff report.**

Yea: Dean, Whitehurst, Blocker, Waldron
Nay: None

RESOLUTION NO. 2021-500

A RESOLUTION OF THE BOARD OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A JOINT UNIFIED SIGN PLAN TO THE FOUNTAINS NORTH PUD; ORDINANCE NO. 2020-15, AS AMENDED, THE FOUNTAINS SOUTH PLANNED UNIT DEVELOPMENT (PUD); ORDINANCE NO. 2016-56, AS AMENDED, THE FOUNTAINS EAST PUD; ORDINANCE NO. 2020-59, THE TRACTOR SUPPLY PUD; ORDINANCE NO. 2019- 17, AS AMENDED

(11/16/21 - 16 - 1:47 p.m.)

5. PUBLIC HEARING - REZ 2021-25, THE PRESERVE AT EAGLE COVE. A REQUEST TO REZONE APPROXIMATELY 42.32 ACRES OF LAND FROM AN EXPIRED PLANNED RURAL DEVELOPMENT (PRD) TO OPEN RURAL (OR), TO ALLOW LIMITED RESIDENTIAL DEVELOPMENT AND AGRICULTURAL USES, SPECIFICALLY LOCATED AT 4680 STATE ROAD 13 NORTH. THIS REQUEST WAS HEARD BY THE PLANNING AND ZONING AGENCY, AT THEIR REGULARLY SCHEDULED PUBLIC HEARING, ON OCTOBER 7, 2021, AND WAS UNANIMOUSLY RECOMMENDED FOR APPROVAL, WITH A VOTE OF 7-0

Proof of publication of the notice of a public hearing on REZ 2021-25, The Preserve at Eagle Cove, was received, having been published in *The St. Augustine Record* on September 10, 2021.

Board ex parte disclosures: There were none.

(1:48 p.m.) Karen M. Taylor, Land Planner, 77 Saragossa Street, representing the applicant, presented the details of the request, via PowerPoint.

(1:54 p.m.) **Motion by Whitehurst, seconded by Waldron, carried 4/0, with District 2 seat vacant, to enact Ordinance No. 2021-84, REZ 2021-25, The Preserve at Eagle Cove, a request to rezone approximately 42.32 acres of land from an expired Planned Rural Development (PRD) to Open Rural (OR), to allow limited residential development and agricultural uses, specifically located at 4680 State Road 13 North, based upon four findings of fact, as provided in the staff report.**

Yea: Dean, Whitehurst, Blocker, Waldron

Nay: None

ORDINANCE NO. 2021-84

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

(1:55 p.m.) Christine Valliere, Assistant County Attorney, left the meeting.

(11/16/21 - 17 - 1:55 p.m.)

6. SECOND HEARING FOR AN MSTU ORDINANCE TO REPLACE THE PONTE VEDRA BEACH AND DUNE RESTORATION MSTU, WITH TWO NEW MSTUS. THE COMMISSION ENACTED THE PONTE VEDRA BEACH AND DUNE RESTORATION MUNICIPAL SERVICE TAXING UNIT (PHASE I MSTU) ON DECEMBER 18, 2018, AND DIRECTED STAFF TO DEVELOP AND PERMIT A POTENTIAL PONTE VEDRA BEACH RESTORATION PROJECT, FOR FUTURE CONSIDERATION. PERMITTING AND PROJECT DESIGN IS SUBSTANTIALLY COMPLETE. THE PHASE I MSTU ORDINANCE INCLUDED ONE MSTU THAT ENCOMPASSES ALL TAX PARCELS EAST OF PONTE VEDRA BOULEVARD, FROM THE DUVAL COUNTY LINE TO THE GUANA PROPERTY, AND LIMITED AUTHORIZATION TO LEVY MILLAGE ONLY FOR 2019 AND 2020. REPLACING THE EXISTING PHASE 1 MSTU ORDINANCE BEFORE DECEMBER 31, 2021, WOULD GIVE THE COMMISSION THE OPTION TO LEVY MILLAGE FOR TWO SEPARATE PROJECT AREAS, THAT WILL BE CONSIDERED BY THE PROPERTY OWNERS AND THE COMMISSION IN A FUTURE MSTU SURVEY. A MEDIUM-SCALE PROJECT HAS BEEN PROPOSED FOR THE NORTHERN THREE MILES (~3.1 MILES) OF PONTE VEDRA BEACH, SOUTH OF THE DUVAL COUNTY LINE, WHERE SAND HAS TRADITIONALLY DRIFTED SOUTH FROM THE DUVAL COUNTY ARMY CORPS PROJECT. A LARGER BEACH RESTORATION PROJECT IS PROPOSED FOR THE SOUTHERN SIX MILES (~5.8 MILES) OF PONTE VEDRA BEACH, ENCOMPASSING APPROXIMATELY SIX MILES NORTH OF THE GUANA TOLOMATO MATANZAS NATIONAL ESTUARINE RESEARCH RESERVE PROPERTY. THE NEW ORDINANCE WOULD CREATE THE PONTE VEDRA I AND PONTE VEDRA II (RESPECTIVELY) DUNE AND BEACH RESTORATION MUNICIPAL SERVICE TAXING UNITS, TO SUPPORT THE COSTS OF THE TWO PROJECTS. STAFF WILL SEEK DIRECTION FROM THE COMMISSION

AT FUTURE BOARD MEETINGS REGARDING THE NEXT STEPS: (1) THE TERMS TO PROPOSE TO THE PROPERTY OWNERS IN THE UPCOMING MSTU SURVEY, INCLUDING THE MILLAGE RATE AND THE EXPECTED NUMBER OF YEARS OF THE LEVY; (2) DIRECTION TO SOLICIT BIDS FOR A CONSULTANT TO PERFORM OWNERSHIP SEARCHES AND PREPARE THE INDIVIDUALIZED MSTU SURVEYS, AND, UPON FUTURE DIRECTION FROM THE COMMISSION, TO OBTAIN CONSTRUCTION EASEMENTS. UPON REVIEW OF THE FINAL RESULTS OF THE FUTURE MSTU SURVEY AND FUTURE DIRECTION BY THE COMMISSION, EASEMENTS WOULD BE SECURED, AN EROSION CONTROL LINE ESTABLISHED, AND BID PACKAGES WOULD BE DEVELOPED AND ADVERTISED FOR CONSTRUCTION AND FINANCING

Proof of publication of the notice of a public hearing for an MSTU Ordinance to replace the Ponte Vedra Beach and Dune Restoration MSTU, with two new MSTUs, was received, having been published in *The St. Augustine Record* on November 5, 2021.

Joy Andrews, Deputy County Administrator of Strategic Affairs, presented the details of the request, via PowerPoint.

Damon Douglas, Coastal Manager, presented the details of the request, via PowerPoint.

(1:56 p.m.) **Motion by Dean, seconded by Blocker, carried 4/0, with District 2 seat vacant, to enact Ordinance No. 2021-85, creating the Ponte Vedra I and Ponte Vedra II Dune and Beach Restoration Municipal Service Taxing Units, and repealing Ordinance 2018-59.**

Yea: Dean, Whitehurst, Blocker, Waldron

Nay: None

ORDINANCE NO. 2021-85

AN ORDINANCE CREATING MUNICIPAL SERVICE TAXING UNITS FOR THE PROVISION OF DUNE AND BEACH RESTORATION FOR PONTE VEDRA BEACH, WITHIN THE UNINCORPORATED AREA OF ST. JOHNS COUNTY; DESCRIBING THE BOUNDARIES OF THE MUNICIPAL SERVICE TAXING UNITS; AUTHORIZING THE MUNICIPAL SERVICE TAXING UNITS TO ANNUALLY LEVY AD VALOREM TAXES, TO PROVIDE DUNE AND BEACH RENOURISHMENT, RESTORATION, EROSION CONTROL, AND STORM PROTECTION, AND OTHER RELATED SERVICES, FACILITIES, IMPROVEMENTS, AND PROGRAMS; AUTHORIZING A PLEDGE OF THE MUNICIPAL SERVICE TAXING UNITS' AD VALOREM TAX REVENUES TO THE RETIREMENT OF DEBT, AS PROVIDED BY GENERAL LAW; PROVIDING FOR REPEAL OF ORDINANCE 18-59; AND PROVIDING AN EFFECTIVE DATE

(1:57 p.m.) Jalisa Ferguson, Assistant County Attorney, entered the meeting.

(11/16/21 - 18 - 1:57 p.m.)

7. CONSIDER APPOINTMENTS TO THE LAND ACQUISITION MANAGEMENT PROGRAM (LAMP) CONSERVATION BOARD. THE BOARD OF COUNTY COMMISSIONERS ENACTED ORDINANCE 2021-38, AT THEIR JUNE 15, 2021,

MEETING, THEREBY IMPLEMENTING THE LAND ACQUISITION MANAGEMENT PROGRAM (LAMP) AND NEEDS TO ESTABLISH ITS CONSERVATION BOARD. THE VACANCIES OF THE LAMP CONSERVATION BOARD WERE ADVERTISED FOR TWO SEPARATE, FOUR WEEK SPANS, IN ORDER TO OBTAIN APPLICATIONS FROM INTERESTED PARTIES. THE LAMP CONSERVATION BOARD CONSISTS OF NINE MEMBERS, TO BE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS. EACH MEMBER OF THE BOARD OF COUNTY COMMISSIONERS SHALL CHOOSE ONE MEMBER, WHO RESIDES WITHIN THEIR RESPECTIVE DISTRICT, AND THE BALANCE OF THE MEMBERS CHOSEN BY THE COMMISSIONERS COLLECTIVELY. MEMBERS OF THE LAMP CONSERVATION BOARD ARE REQUIRED TO BE REGISTERED VOTERS OF ST. JOHNS COUNTY AND HAVE EXPERIENCE OR EXPERTISE IN ONE OR MORE OF THE FOLLOWING AREAS, WITH AT LEAST FIVE OF THESE AREAS REPRESENTED AT ALL TIMES: AGRICULTURE, ARCHAEOLOGY, BUSINESS/FINANCE, ECO-TOURISM, EDUCATION, ENGINEERING, ENVIRONMENTAL, HISTORY, PARKS, PLANNING, REAL ESTATE, RECREATION, SOIL/HYDROLOGIC, AND NATURAL SCIENCES, SUCH AS BIOLOGY, BOTANY, GEOLOGY AND ZOOLOGY. MEMBER'S TERMS SHALL BE FOR FOUR YEARS; HOWEVER, TO CREATE STAGGERED TERMS, FOUR OF THE INITIAL MEMBERS SHALL BE APPOINTED FOR TWO YEAR TERMS. THE MOTIONS BELOW APPROPRIATELY NOTE EACH INDIVIDUAL COMMISSIONER'S DISTRICT REPRESENTATIVE, AS PROVIDED TO STAFF, AND SUGGESTS THE REQUIRED STAGGERED TERMS BE ASSIGNED TO THE BALANCE OF THE MEMBERS. ATTACHED FOR YOUR REVIEW AND CONSIDERATION ARE 18 APPLICATIONS: JEREMY IAN COOPER- DIST. 1, WAYNE E. FLOWERS - DIST. 1, RHONDA LOVETT - DIST. 1, JOSEPH MCANARNEY - DIST. 1, ROBIN (SHORTY) ROBBINS - DIST. 1, VERNON HAWLEY SMITH III - DIST. 1, MICHAEL D. ADAMS - DIST. 2, SANDRA (SANDY) GALE BOND - DIST. 3, WILLIAM J.B. MILLER - DIST. 3, JIMMY R. WATSON - DIST. 3, KALEY ADAMSON - DIST. 4, TRAVIS MINCH - DIST. 4, ANN BRESLAUER - DIST. 5, MARSH A. CHANCE - DIST. 5, ELIZABETH GUTHRIE - DIST. 5, MELVIN C. LONGO - DIST. 5, FREDERICK (FRED) RICHARDS - DIST. 5, AND MELISSA TAYLOR - DIST. 5

Melissa Lundquist, Assistant to the Board of County Commissioners, presented the details of the appointments.

(1:59 p.m.) BJ Kalaidi, 8 Newcomb Street, questioned the selection of the appointments.

(2:00 p.m.) Discussion ensued on member vacancies, including member qualifications.

(2:05 p.m.) Motion by Blocker, seconded by Waldron, carried 4/0, with District 2 seat vacant, to appoint Vernon Hawley Smith III, District 1; Michael D. Adams, District 2; Jimmy R. Watson, District 3; Kaley Adamson, District 4; and Elizabeth Guthrie, District 5, as the Representatives to the LAMP Conservation Board for a four-year term, scheduled to expire November 16, 2025.

Yea: Dean, Whitehurst, Blocker, Waldron

Nay: None

(2:06 p.m.) Motion by Blocker, seconded by Waldron, carried 4/0, with District 2 seat vacant, to appoint Travis Minch, as the District 4 Representative to the LAMP Conservation Board for a two-year term, scheduled to expire November 16, 2023.

Yea: Dean, Whitehurst, Blocker, Waldron

Nay: None

(2:06 p.m.) Motion by Waldron, seconded by Blocker, carried 4/0, with District 2 seat vacant, to appoint William J.B. Miller, as the District 3 Representative to the LAMP Conservation Board for a two-year term, scheduled to expire November 16, 2023.

Yea: Dean, Whitehurst, Blocker, Waldron
Nay: None

(2:07 p.m.) Motion by Dean, seconded by Waldron, carried 4/0, with District 2 seat vacant, to appoint Wayne E. Flowers, as the District 1 Representative to the LAMP Conservation Board for a two-year term, scheduled to expire November 16, 2023.

Yea: Dean, Whitehurst, Blocker, Waldron
Nay: None

(2:07 p.m.) Motion by Christian, seconded by Dean, carried 4/0, with District 2 seat vacant, to appoint Robin (Shorty) Robbins, as the District 1 Representative to the LAMP Conservation Board for a two-year term, scheduled to expire November 16, 2023.

Yea: Dean, Whitehurst, Blocker, Waldron
Nay: None

(11/16/21 - 20 - 2:08 p.m.)
PUBLIC COMMENT

Nicole Crosby, 1169 Neck Road, spoke about how developers take priority over the residents of St. Johns County. She also spoke in opposition to the placement of general public comment on the Regular Agenda.

(2:13 p.m.) Sherry Badger, 2772 South Collins, spoke about how developers take priority over the residents of St. Johns County.

(2:17 p.m.) McGee left the meeting and Deputy Clerk Sindy Wiseman entered the meeting.

(2:17 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke on the location of Home Again St. Johns, following the County rules, and returning general public comment to the beginning of the meeting.

(2:19 p.m.) Jeff Kleffman, 2835 South Ponte Vedra Boulevard, spoke on damages received from prior hurricanes and showed pictures of the damages, *Exhibit A*. He requested help from the County with the approval process for repairs. Dean said he would talk to staff and get back to him.

(2:24 p.m.) Marilyn McAfee, 24700 Deer Chase Drive, spoke on flooding in Marsh Landing and showed pictures of the flooding on her property, *Exhibit B*.

(2:27 p.m.) Sunny Mulford, Executive Director of Epic Cure, 468 High Tide Drive, read a letter from Deputy Tommy Kisler to Sheriff Hardwick, regarding a new location for the Epic Cure program. She provided information regarding the grant questionnaire and services provided by Epic Cure, *Exhibit C*.

(2:31 p.m.) Melissa Fischer, 237 Linkside Circle, spoke on the flooding in Marsh Landing and showed pictures of the flooding on her property and within Marsh Landing, *Exhibit D*. She requested requiring Marsh Landing to follow the County codes and asked that

Marsh Landing residents not be notified when individual Public Request Inquiry Data Exchange (PRIDE) tickets were submitted.

(2:34 p.m.) James Hensley, 7330 Oakmont Court, spoke on the flooding in Marsh Landing. He showed pictures of the flooding on his property. *Exhibit E*.

(2:37 p.m.) Blocker spoke on resolving the flooding issue in Marsh Landing. McCormack provided an update on the Marsh Landing flooding issue. Discussion ensued on finding a solution to the flooding issues.

(2:44 p.m.) Dick D'Souza, Growth Management, spoke on the County standards and the Water Management District's rules and regulations. Discussion ensued on the County's role in addressing the issue, Water Management District's roll in addressing the issue, holding people accountable, and finding a solution to resolve the flooding issues. *Consensus was given directing staff to provide recommendations to the Board for consideration, identifying the problem and funding for an analysis for a resolution to the drainage issues in Marsh Landing.*

(11/16/21 - 21 - 3:01 a.m.)
COMMISSIONERS' REPORTS

Commissioner Blocker

Blocker said the Board should look at a resiliency study for the coastline, protocols for notification requirements, possibly expanding notification guidelines, Growth Management workshops, as the 2025 Comprehensive Plan review is coming up soon, and addressing floating balloon and equestrian regulations.

Commissioner Waldron

(3:04 p.m.) Waldron spoke on reviewing the evaluation of transferability of impact fee credits.

Commissioner Whitehurst

(3:06 p.m.) Whitehurst questioned the location and timeline for the library planned for the World Golf Village area. Conrad responded. Additionally, Whitehurst spoke on the need for additional staffing and commended staff for their service.

Commissioner Dean

(3:09 p.m.) Dean requested an update on the proposed balloon ordinance. McCormack provided an update. Blocker requested directing staff to prepare a draft ordinance regarding the release of balloons. Discussion ensued on enforcement of such an ordinance. *Consensus was given for staff to prepare a draft balloon ordinance.*

(11/16/21 - 22 - 3:16 a.m.)
COUNTY ADMINISTRATOR'S REPORT

Conrad spoke on a request for approval for the Food for Fines Library Program.

Motion by Waldron, seconded by Blocker, carried 4/0, with District 2 seat vacant, to approve the Food for Fines.

Yea: Dean, Whitehurst, Waldron, Blocker
Nay: None

Conrad also noted that the Growth Management Workshop was tentatively set for January 24, 2022, which would include transportation planning and concurrency, new development proposals, and review of the 2025 Comprehensive Plan update.

(3:18 p.m.) Additionally, Conrad noted that Ryan Kane, Parks and Recreation Director, was to meet with the Horse Council and opposing side on November 29, 2021, followed by a workshop to review the code for horses on the beach.

(3:20 p.m.) Joe Giammanco, Disaster Recovery, provided an update on damages from last week's Nor'easter, via PowerPoint. He highlighted areas throughout the County that had been affected. Dean spoke on the Porpoise Point easement needed to move forward with that outfall.

(3:34 p.m.) Dwayne Kent, Public Works, updated the Board on the outfall easement for Porpoise Point, with additional comments from Damon Douglas.

(3:35 p.m.) Waldron requested that in addition of obtaining an estimate for filling in the breach in Summerhaven, to also obtain an estimate for the market value to purchase the affected properties.

(3:37 p.m.) Nicole Crosby, 1169 Neck Road, spoke on the erosion on North Mickler Beach.

(3:38 p.m.) Conrad clarified that the consensus of the Board was to direct staff to get with federal and state partners to get a managed retreat for that stretch of Summerhaven.
Consensus was given.

(3:38 p.m.) Giammanco requested direction by the Board to repair the South Ponte Vedra beach walkover and boat ramp and gangway damage.

(3:40 p.m.) **Motion by Blocker, seconded by Whitehurst, carried 4/0, with District 2 seat vacant, to suspend Rule 4.304, of the Board's Rules and Policies.**

Yea: Dean, Whitehurst, Waldron, Blocker
Nay: None

(3:41 p.m.) **Motion by Blocker, seconded by Whitehurst, carried 4/0, with District 2 seat vacant, to approve the transfer of \$120,000, from the General Fund Reserve, to complete repairs to the South Ponte Vedra Park walkover and pavilion.**

Yea: Dean, Whitehurst, Waldron, Blocker
Nay: None

(3:41 p.m.) James Hensley, 7330 Oakmont Court, questioned why this project was treated differently than the Marsh Landing project.

(3:43 p.m.) **Motion by Blocker, seconded by Whitehurst, carried 4/0, with District 2 seat vacant, to reinstate Rule 4.304, of the Board's Rules and Policies.**

Yea: Dean, Whitehurst, Waldron, Blocker
Nay: None

(11/16/21 - 22 - 3:43 p.m.)
COUNTY ATTORNEY'S REPORT

McCormack spoke on recognizing a coastal storm event for the purpose of temporary coastal armoring, as provided by statute, through an emergency proclamation by the Board or by authorizing the county administrator to recognize the coastal storm event,

should it be necessary to process an application for a temporary structure. Discussion ensued on current coastal damages.

(3:47 p.m.) **Motion by Blocker, seconded by Dean, carried 4/0, with District 2 seat vacant, to authorize the county administrator to recognize a significant coastal storm event, under Statute 161.085, and to authorize County staff to facilitate with property owners that have immediate threat to residential properties due to the storm that occurred November 5-9. [Subsequently, the county administrator signed Emergency Declaration 2021-1, declaring a state of emergency in certain coastal areas.]**

Yea: Dean, Whitehurst, Waldron, Blocker
Nay: None

(3:49 p.m.) Nicole Crosby, 1169 Neck Road, spoke on the material used for reinforcement. Giammanco responded.

(3:51 p.m.) Sherry Badger, 2772 South Collins Avenue, spoke on direction made by the Board.

(3:52 p.m.) Waldron questioned the outcome of Regular Agenda Item 3. McCormack responded.

(11/16/21 - 23 - 3:53 p.m.)
ADJOURN

With there being no further business to come before the Board, Dean adjourned the meeting at 3:53 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 595847-596037, totaling \$1,061,531.41 and Voucher Register, Voucher Nos. 61117-61198, totaling \$1,390,227.38 (11/08/21)
2. St. Johns County Board of County Commissioners Check Register, Check No. 596038, totaling \$4,465 (11/08/21)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 596039-596048, totaling \$8,582 and Voucher Register, Voucher Nos. 61199-61207, totaling \$10,084 (11/09/21)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 596049-596214, totaling \$1,736,253.27 and Voucher Register, Voucher Nos. 61208-61308, totaling \$701,539.37 (11/15/21)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 596215-596264, totaling \$32,259.41 and Voucher Register, Voucher Nos. 61309-61497, totaling \$139,024.56 (11/17/21)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 596265-596278, totaling \$51,266.80 and Voucher Register, Voucher Nos. 61498-61499, totaling \$639.73 (11/18/21)
7. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 61500-61501, totaling \$7,895.13 (11/18/21)

CORRESPONDENCE:

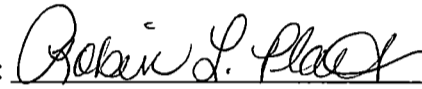
There was none.

Approved ____ December 7 _____, 2021

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Henry Dean, Chair

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

By: 
Deputy Clerk

