

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARCH 1, 2022
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
Sarah S. Arnold, District 2
Paul M. Waldron, District 3
Jeremiah R. Blocker, District 4
Hunter S. Conrad, County Administrator
David Migut, County Attorney
Sindy Wiseman, Deputy Clerk

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

(03/01/22 - 1 - 9:00 a.m.)
CALL TO ORDER

Dean called the meeting to order.

(03/01/22 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll. Commissioners Blocker, Dean, Waldron, and Arnold were present. Commissioner Whitehurst participated remotely.

(03/01/22 - 1 - 9:01 a.m.)
INVOCATION

Pastor Matt McCloghry, Colonial Church, gave the invocation.

(03/01/22 - 1 - 9:02 a.m.)
PLEDGE OF ALLEGIANCE

Command Sargent Major Joe McDermott, US Army, led the Pledge of Allegiance.

(03/01/22 - 1 - 9:03 a.m.)
RETIREMENT RECOGNITION OF WILLIAM "CHARLIE" GALAMBOS

Commissioner Dean invited Chief Prevatt to the podium. Chief Prevatt invited William Galambos to the podium and spoke on Galambos' accomplishments and expressed his appreciation for his dedication to St. Johns County.

(03/01/22 - 1 - 9:08 a.m.)
PUBLIC SAFETY UPDATE

Jeff Prevatt, Fire Chief, provided an update on the new recruit class.

(9:10 a.m.) Russ Martin, SJSO Director of Operations, provided an update on the last months service calls and the upcoming TPC event.

(03/01/22 - 2 - 9:12 a.m.)

CLERK OF COURT'S REPORT

Brandon Patty, Clerk of Circuit Court and Comptroller, spoke on the property and mortgage fraud notification service provided by the Clerk's office, that was offered at no cost to the public.

(03/01/22 - 2 - 9:15 a.m.)

DELETIONS TO THE CONSENT AGENDA

There was none.

(03/01/22 - 2 - 9:15 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Waldron, seconded by Blocker, carried 5/0, by roll call vote, to approve the Consent Agenda, as submitted.

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2022-59**, accepting an Easement for Utilities associated with the water system, to serve parcels located on Bannon Shops Drive, at the corner of International Golf Parkway and Parkland Trail

RESOLUTION NO. 2022-59

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES ASSOCIATED WITH THE WATER SYSTEM, TO SERVE PARCELS LOCATED ON BANNON SHOPS DRIVE, AT THE CORNER OF INTERNATIONAL GOLF PARKWAY AND PARKLAND TRAIL

3. Motion to adopt **Resolution No. 2022-60**, authorizing the county administrator, or his designee, to award Bid No. 22-45, Purchase of Two Whole Body Security Scanning Systems to TEK-84, Inc., as the responsive and responsible bidder; and to execute a purchase order in the amount of \$298,000, for the purchase

RESOLUTION NO. 2022-60

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 22-45; AND TO ISSUE A PURCHASE ORDER FOR THE PURCHASE OF TWO WHOLE BODY SECURITY SCANNING SYSTEMS

4. Motion to adopt **Resolution No. 2022-61**, authorizing the county administrator, or his designee, to execute Task Order No. 88 under Bid No. 18-14, with A.W.A. Contracting Co., Inc., to complete the drainage repairs on J. Flake Road, as

specified, for an amount not to exceed \$209,109.93, and in accordance with the Master Contract under Bid No. 18-14, Countywide Roadway Drainage and Infrastructure Maintenance (Master Contract No: 17-MCC-AWA-08972)

RESOLUTION NO. 2022-61

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A TASK ORDER WITH A.W.A. CONTRACTING CO., INC., TO COMPLETE DRAINAGE REPAIRS ON J. FLACK ROAD, AS SPECIFIED UNDER BID NO. 18-14 (MASTER CONTRACT NO. 17-MCC-AWA-08972)

5. Motion to adopt **Resolution No. 2022-62**, authorizing the county administrator, or his designee, to piggyback the Sourcwell Contract No. 120617-CAT; and to execute and issue a purchase order to Ring Power Corporation, for one 600Kw Caterpillar C18 Diesel Generator, in the amount of \$180,237.29, subject to the terms and conditions of the stated contract

RESOLUTION NO. 2022-62

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PIGGYBACK THE SOURCEWELL CONTRACT NO. 120617-CAT; AND TO EXECUTE A PURCHASE ORDER, FOR THE PURCHASE OF ONE 600KW CATERPILLAR C18 DIESEL ENGINE GENERATOR SET

6. Motion to adopt **Resolution No. 2022-63**, authorizing the county administrator, or designee, to execute and issue Task Order No. 10, for the completion of all work specified for Sawgrass Influent Pump Station Improvements, to Wharton-Smith, Inc., in accordance with RFP No. 18-22, Utility Rehabilitation/Construction Services, Master Contract No. 18-MCC-WHA-08956, for a not to exceed amount of \$468,562

RESOLUTION NO. 2022-63

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AND ISSUE TASK ORDER NO. 10, FOR SAWGRASS INFLUENT PUMP STATION IMPROVEMENTS, TO WHARTON-SMITH, INC., UNDER RFP NO. 18-22 (MASTER CONTRACT 18-MCC-WHA-08956)

7. Motion to adopt **Resolution No. 2022-64**, approving three applications for Major Impact Special Events to take place on April 17, 2022, at Vilano Beach, Mickler's Beach, and Crescent Beach, for sunrise Easter Services

RESOLUTION NO. 2022-64

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THREE MAJOR IMPACT SPECIAL EVENT APPLICATIONS

8. Motion to adopt **Resolution No. 2022-65**, authorizing the county administrator, or his designee, to execute an agreement with the Customs and Border Protection Office of Air and Marine National Center, for maintenance and support of fire rescue marine assets, in substantially the same form as attached

RESOLUTION NO. 2022-65

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF THE MEMO OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY FIRE RESCUE AND CUSTOMS AND BORDER PROTECTION OFFICE OF AIR AND MARINE NATIONAL MARINE CENTER, FOR THE MAINTENANCE AND SUPPORT OF FIRE RESCUE VESSELS

9. Motion to approve a transfer of \$5,880 from General Fund Reserve to the Emergency Management Department, in order to sufficiently fund the contract for janitorial services at Emergency Operations Center
10. Motion to adopt **Resolution No. 2022-66**, authorizing the submission of a Resilient Florida Grant Opportunity, for a Countywide Vulnerability Assessment; and authorizing the county administrator, or his designee, to execute any necessary agreements with FDEP concerning the grant

RESOLUTION NO. 2022-66

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 THROUGH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RESILIENT FLORIDA PLANNING GRANTS PROGRAM

11. Motion to adopt **Resolution No. 2022-67**, approving the terms, provisions, conditions, and requirements of an Amendment to Tourism Promotion Agreement between St. Johns County and PGA TOUR, INC.; authorizing the county administrator, or designee, to execute the amendment, on behalf of the County; and rescinding Resolution No. 2021-550

RESOLUTION NO. 2022-67

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AMENDMENT TO TOURISM PROMOTION AGREEMENT, FOR THE 2022 THROUGH 2026

“PLAYERS” TOURNAMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND PGA TOUR, INC.; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AMENDMENT, ON BEHALF OF ST. JOHNS COUNTY; AND RESCINDING RESOLUTION NO. 2021-550

12. Motion to adopt the recommendation by the Tourist Development Council to approve the proposed Arts, Culture and Heritage Funding Program Guidelines, attached hereto, with said guidelines being effective for the Fiscal Year 2023 Program

13. Motion to approve minutes:

- 2/15/22, BCC Regular Meeting

(03/01/22 - 5 - 9:16 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were none. Dean noted that Items 10, 11, and 12 would be heard first.

(03/01/22 - 5 - 9:16 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Waldron, seconded by Blocker, carried 5/0, by roll call vote, to approve the Regular Agenda, as amended.

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

The meeting moved to Regular Agenda Item 10.

(03/01/22 - 5 - 9:23 a.m.)

1. PUBLIC HEARING - PLANAPPL 2021-06. REQUEST TO APPEAL THE PLANNING AND ZONING AGENCY (PZA) DENIAL OF A SPECIAL USE PERMIT (SUPMAJ 2021-14), TO ALLOW FOR THE ON-SITE SALE AND CONSUMPTION OF BEER AND WINE, UNDER THE REGULATION OF THE STATE OF FLORIDA TYPE 2COP LICENSE, IN CONJUNCTION WITH AN EXISTING RESTAURANT, WITHIN CONDITIONAL COMMERCIAL INTENSIVE (CI) ZONING, CONSISTENT WITH SECTION 2.03.02 OF THE LAND DEVELOPMENT CODE. THIS ITEM WAS HEARD BY THE PLANNING AND ZONING AGENCY ON DECEMBER 2, 2021, AND DENIED WITH A 5-1 VOTE

Proof of publication of the notice of public hearing on PLANAPPL 2021-06, Special Use Permit Appeal, was received, having been published in *The St. Augustine Record* on February 4, 2022.

Ex parte communications: The Board disclosed ex parte communications.

(9:29 a.m.) James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, presented the details of the appeal, via PowerPoint. He provided maps showing the surrounding commercial zoning, *Exhibit A*; and he spoke on the importance of the Board basing its decision on fact testimony.

(9:37 a.m.) Kelly Schneck, Owner, 21 Sabor de Sal Road, presented additional comments to overturn the Board's decision, via PowerPoint. She presented a log of incidents over

the past three years from the sheriff's office, the 911 calls to the property, and a petition list in support of the appeal, *Exhibit B*.

(9:59 a.m.) Tyrone Bennett, 256 1/2 Cervantes Avenue, spoke in support of issuing a beer and wine license and making a decision on facts.

(10:02 a.m.) David Panken, 1375 Riviera Street, on behalf of Menendez Park Subdivision, spoke in opposition of the permit. He submitted the Board's reasons for denial of the special use permit, at its April 17, 2018, BCC meeting, 1) lack of compliance of Part XII of the Land Development Code, 2) contrary to public interest and conflict with surrounding development, 3) did not meet the criteria of Section Table 2.03.01 of the LDC; and submitted a letter from Sheriff Shoar in opposition of the issuance of a beer and wine license, *Exhibit C*.

(10:06 a.m.) Marcel Vizcarra, 415 Anastasia Boulevard, spoke in support of the special use permit, stating that the sale of beer and wine was what kept them afloat during the flooding of Hurricanes Irma and Matthew.

(10:08 a.m.) Paul Dixon, 1824 Old Beach Road, spoke in opposition of the permit, showing maps of the zoning in the area, to illustrate the distance of any similar restaurants, and on public safety, compatibility, hazards, and violations that occurred due to the Village Garden, *Exhibit D*.

(10:11 a.m.) George Scloguron, 55 South Whitney, spoke in support of the special use permit to help the establishment survive.

(10:12 a.m.) Frances Bacon, 1340 Corunna Street, spoke in opposition of the special use permit and suggested looking at traffic statistics from the 1990s when beer and wine was sold at the previous establishment. She also spoke on parking issues.

(10:15 a.m.) Bret Reddish, 23 Menendez Avenue, spoke in support of the special use permit, stating that the approval would not affect the neighbors.

(10:16 a.m.) Jessie Capper, 304 Ravenswood Drive, spoke in support of the special use permit and commented on rising food cost.

(10:19 a.m.) Sara Cordero, 109 14th Street, spoke in support of the special use permit.

(10:20 a.m.) Fred Schmidt, 1835 Asturias Street, spoke in support of the special use permit stating he enjoyed the establishment.

(10:21 a.m.) Bob Hesson, 1600 Santa Marie Court, spoke in opposition of the special use permit and the method the owners used to try to get one approved.

(10:24 a.m.) Pete Melfi, Segovia Road, spoke in support of the special use permit and on the family friendly establishment.

(10:26 a.m.) Mary Martelli, 533 Peninsula Court, spoke in support of the special use permit as the owners met code and criteria.

(10:28 a.m.) Zach Thomas, 664 East Bianca Circle, spoke in support of the special use permit.

(10:30 a.m.) Ken Conte, 533 Peninsula Court, spoke in support of the special use permit.

(10:31 a.m.) Keel Murrah, 1764 Asturias Street, spoke in support of the special use permit.

(10:31 a.m.) Kelley Fitzsimonds, 1054 San Remo Road, spoke in support of the special use permit and the Board basing their decision on facts.

(10:32 a.m.) Ian Bartlett, 2898 North 10th Street, spoke in support of the special use permit to help cover losses and the Board basing their decision on facts.

(10:35 a.m.) Maureen Long, 1821 Castile Street, spoke in opposition of the special use permit. She showed pictures of the former businesses in this location and spoke on the issues with parking, traffic, and controlling the number of patrons, *Exhibit E*.

(10:38 a.m.) Sally Myrick, 1736 Asturias Street, spoke on the growth in Menendez Park, the sale of alcohol in proximity to the growing neighborhood, church, and the state park and was in opposition to the special use permit.

(10:40 a.m.) Barbara Olson, 1824 Old Beach Road, spoke in opposition of the special use permit and voiced her concerns for safety and compatibility with the surrounding neighborhood. She provided a matrix that compared eight indicators of safety and compatibility for eateries with beer, wine, and liquor sales adjacent to neighborhoods on A1A, and a photo of an illegally parked car, *Exhibit F*.

(10:43 a.m.) Eileen Darby, 14508 NW 144th Place, Alachua, Florida, spoke in support of the special use permit and on a similar establishment the Schneck's owned in Gainesville.

(10:45 a.m.) Sherry Badger, 2772 South Collins Avenue, spoke in opposition of the special use permit and on enforcement of violations of the permit.

(10:46 a.m.) Peggy Stevens, 1303 Riviera Street, spoke in opposition of the special use permit. She provided a promissory letter from the Schnecks, of their healthy intensions, that were not followed through, *Exhibit G*.

(10:49 a.m.) Johnny Counts, 9470 Barrel Factory Road, spoke in support of the special use permit and adapting to the needs of the business.

(10:51 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the special use permit. She showed an aerial map of the property and the rules for denial of a special use permit, *Exhibit H*.

(10:55 a.m.) Whitehouse provided rebuttal to the public comments, allowed uses for the property, and making a fact-based decision.

(11:06 a.m.) Whitehurst questioned whether beer and wine were part of the original business plan and whether the alcohol would be sold through the food trucks. Schneck responded. Whitehurst spoke in support of a conditional approval.

(11:08 a.m.) Waldron questioned how the sale of alcohol would benefit the food trucks, whether they would be willing to cut the hours of operation, and what they would do about the parking situation. Schneck responded.

(11:12 a.m.) Blocker voiced his traffic concerns with the service of alcohol. Discussion ensued on a resolution to the concerns by adding language for signage, fencing, and addressing violations. Cpt. Burres, SJSO, provided additional comments regarding traffic/parking concerns.

(11:24 a.m.) Waldron questioned where the majority of the DUI's were in the County and patrolling the area. Burres responded. Discussion ensued on a solution to traffic and parking concerns.

(11:27 a.m.) Dean voiced that he would not support a conditional permit or overturning the decision and spoke on the citizens property rights.

(11:28 a.m.) Motion by Dean, seconded by Waldron, to deny PLNAPPL 2021-06, Special Use Permit Appeal, UPHOLDING the decision of the Planning and Zoning Agency and denying the request to allow for on-site sale and consumption of beer and wine, under the regulation of the State of Florida Type 2COP license, in conjunction with an existing restaurant, within conditional Commercial Intensive (CI) zoning, because it is inconsistent with Section 2.03.01.A of the Land Development Code.

(11:29 a.m.) Whitehurst elaborated on his intent for a conditional permit. Blocker and Arnold spoke in favor of a six-month conditional permit.

(11:33 a.m.) Dean and Waldron withdrew the motion.

(11:34 a.m.) Motion by Whitehurst, seconded by Blocker, carried 4/1, with Dean dissenting, by roll call vote, to approve PLNAPPL 2021-06, Special Use Permit Appeal, OVERTURNING the decision of the Planning and Zoning Agency and approving the request to allow for onsite sale and consumption of beer and wine, under the regulation of the State of Florida Type 2COP license, in conjunction with an existing restaurant, within conditional Commercial Intensive (CI) zoning, consistent with Sections 2.03.01.A and 2.03.02 of the Land Development Code, with the conditions that the approval was for a six-month period, to return to the Board for review, added fencing, parking signage, and to cease alcohol sales at 8:00 p.m.

Yea: Whitehurst, Waldron, Blocker, Arnold

Nay: Dean

(11:37 a.m.) Tim Roberson, Growth Management, clarified the area for fencing, referencing a site map of the property, *Exhibit I*.

(03/01/22 - 8 - 11:43 a.m.)

2. PUBLIC HEARING - NZVAR 2021-12, NORTH BEACH SUBDIVISION EASEMENT. REQUEST FOR A NON-ZONING VARIANCE TO SECTION 6.02.01.B.3.A OF THE LAND DEVELOPMENT CODE TO ALLOW FOR THE USE OF AN EASEMENT, FOR ACCESS WITHIN A PLATTED SUBDIVISION

Proof of publication of the notice of public hearing on NZVAR 2021-12, North Beach Subdivision Easement, was received, having been published in *The St. Augustine Record* on February 4, 2022.

Ex parte communications: There was no ex parte communications.

Charles Pellicer, PA, 1510 North Ponce de Leon Boulevard, presented the details of the request, via PowerPoint.

(11:47 a.m.) Kevin Partel, 4230 Myrtle Street, spoke in support of the request to maintain the integrity of the property.

(11:49 a.m.) Motion by Dean, seconded by Blocker, carried 5/0, by roll call vote, to approve NZVAR 2021-12, North Beach Subdivision Easement, request for a Non-Zoning Variance to Land Development Code to Section 6.02.01.B.3.a, to allow for the use of an easement for access, within a platted subdivision, based on six findings and subject to five conditions, as listed in the staff report.

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

(03/01/22 - 9 - 11:50 a.m.)

3. PUBLIC HEARING - NZVAR 2021-19, FIRST STREET HIERS NZV. REQUEST FOR A NON-ZONING VARIANCE TO SECTION 6.04.07.A.1 OF THE LAND DEVELOPMENT CODE, TO ALLOW FOR THE CONSTRUCTION OF AN ACCESS MEETING THE COUNTY'S EASEMENT STANDARD, IN LIEU OF THE COUNTY'S LOCAL ROADWAY STANDARD, WITHIN AN UNOPENED COUNTY RIGHT-OF-WAY

Proof of publication of the notice of public hearing on NZVAR 2021-19, First Street Hiers NZV, was received, having been published in *The St. Augustine Record* on February 4, 2022.

Ex parte communication: There was no ex parte communication.

(11:51 a.m.) Gary Davenport, PA, 212 South Shadowwood Drive, representing the applicant, presented the details of the request, via PowerPoint.

(11:54 a.m.) Zach Smith, 509 North Point Road, spoke in support of the request to maintain the tree buffer.

(11:55 a.m.) Peter Sabo, 504 North Point Road, spoke in support of the request to maintain the tree buffer.

(11:55 a.m.) Kevin Partel, 4230 Myrtle Street, spoke in support of the request to maintain the tree buffer.

(11:56 a.m.) Motion by Dean, seconded by Waldron, carried 5/0, by roll call vote, to approve NZVAR 2021-19, First Street Hiers NZV, request for a Non-Zoning Variance to Land Development Code Section 6.04.07.A.1, to allow for the construction of an access meeting the County's easement standard, in lieu of the County's local roadway standard, within an unopened County right-of-way, based on six findings and subject to five conditions, as listed in the staff report.

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

(03/01/22 - 9 - 11:57 a.m.)

4. PUBLIC HEARING - MAJMOD 2021-19, JULINGTON LAKES. A REQUEST TO MODIFY THE JULINGTON LAKES PUD, ORDINANCE NO. 2014-46, TO ALLOW UP TO 46,000 SQUARE FEET OF NEIGHBORHOOD COMMERCIAL USES ON A 4.54-ACRE PARCEL, THAT WAS PREVIOUSLY USED FOR CONSTRUCTION STAGING, LOCATED AT 3264 LONGLEAF PINE PARKWAY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 5-0 VOTE, AT ITS JANUARY 20, 2022, REGULAR MEETING

Proof of publication of the notice of public hearing on MAJMOD 2021-19, Julington Lakes, was received, having been published in *The St. Augustine Record* on February 4, 2022.

Ex parte communications: The Board disclosed ex parte communications.

(11:58 a.m.) Jim Young, 10117 Cross Green Way, Jacksonville, Florida, presented the details of the request, via PowerPoint.

(12:01 p.m.) Blocker questioned the impact to traffic. Young responded.

(12:02 p.m.) Motion by Whitehurst, seconded by Arnold, carried 5/0, by roll call vote, to enact Ordinance No. 2022-15, approving MAJMOD 2021-19, Julington Lakes, based on six findings of fact, as provided in the staff report.

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

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE JULINGTON LAKES PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 2014-46, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(03/01/22 - 10 - 12:03 p.m.)

5. PONTE VEDRA BLVD. DUAL DRIVEWAY AMENDMENT - 1ST READING. AMEND SECTION III OF THE PONTE VEDRA ZONING DISTRICT REGULATIONS, TO MODIFY DRIVEWAY SEPARATION REQUIREMENTS

Brad Wester, Municipal Service District (MSD) Chair, 500 Morning Side Drive, presented the details of the amendment, via PowerPoint.

(03/01/22 - 10 - 12:12 p.m.)

6. FY 2023 BOARD OF COUNTY COMMISSIONERS BUDGET CALENDAR AND INITIAL BUDGET GUIDELINES. THIS AGENDA ITEM PROVIDES INITIAL BUDGET GUIDELINES, FOR THE UPCOMING FY 2023 COUNTY BUDGET PROCESS

Jesse Dunn, Director for the Office of Management and Budget, presented the details of the budget guidelines, via PowerPoint. He highlighted the budget calendar and provided an overview of the FY 2022 guidelines.

(12:13 p.m.) Valliere left the meeting.

(03/01/22 - 10 - 12:23 p.m.)

7. PROPOSED COUNTY PURCHASING POLICY AND FIRST READING OF PURCHASING ORDINANCE. PRESENTATION OF THE REVISED DRAFT PURCHASING POLICY AND FIRST READING OF DRAFT PURCHASING ORDINANCE FOR BCC DIRECTION. THE CURRENT PURCHASING PROCEDURE MANUAL IS OUTDATED AND INSUFFICIENT FOR THE PROCUREMENT AND CONTRACTING FUNCTION OF THE COUNTY AND HASN'T BEEN SUBSTANTIALLY REVISED SINCE 2013. THE PROPOSED PURCHASING POLICY SHALL REPLACE THE CURRENT PURCHASING PROCEDURE MANUAL, AND SHALL NOT INCLUDE THE PURCHASING PROCEDURES, WHICH SHALL BE PROVIDED FOR IN A SEPARATE PURCHASING PROCEDURES MANUAL, FOR APPROVAL BY THE COUNTY ADMINISTRATOR, WHICH WILL PROVIDE FOR MORE EFFICIENT ADAPTATION TO NEW REGULATIONS, INDUSTRY STANDARDS, AND USE OF TECHNOLOGY

Jaime Locklear, Assistant Director of Purchasing, provided the details of the proposed purchasing policy, via PowerPoint. She highlighted the major proposed changes to the policy, including the implementation date of July 1, 2022; approval threshold for awards; delegated authority for staff members; purchasing thresholds; negotiated purchases; changes/amendments to awarded contracts; standardizations/alternative sourcing/piggy backing; protest bonds; and public benefit. She stated that the proposed changes would come back to the Board on March 15, 2022, for approval.

(12:32 p.m.) Johnny Counts, 9470 Barrel Factory Road, spoke in support of the proposed changes.

(12:33 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of staff making decisions for amounts over \$300,000.

The meeting recessed at 12:35 p.m. and reconvened at 1:10 p.m., with commissioners Waldron, Arnold, Blocker, Dean; County Administrators Conrad, Bradley, Andrews, Taylor; Attorneys Migut, and Bulthuis; and Deputy Clerk Crystal Smith present. Whitehurst participated remotely.

(03/01/22 - 11 - 1:10 p.m.)

8. PROPOSED AGREEMENT REGARDING ACCESS TO COUNTY PROPERTY. THE OWNERS OF CERTAIN COASTAL PROPERTY IN ST. JOHNS COUNTY HAVE REQUESTED THAT THE COUNTY ALLOW ACCESS TO, AND USE OF MICKLER'S BEACHFRONT PARK, TO FACILITATE THE OWNERS PERFORMING FUTURE COMPLIANCE WORK, REQUIRED UNDER THE PERMITS WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. NOTICE TO THE COUNTY, AS WELL AS APPROVAL BY THE COUNTY, OF THE PROPOSED DATES AND TIME OF ACCESS, WOULD BE REQUIRED BEFORE ANY FUTURE USE OF THE PROPERTY. THE OWNERS WOULD ALSO ENTER INTO A FUTURE PERMISSIVE USE AGREEMENT, REQUIRING, AMONG OTHER THINGS, A SAFETY AND OPERATION PLAN, GOVERNING THE USE. THE OWNERS WOULD ALSO PROVIDE THE COUNTY A TEMPORARY EASEMENT TO ALLOW ACCESS TO THEIR PROPERTY FOR THE CURRENT FEMA DUNE ENHANCEMENT PROJECT

Henry Dean, Chair of the Board of County Commissioners, provided the details of the item, including provisions to the agreement.

(1:18 p.m.) Blocker questioned who was in control of permitting and Geotubes and the current status of Mickler's Beach. Joe Giammanco, Director of Emergency Management, responded. Discussion ensued on The Plantation associated with Mickler's Beach. Nancy Condron, 1049 Ponte Vedra Blvd., referenced The Plantation property line, *Exhibit A*.

(1:27 p.m.) Migut informed the public to reach out to him with any tidal or damage issues and provided his phone number: 904-209-0805.

(1:29 p.m.) Dean suggested continuing the item to the March 15, BCC meeting, due to safety concerns. Discussion ensued.

(1:31 p.m.) Arnold asked about the condition of the parking lot at Mickler's Beach, due to current construction. Giammanco responded.

(1:32 p.m.) Joe McAnarney, 1005 Blackberry Lane, spoke on having a prescriptive easement for the sand access and the boardwalk.

(1:33 p.m.) Laura Robins, 966 Ponte Vedra Blvd., spoke in opposition of the agreement with concerns on safety and damage caused to her home.

(1:37 p.m.) Nicole Crosby, 1169 Neck Road, spoke on her concerns with the Geotubes and submitted an email correspondence and photo of the most recent Geotube project, *Exhibit B*.

(1:40 p.m.) Nancy Condron, 1049 Ponte Vedra Blvd., spoke on her concerns with the Geotube project and in opposition of the agreement.

(1:43 p.m.) John Pilecki, 411 17th Street, spoke in opposition of the agreement with concerns with access to the county property on Ponte Vedra Beach.

(1:44 p.m.) John Walls, 1085 Ponte Vedra Blvd., spoke in support of the agreement due to there being a balance for openness, safety, and access.

(1:47 p.m.) Tom Kennedy, 929 Ponte Vedra Blvd., spoke on the importance of the Geotubes and in support of the agreement.

(1:50 p.m.) Gloria Velez, 379 Woodhurst Drive, Nocatee, spoke on her concerns with the deterioration of the beach access points, lack of parking, and in opposition of the agreement.

(1:54 p.m.) Motion by Blocker, seconded by Dean, carried 5/0, to postpone the item to the March 15, 2022, BCC meeting.

Yea: Blocker, Dean, Arnold, Whitehurst, Waldron

Nay: None

(03/01/22 - 12 - 1:55 p.m.)

9. FIRST READING OF A PROPOSED ONE-CENT INFRASTRUCTURE SURTAX ORDINANCE. ON FEBRUARY 15, 2022, THE BOARD OF COUNTY COMMISSIONERS ("BOARD") DIRECTED THE COUNTY ATTORNEY TO PREPARE A PROPOSED ONE PERCENT LOCAL GOVERNMENT INFRASTRUCTURE SURTAX ORDINANCE FOR FIRST READING ON MARCH 1ST. IN SUM, THE PROPOSED ORDINANCE: (1) PROVIDES FOR THE LEVY OF A 1% LOCAL GOVERNMENT INFRASTRUCTURE SURTAX, UPON ALL AUTHORIZED TAXABLE TRANSACTIONS OCCURRING WITHIN THE COUNTY (SUBJECT TO VOTER APPROVAL); (2) PROVIDES THAT THE LEVY SHALL BE EFFECTIVE FOR TEN YEARS, BEGINNING ON JANUARY 1, 2023; (3) PROVIDES FOR THE DISTRIBUTION AND USE OF SURTAX REVENUES, INCLUDING A LISTING OF THE TYPES OF POTENTIAL INFRASTRUCTURE PROJECTS; (4) DIRECTS THE SUPERVISOR OF ELECTIONS TO HOLD A COUNTYWIDE, PRECINCT REFERENDUM ELECTION, ON NOVEMBER 8, 2022; (5) PROVIDES THE BALLOT LANGUAGE; (6) DIRECTS THE CLERK OF COURT TO ADVERTISE THE REFERENDUM ELECTION, IN ACCORDANCE WITH STATE LAW; AND (7) PROVIDES FOR A PERFORMANCE AUDIT, IN ACCORDANCE WITH STATE LAW. AGAIN, THIS IS THE FIRST READING OF THE PROPOSED ORDINANCE; THEREFORE, NO FORMAL ACTION BY THE BOARD IS REQUIRED AT THIS TIME. THIS FIRST READING DOES HOWEVER PROVIDE THE BOARD AN OPPORTUNITY TO GATHER PUBLIC COMMENT AND TO PROVIDE ADDITIONAL DIRECTION TO THE COUNTY ATTORNEY, IN REVISING THE PROPOSED ORDINANCE

David Migut, County Attorney, presented the details of the item, via PowerPoint, including the legal aspects of the ordinance.

(1:57 p.m.) Bulthuis left the meeting and Valliere entered the meeting.

(2:01 p.m.) Dean requested that staff explain to the public why additional infrastructure was needed and why the backlog had been generated over time. He spoke on three solutions he had to address the issue: 1.) Raise the millage rates on homes, 2.) Increase the sales tax by one percent, or 3.) Do nothing and see the backlog get higher.

(2:03 p.m.) Jesse Dunn, Director, Office of Management and Budget, presented the details of the one-cent surtax ordinance, via PowerPoint, including the \$500 million backlog over the past ten years.

(2:17 p.m.) Whitehurst commended the county attorney's office on making the ordinance language clear for the public to understand.

(2:18 p.m.) Heather Studwell, 325 Lures Lane, spoke on her concerns with the one-percent sales tax increase; and submitted written public comment, a document on Business Incentive Program Summary for Speculative Space, and a fraud prevention flyer, *Exhibit A*.

(2:22 p.m.) Diane Battle, 631 Sweetwater Branch Lane, spoke in opposition to the one-percent sales tax increase due to it not being fair to the tax payers; and submitted written public comment, *Exhibit B*.

(2:25 p.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with over development in the County and in opposition to the one-cent surtax.

(2:28 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the one-cent surtax with concerns on the over development in the County.

(2:31 p.m.) Chuck Labanowski, 1748 N. Cappero Drive, questioned how the increase would impact the developers cost and voiced his concerns with roadways that needed to be improved.

(2:32 p.m.) Blake Paterson, 1127 S. Marsh Wind Way, questioned what the proposed tax would be spent on.

(2:35 p.m.) Beth Tate, 441 East Presley Lane, stated to put the one-percent surtax on the ballot for the voters to decide.

(2:35 p.m.) Waldron spoke on his concerns with operating costs and questioned the cost to build a fire station, library, and park, and how much it costs to maintain the Sheriff's office. Dunn responded.

(2:40 p.m.) Blocker questioned whether fire fighters and fire stations were needed in the County. Chief Prevatt responded that they were. Discussion ensued on inflation and a proposed website that would allow residents in the County to see available funding.

(2:48 p.m.) Whitehurst stated that raising impact fees now would help with future growth in the County; however, it would not help with current infrastructure needs. Discussion ensued.

(2:51 p.m.) *Consensus was given by the Board to postpone the item to the March 15, 2022, BCC meeting.*

The Board moved to Public Comment.

(03/01/22 - 13 - 9:18 a.m.)

10. CONSIDER APPOINTMENTS TO THE CONTRACTORS REVIEW BOARD. CURRENTLY THERE ARE FOUR VACANCIES ON THE CONTRACTORS REVIEW BOARD, DUE TO EXPIRED TERMS AND ONE REMOVAL FOR ABSENTEEISM. THESE VACANCIES WERE ADVERTISED OCTOBER 6, 2021, THROUGH NOVEMBER 5, 2021. THE VACANCIES ARE REQUIRED TO BE FILLED BY A LICENSED CERTIFIED OR REGISTERED POOL CONTRACTOR, A LICENSED CERTIFIED OR REGISTERED ELECTRICAL CONTRACTOR, AND TWO CITIZENS WITH NO CONTRACTOR INDUSTRY INVOLVEMENT. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION, TWO APPLICATIONS (CORY FELTON, DISTRICT 2 AND TYLER WATSON, DISTRICT 3) AND A LETTER OF RECOMMENDATION FROM THE CONTRACTORS REVIEW BOARD

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

Motion by Waldron, seconded by Blocker, carried 5/0, by roll call vote, to appoint Cory Felton, to the Contractors Review Board for a full four-year term, scheduled to expire March 1, 2026 (citizen seat).

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

Motion by Waldron, seconded by Blocker, carried 5/0, by roll call vote, to appoint Tyler Watson, to the Contractors Review Board for a full four-year term, scheduled to expire March 1, 2026 (Electrical Contractor seat).

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

(03/01/22 - 14 - 9:20 a.m.)

11. CONSIDER AN APPOINTMENT TO THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL. CURRENTLY THERE IS A VACANCY ON THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL, (HHSAC) DUE TO AN EXPIRED TERM. THE VACANCY WAS ADVERTISED FROM AUGUST 19, 2021, TO SEPTEMBER 24, 2021. THE VACANCY IS REQUIRED TO BE FILLED BY A PROFESSIONAL, FROM A DISCIPLINE IN HEALTH AND HUMAN SERVICES. PLEASE FIND ATTACHED FOR YOUR REVIEW AND CONSIDERATION, EIGHT APPLICATIONS (LESLIE BARSTOW - DIST. 2, ANNE CHALLIS - DIST. 2, HOWARD HITZEL - DIST. 5, KATHLEEN PATNEAU - DIST. 4, ANNA PIRGOUSIS - DIST. 4, FREDERICK RICHARDS - DIST. 2, STEVE SCHOENLY - DIST. 4, AND JONATHAN SIMPSON - DIST. 4) AND A LETTER OF RECOMMENDATION FROM THE HHSAC

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

Motion by Waldron, seconded by Blocker, carried 5/0, by roll call vote, to appoint Frederick Richards, to the Health and Human Services Advisory Council for a full four-year term, scheduled to expire March 1, 2026.

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

(03/01/22 - 14 - 9:21 a.m.)

12. CONSIDER AN APPOINTMENT TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE. CURRENTLY THERE ARE TWO VACANCIES ON THE AFFORDABLE HOUSING ADVISORY COMMITTEE, DUE TO RESIGNATIONS. ONE OF THE VACANCIES OCCURRED RECENTLY, HOWEVER, THE VACANCY REQUIRING APPOINTMENT OF A CITIZEN ENGAGED IN RESIDENTIAL HOME BUILDING WAS ADVERTISED AUGUST 3, 2021, THROUGH SEPTEMBER 1, 2021. ATTACHED FOR YOUR REVIEW AND CONSIDERATION ARE FOUR APPLICATIONS (GREGORY BURKE - DIST. 2, KRISTINE KOPROSKI - DIST. 4, FREDERICK RICHARDS - DIST. 5, AND THOMAS WALSH - DIST. 5) AND A LETTER OF RECOMMENDATION FROM THE AFFORDABLE HOUSING ADVISORY COMMITTEE. NOTE: THE ADDITIONAL VACANCY WILL BE ADVERTISED AND BROUGHT BACK AT A LATER DATE

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

Motion by Dean, seconded by Blocker, carried 5/0, by roll call vote, to appoint Gregory Burke, to the Affordable Housing Advisory Committee for a partial term, scheduled to expire December 17, 2023 (citizen engaged in residential home building).

Yea: Dean, Whitehurst, Waldron, Blocker, Arnold

Nay: None

The meeting moved to Regular Agenda Item 1.

(03/01/22 - 15 - 2:53 p.m.)

PUBLIC COMMENT

(2:53 p.m.) Chuck Labanowski, 1748 N. Cappero Drive, spoke on the need for additional personnel at the Sheriff's office.

(2:54 p.m.) Sherry Badger, 2772 S. Collins Avenue, spoke on her concerns with the West Gate Plaza and vehicular traffic blocking her from leaving her house.

(2:57 p.m.) BJ Kalaidi, 8 Newcomb Street, requested public comment be moved back to the beginning of the meeting.

(3:00 p.m.) Bill Hennessey, 5461 4th Street, spoke on his concerns with the condition of the Palmetto Boat Ramp.

(3:03 p.m.) Johnny Counts, 9470 Barrel Factory Road, spoke on infrastructure and the need for road improvements.

(03/01/22 - 15 - 3:05 p.m.)

COMMISSIONERS' REPORTS

Commissioner Whitehurst

(3:05 p.m.) Whitehurst commended and recognized the Creekside High School girls' soccer team for winning the state championship.

Commissioner Waldron

(3:06 p.m.) Waldron spoke on awards that were given out by the Coast Guard last night at the City of St. Augustine meeting. *He requested Board consensus to direct the County Attorney's Office to work with County Administration to compile a list and review of all the agreements with the subdivisions/developments, what they are obligated to; the trips; and the number of units.* (3:07 p.m.) *Consensus was given.*

Commissioner Blocker

(3:07 p.m.) Blocker spoke on the bridge at Palm Valley and requested that the Board direct the County Attorney's office to review possibly extending the "No Wake Zone" just south of the Palm Valley Bridge. (3:09 p.m.) *Consensus was given.*

Commissioner Arnold

(3:09 p.m.) Arnold expressed her condolences for the residents in Ukraine.

Commissioner Dean

(3:09 p.m.) Dean announced the Town Hall meeting scheduled for March 8, 2022, at 6:00 p.m., at Anastasia Catholic Church for those neighborhoods surrounding the Matanzas Inlet and spoke on the current situation in Ukraine.

(03/01/22 - 16 - 3:11 p.m.)
COUNTY ADMINISTRATOR'S REPORT

No report.

(03/01/22 - 16 - 3:11 p.m.)
COUNTY ATTORNEY'S REPORT

No report.

(03/01/22 - 16 - 3:11 p.m.)
ADJOURN

With there being no further business to come before the Board, Dean adjourned the meeting at 3:11 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 598723-598868, totaling \$1,759,745.71 and Voucher Nos. 63087-63183, totaling \$2,297,159.18 (02/18/22)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 598869-598922, totaling \$33,383.57 and Voucher Nos. 63184-63382, totaling \$145,547.59 (02/23/22)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 598923-598937, totaling \$58,025.72 and Voucher Nos. 63383-63384, totaling \$639.73 (02/24/22)
4. St. Johns County Board of County Commissioners Voucher Nos. 63385-63386, totaling \$8,325.62 (02/24/22)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 598938-598953, totaling \$336,078.20 (02/24/22)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 598954-599117, totaling \$1,957,186.03 and Voucher Nos. 63387-63475, totaling \$3,342,504.95 (02/28/22)

CORRESPONDENCE: There was none.



Approved _____ March 15 _____, 2022

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Henry Dean
Henry Dean, Chair

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

By: Brandon J. Patty
Deputy Clerk