

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 20, 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
Saundra Hutto, 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; Lex Taylor, Deputy County Attorney; and Kealey West, Assistant County Attorney

(09/20/22 - 1 - 9:01 a.m.)
CALL TO ORDER

Dean called the meeting to order.

(09/20/22 - 1 - 9:01 a.m.)
ROLL CALL

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

(09/20/22 - 1 - 9:02 a.m.)
INVOCATION

Rabbi Nochum Kurinsky, Chabad at the Beaches, gave the invocation.

(09/20/22 - 1 - 9:05 a.m.)
PLEDGE OF ALLEGIANCE

Sgt. First Class, Retired, Sue Wetherington, U.S. Army, led the Pledge of Allegiance.

(09/20/22 - 1 - 9:07 a.m.)
PUBLIC SAFETY UPDATE

Stephanie Whaley, Operations Chief with St. Johns County Fire Rescue, introduced Max Schafer as the 2022 Florida Emergency Medical Technician of the Year.

(9:09 a.m.) Skip Cole, Director of Criminal Investigations for St. Johns County Sheriff's Office, reported on Fentanyl and overdoses within the county.

(09/20/22 - 2 - 9:13 a.m.)
CLERK OF COURT'S REPORT

Brandon Patty, Clerk of the Circuit Court and Comptroller, introduced Dennis Hollingsworth, St. Johns County Tax Collector. Hollingsworth provided an overview of the collection of local option taxes (tourist development taxes). Patty also introduced Nilsa Arissa, Inspector General, and Christina Dowler, Business and Tax Director with St. Johns County Tax Collector, they provided information about the Tourist Development tax services provided by the Tax Collector and Office of the Inspector General.

(09/20/22 - 2 - 9:20 a.m.)
DELETIONS TO THE CONSENT AGENDA

(9:20 a.m.) Waldron requested that Consent Agenda Item 8 be pulled and asked staff there were any objections. Dick D'Souza, Development Technical Chief Engineer, explained that there was an unresolved staff comment regarding pond location.

(09/20/22 - 2 - 9:23 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Waldron, seconded by Whitehurst, carried 5/0, via roll call vote, with Waldron participating remotely, to approve the Consent Agenda, with the removal of Consent Agenda Item 8, as amended.

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2022-336**, approving the final plat for Stillwater, Phase 1D

RESOLUTION NO. 2022-336

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

3. Motion to adopt **Resolution No. 2022-337**, approving the final plat for St. Augustine Lakes, Phase 1B

RESOLUTION NO. 2022-337

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR ST. AUGUSTINE LAKES, PHASE 1B

4. Motion to adopt **Resolution No. 2022-338**, approving the Locally Funded Agreement between the County and the Florida Department of Transportation (FDOT) for the contribution of funds for the Racetrack Road/U.S. 1 intersection improvements; and approving a transfer from Transportation Trust Fund - Contingency Reserve, in the amount of \$500,000

RESOLUTION NO. 2022-338

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A LOCALLY FUNDED AGREEMENT ("AGREEMENT") BETWEEN ST. JOHNS COUNTY ("COUNTY") AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") APPROVING A TRANSFER FROM TRANSPORTATION TRUST FUND CONTINGENCY RESERVES FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT RACETRACK ROAD AND U.S. 1 ("IMPROVEMENT")

5. Motion to adopt **Resolution No. 2022-339**, approving the Locally Funded Agreement between the County and the Florida Department of Transportation (FDOT), for the contribution of funds for the State Road A1A improvements

RESOLUTION NO. 2022-339

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A LOCALLY FUNDED AGREEMENT ("AGREEMENT") BETWEEN ST. JOHNS COUNTY ("COUNTY") AND THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") ALLOWING A TRANSFER OF FUNDS FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS ON STATE ROAD A1A AT MARSH LANDING FROM GATE GAS STATION TO PROFESSIONAL DRIVE ("IMPROVEMENT")

6. Motion to approve the Fountains East Apartments School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-02)
7. Motion to adopt **Resolution No. 2022-340**, authorizing the notice required by Section 336.10, F.S., for a public hearing on October 18, 2022, at 9:00 am, or at a date and time as soon thereafter, as possible, to hear a request to vacate portions of the rights-of-way of Lightsey Road Extension (VACROA 2022-09, Arbors at Lightsey Crossing)

RESOLUTION NO. 2022-340

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SETTING A PUBLIC HEARING DATE OF OCTOBER 18, 2022, AT 9:00 A.M., TO HEAR A REQUEST FOR THE VACATION OF A PORTION OF LIGHTSEY ROAD EXTENSION

(Consent Agenda Item 8 was pulled.)

8. Motion to adopt a resolution authorizing the notice required by Section 336.10, F.S., for a public hearing on October 18, 2022, at 9:00 am, or at a date and time as soon thereafter, as possible, to hear a request for the vacation of an unopened/unimproved right-of-way of Roberts Road at its intersection with County Road 244 (VACROA 2018-05, Roberts Road Aberdeen Community Development District (CDD))

9. Motion to adopt **Resolution No. 2022-341**, approving the terms, conditions, provisions, and requirements of a Maintenance and Hold Harmless Agreement with Elm Creek Homeowners Association, Inc., regarding concrete pavers within the Elm Creek Drive right-of-way; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County

RESOLUTION NO. 2022-341

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF A MAINTENANCE AND HOLD HARMLESS AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ELM CREEK HOMEOWNERS ASSOCIATION, INC., REGARDING INSTALLATION AND MAINTENANCE OF CONCRETE PAVERS WITHIN THE RIGHT-OF-WAY OF ELM CREEK DRIVE; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

10. Motion to adopt **Resolution No. 2022-342**, approving the terms, provisions, conditions, and requirements of a Utility Work by Highway Contractor (UHWC) Agreement between the Board of County Commissioners of St. Johns County, Florida, and the Florida Department of Transportation relating to the Financial Project No. 445546-1-52-01, and of a Three-Party Escrow Agreement; and authorizing the chair to execute the agreements on behalf of the County

RESOLUTION NO. 2022-342

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF A UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT AND THREE PARTY ESCROW AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA DEPARTMENT OF TRANSPORTATION RELATING TO THE FINANCIAL PROJECT NO. 445546-1-52-01, STATE ROAD (SR) 207 REPAVING A CERTAIN PORTION OF SR 207 FROM THE INTERSECTION OF I-95 TO SR 207, AND UTILITY WORK BY HIGHWAY CONTRACTOR, IN THE AMOUNT OF \$68,854.50; AND AUTHORIZING THE CHAIR TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY

11. Motion to adopt **Resolution No. 2022-343**, authorizing the county administrator, or his designee, to award RFP No. 22-10R; Management and Operations of St. Johns County Transit System to St. Johns County Council on Aging, Inc., as the highest, ranked respondent, and to execute a contract in substantially the same form and format as attached hereto, for performance of the work

RESOLUTION NO. 2022-343

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,

AUTHORIZING THE AWARD OF RFP NO. 22-10R, TO ST. JOHNS COUNTY COUNCIL ON AGING, INC., AS THE HIGHEST, RANKED RESPONDENT, AND EXECUTION OF A CONTRACT FOR PERFORMANCE OF THE SERVICES IN ACCORDANCE WITH THE CONTRACT DOCUMENTS UNDER RFP NO. 22-10R

12. Motion to authorize the transfer of \$1,750,000 from General Fund Reserves toward the Purchase and Sale Agreement Deposit for the Deep-Water Access Property
13. Motion to adopt **Resolution No. 2022-344**, amending the St. Johns County Fee Schedule for services provided by St. Johns County Departments for Fiscal Year 2023

RESOLUTION NO. 2022-344

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE AMENDED SCHEDULE OF FEES FOR CERTAIN COUNTY DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE

14. Motion to approve the write-off of the following delinquent accounts receivable accounts, effective September 30, 2022, 3,881 EMS accounts totaling \$1,556,805.72; 338 Utility Service accounts totaling \$215,466.21; Community Based Care (CBC) accounts totaling \$4,170, and the Clerk of the Court items totaling \$574,289.98
15. Motion to adopt **Resolution No. 2022-345**, approving the Memorandum of Understanding (MOU) authorizing St. Johns County access to the Florida Department of Highway Safety and Motor Vehicles Driver and Vehicle Information Database (DAVID)

RESOLUTION NO. 2022-345

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES; AND ST. JOHNS COUNTY AUTHORIZING ACCESS TO DAVID DRIVING RECORDS

16. Motion to adopt **Resolution No. 2022-346**, authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application seeking funding assistance through the Office of Criminal Justice Grants - Florida Department of Law Enforcement - Edward Byrne Memorial Justice Assistance Grant - Countywide (JAG-C) Program Fiscal Year 2021 on behalf of the County

RESOLUTION NO. 2022-346

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SHERIFF, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (OFFICE OF JUSTICE PROGRAMS) - FEDERAL FISCAL YEAR 2021

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE
GRANT COUNTYWIDE (JAG-C) PROGRAM, IN WHICH
THE CHAIR HAS AUTHORIZED AND EXECUTED A
CERTIFICATION OF PARTICIPATION AND 51
PERCENT LETTER ON BEHALF OF THE COUNTY**

17. Motion to adopt **Resolution No. 2022-347**, approving the terms, conditions, and requirements of Amendment No. 29, to the Community Based Care Contract No. NJ206, between St. Johns County, Florida, and the State of Florida, Department of Children and Families, which updates some performance measures and inserts the Schedule of Funds dated July 1, 2022, for State Fiscal Year 2022-2023; and recognizing and appropriating an associated \$1,711,625 within the County Fiscal Year 2022 Community Based Care Fund

RESOLUTION NO. 2022-347

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS, CONDITIONS, AND
REQUIREMENTS OF THE TWENTY-NINTH
AMENDMENT TO CONTRACT NO. NJ206, BETWEEN
ST. JOHNS COUNTY BOARD OF COUNTY
COMMISSIONERS AND THE DEPARTMENT OF
CHILDREN AND FAMILIES; AND RECOGNIZING
UNANTICIPATED REVENUE**

18. Motion to adopt **Resolution No. 2022-348**, approving the terms, provisions, conditions, and requirements of the contract between the Board of County Commissioners of St. Johns County and the State of Florida Department of Health for operation of the St. Johns County Health Department to provide environmental health services, communicable disease control services, and primary care services from October 1, 2022, through and until September 30, 2023; and authorizing the chair to execute the contract on behalf of the County

RESOLUTION NO. 2022-348

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS, PROVISIONS,
CONDITIONS, AND REQUIREMENTS OF AN
AGREEMENT BETWEEN THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY AND THE
STATE OF FLORIDA DEPARTMENT OF HEALTH FOR
OPERATION OF THE ST. JOHNS COUNTY HEALTH
DEPARTMENT; AND AUTHORIZING THE CHAIR TO
EXECUTE THE AGREEMENT ON BEHALF OF THE
COUNTY**

19. Motion to adopt **Resolution No. 2022-349**, approving the terms, provisions, conditions, and requirements of the Florida State Aid to Libraries Grant Agreement and authorizing the chair of the Board of County Commissioners to execute the agreement substantially in the same form as attached

RESOLUTION NO. 2022-349

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,**

APPROVING THE TERMS, PROVISIONS, AND REQUIREMENTS OF A STATE OF FLORIDA STATE AID TO LIBRARIES GRANT APPLICATION AND GRANT AGREEMENT; AND AUTHORIZING THE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

20. Motion to adopt **Resolution No. 2022-350**, authorizing the county administrator, or designee, to execute an agreement with the City of St. Augustine, in substantially the same form and format as attached hereto, providing funding to operate the Downtown St. Augustine Visitor Information Center and conduct tourist-related programming

RESOLUTION NO. 2022-350

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF TOURIST DEVELOPMENT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CITY OF ST. AUGUSTINE, FLORIDA, TO PROVIDE FOR AN INCREASE IN ANNUAL COMPENSATION FOR CERTAIN TOURIST RELATED SERVICES AND OPERATION OF THE ST. AUGUSTINE/ST. JOHNS COUNTY VISITORS INFORMATION CENTER ("VIC"); AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

21. Motion to adopt **Resolution No. 2022-351**, authorizing the county administrator or his designee, to execute a contract in substantially the same form of the attached contract between St. Johns County, Florida, and St. Johns County Chamber of Commerce for the purpose of promoting economic development within St. Johns County

RESOLUTION NO. 2022-351

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT BETWEEN ST. JOHNS COUNTY AND THE ST. JOHNS COUNTY CHAMBER OF COMMERCE FOR THE PURPOSE OF PROMOTING ECONOMIC DEVELOPMENT WITHIN ST. JOHNS COUNTY; AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE

22. Motion to adopt **Resolution No. 2022-352**, authorizing the submission of a suggested long-range budget plan to the Florida Department of Environmental Protection (FDEP), in connection with the South Ponte Vedra and Vilano Beach Coastal Storm Risk Management Project; and authorizing the county

administrator, or his designee, to execute any necessary agreements with FDEP concerning the South Ponte Vedra and Vilano Beach Coastal Storm Risk Management Project

RESOLUTION NO. 2022-352

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A BUDGET PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF COASTAL RESILIENCE AND COASTAL PROTECTION, AS REQUIRED TO SUPPORT A LOCAL GOVERNMENT FUNDING REQUEST TO SUPPORT THE SOUTH PONTE VEDRA AND VILANO BEACH COASTAL STORM RISK MANAGEMENT PROJECT

23. Motion to adopt **Resolution No. 2022-353**, authorizing the submission of a suggested long-range budget plan to the Florida Department of Environmental Protection (FDEP), in connection with the South Ponte Vedra Dune Restoration Project, and authorizing the county administrator, or his designee, to execute any necessary agreements with FDEP concerning the South Ponte Vedra Dune Restoration Project

RESOLUTION NO. 2022-353

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A BUDGET PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF COASTAL RESILIENCE AND COASTAL PROTECTION, AS REQUIRED TO SUPPORT A LOCAL GOVERNMENT FUNDING REQUEST TO SUPPORT THE SOUTH PONTE VEDRA DUNE RESTORATION PROJECT

24. Motion to adopt **Resolution No. 2022-354**, authorizing the submission of a suggested long-range budget plan to the Florida Department of Environmental Protection (FDEP), in connection with the St. Johns County Shore Protection Project; and authorizing the county administrator, or his designee, to execute any necessary agreements with the FDEP concerning the St. Johns County Shore Protection Project

RESOLUTION NO. 2022-354

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A BUDGET PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OFFICE OF COASTAL RESILIENCE AND COASTAL PROTECTION, AS REQUIRED TO SUPPORT A LOCAL GOVERNMENT FUNDING REQUEST TO SUPPORT THE ST. JOHNS COUNTY SHORE PROTECTION PROJECT

25. Motion to adopt **Resolution No. 2022-355**, approving the terms, conditions, and requirements of a grant agreement with the Florida Division of Emergency Management, in the amount of \$ 90,380, through the Emergency Management Preparedness Grant; authorizing the county administrator, or his designee, to execute the grant agreement on behalf of the County; and recognizing and appropriating within the Fiscal Year 2023 General Fund Emergency Management Department

RESOLUTION NO. 2022-355

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG); AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE GRANT CONTRACT, ON BEHALF OF ST. JOHNS COUNTY, FLORIDA, AND ST. JOHNS COUNTY EMERGENCY MANAGEMENT; AND TO RECOGNIZE AND APPROPRIATE WITHIN THE FISCAL YEAR 2023 GENERAL FUND EMERGENCY MANAGEMENT BUDGET

26. Motion to approve minutes:

- 09/06/22, BCC Regular
- 09/06/22, BCC Special

(09/20/22 - 9 - 9:23 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Dean requested that the Board consider the addition of the following item: Low Income Pool Agreement as Regular Agenda Item 1A.

(09/20/22 - 9 - 9:24 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Arnold, seconded by Whitehurst, carried 5/0, via roll call vote, with Waldron participating remotely, to approve the Regular Agenda, as amended.

Yea: Arnold, Whitehurst, Dean, Blocker, Waldron

Nay: None

(09/20/22 - 9 - 9:24 a.m.)

1A. LOW INCOME POOL AGREEMENT

Shawna Novak, Health and Human Services Director, presented the details of the agreement between St. Johns County and Flagler Hospital.

(9:26 a.m.) **Motion by Whitehurst, seconded by Arnold, carried 5/0, via roll call vote, with Waldron participating remotely, to adopt Resolution No. 2022-356, authorizing the county administrator or designee, to execute the Letter of Agreement between St. Johns County and the State of Florida, Agency for Healthcare Administration and the agreement between St. Johns County and Flagler Hospital, insubstantially the same**

form as attached on behalf of the county, to provide for the intergovernmental transfer of an amount not to exceed \$32,140.

Yea: Whitehurst, Arnold, Dean, Blocker, Waldron

Nay: None

RESOLUTION NO. 2022-356

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, AND THE STATE OF FLORIDA, AGENCY FOR HEALTHCARE ADMINISTRATION (AHCA), AND THE AGREEMENT BETWEEN ST. JOHNS COUNTY AND FLAGLER HOSPITAL AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

(9:27 a.m.) Christine Valliere, Senior Assistant County Attorney, entered the meeting and West left the meeting.

(09/20/22 - 10 - 9:27 a.m.)

1. PUBLIC HEARING ANNOUNCEMENT BY THE FLORIDA FOREST SERVICE AND THE MANAGEMENT PLAN ADVISORY GROUP FOR THE WATSON ISLAND STATE FOREST. IN ACCORDANCE WITH FLORIDA STATUTE 259.032(8)(B), THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, FLORIDA FOREST SERVICE AND THE MANAGEMENT PLAN ADVISORY GROUP FOR THE WATSON ISLAND STATE FOREST WILL BE CONDUCTING A VIRTUAL MEETING ON SEPTEMBER 29, 2022, AT 10:30 A.M. TO TAKE PUBLIC COMMENT ON THE DRAFT 10-YEAR LAND MANAGEMENT PLAN OF THE WATSON ISLAND STATE FOREST. THE LINK TO THE MEETING CAN BE FOUND AT [HTTPS://WWW.FDACS.GOV/PUBLIC-NOTICES](https://www.fdacs.gov/public-notices); SELECT MEETINGS AND HEARINGS AT THE BOTTOM OF THE PAGE AND NAVIGATE TO SEPTEMBER 29. PER FLORIDA STATUTE, THE PUBLIC MEETING SHALL BE ANNOUNCED AT A SCHEDULED MEETING OF THE LOCAL GOVERNING BODY BEFORE THE ACTUAL PUBLIC HEARING

Jeff Darr, Forester, Florida Forest Service, announced a virtual public meeting on September 29, 2022, at 10:30 a.m., via PowerPoint.

(Regular Agenda Items 2 and 3 were presented together.)

(09/20/22 - 10 - 9:29 a.m.)

2. PUBLIC HEARING - CPA (SS) 2021-22, THE QUADRANT. REQUEST FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF APPROXIMATELY 8.8 ACRES OF LAND, LOCATED AT THE EASTERN TERMINUS OF THE UNOPENED LE PARRISH ROAD RIGHT-OF-WAY, AND WEST OF INTERSTATE 95, FROM RURAL/SILVICULTURE (R/S) TO MIXED USE DISTRICT (MD). THIS REQUEST WAS HEARD BY THE PLANNING AND ZONING AGENCY AT THEIR REGULARLY SCHEDULED PUBLIC HEARING ON AUGUST 4, 2022, AND WAS RECOMMENDED FOR APPROVAL, 6-0

Proof of publication of the notice of public hearing on CPA (SS) 2021-22, The Quadrant, was received, having been published in *The St. Augustine Record* on July 8, 2022.

The Board disclosed ex parte communication.

(9:31 a.m.) Chris Shee, Owner of Heritage Development Group, LLC, 200 Business Park Circle, Suite 105, presented the details of the request, via PowerPoint.

(9:48 a.m.) Dean questioned the wetland impacts and if a water management permit had been filed or received. Shee responded that no permit had been obtained and discussion ensued on the wetland impacts and permitting.

(9:50 a.m.) Ed Slavin, P.O. Box 3084, asked to have the item tabled due to not having a wetland permit, to protect the vegetation, and to address the height of the buildings.

(9:53 a.m.) Motion by Waldron, seconded by Whitehurst, carried 5/0, via roll call vote, with Waldron participating remotely, to enact Ordinance No. 2022-62, CPA (SS) 2021-22, The Quadrant, based upon four findings of fact, as provided in the staff report.

Yea: Waldron, Whitehurst, Dean, Blocker, Arnold

Nay: None

ORDINANCE NO. 2022-62

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURE (R/S) TO MIXED USE DISTRICT (MD) FOR APPROXIMATELY 8.8 ACRES OF LAND, LOCATED AT THE EASTERN TERMINUS OF THE UNOPENED LE PARRISH ROAD RIGHT-OF-WAY, AND WEST OF INTERSTATE 95; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(09/20/22 - 11 - 9:29 a.m.)

3. PUBLIC HEARING - PUD 2021-20, THE QUADRANT. REQUEST TO REZONE APPROXIMATELY 134 ACRES OF LAND FROM OPEN RURAL (OR) AND COMMERCIAL HIGHWAY AND TOURIST (CHT) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A MAXIMUM 1.35 MILLION SQUARE FEET OF NON-RESIDENTIAL USES AND 300 HOTEL ROOMS. THIS REQUEST WAS HEARD BY THE PLANNING AND ZONING AGENCY AT THEIR REGULARLY SCHEDULED PUBLIC HEARING ON AUGUST 4, 2022, AND WAS RECOMMENDED FOR APPROVAL, 6-0

Proof of publication of the notice of public hearing on PUD 2021-20, The Quadrant, was received, having been published in *The St. Augustine Record* on July 8, 2022.

Discussion occurred with Regular Agenda Item 2.

(9:53 a.m.) Motion by Waldron, seconded by Arnold, carried 5/0, via roll call vote, with Waldron participating remotely, to enact Ordinance No. 2022-63, PUD 2021-20, The Quadrant, based on nine findings of fact, as provided in the staff report.

Yea: Waldron, Arnold, Dean, Whitehurst, Blocker

Nay: None

ORDINANCE NO. 2022-63

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

(09/20/22 - 12 - 9:54 a.m.)

4. PUBLIC HEARING - PUD 2021-21, ADLER CREEK PUD. REQUEST TO REZONE APPROXIMATELY 734 ACRES OF LAND FROM OPEN RURAL (OR) AND PLANNED UNIT DEVELOPMENT (PUD) TO PUD TO ALLOW FOR A MAXIMUM 1,682 RESIDENTIAL DWELLING UNITS, LOCATED EAST OF PACETTI ROAD, WEST OF THE FUTURE COUNTY ROAD 2209, AND SOUTH OF SCAFF ROAD. THE SUBJECT PROPERTY IS DESIGNATED RESIDENTIAL-C PURSUANT TO ORDINANCE NO. 2021-87, APPROVED DECEMBER 7, 2021, AND IS LIMITED TO 1,682 DWELLING UNITS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE PROPOSED ADLER CREEK PUD, WITH A 6-1 VOTE, AT ITS MARCH 17, 2021, REGULAR MEETING. THE AGENCY HEARD COMMENTS FROM CITIZENS, WHO EXPRESSED THE AREA IS LOSING ITS RURAL CHARACTER DUE TO TOO MUCH RESIDENTIAL DEVELOPMENT IN THIS AREA, AND CONCERNS WERE EXPRESSED ABOUT TRAFFIC ALONG STATE ROAD 16, INTERNATIONAL GOLF PARKWAY, AND PACETTI ROAD. THE AGENCY DISCUSSED THESE CONCERNS AND ALSO DISCUSSED THE APPLICANT'S PROPORTIONATE SHARE CONTRIBUTION, CONSTRUCTION OF ADLER CREEK PARKWAY THROUGH THE TURNBULL ROMA AND THE POTENTIAL WETLAND IMPACTS, IMPACT FEE CREDITS, TRAFFIC IMPACTS TO SURROUNDING AREA, AND IMPACTS OF RESIDENTIAL GROWTH IN THE AREA. THIS APPLICATION WAS ORIGINALLY SCHEDULED FOR THE APRIL 19, 2022, COMMISSION MEETING; HOWEVER, THE APPLICANT REQUESTED IT BE CONTINUED TO A FUTURE DATE

Proof of publication of the notice of public hearing on PUD 2021-21, Adler Creek PUD, was received, having been published in *The St. Augustine Record* on August 26, 2022.

The Board disclosed ex parte communication.

(9:58 a.m.) Ellen Avery-Smith, Esq., Rogers Towers, 100 Whetstone Place, Suite 200, representing the applicant, presented the details of the request, via PowerPoint. She also requested Valliere to swear in the witnesses.

(10:19 a.m.) Joe McAnarney, 1005 Blackberry Lane, presented an overhead presentation, *Exhibit A*; and spoke about the bypass to alleviate traffic, the timing of the project due to funding, and asked to deny or have a continuance of the item.

(10:22 a.m.) Doris Taylor, 208 Lobelia Road, spoke in opposition of the project regarding traffic impacts and safety

(10:24 a.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of the project regarding overdevelopment.

(10:28 a.m.) Charles Hunt, 5135 Silo Road, spoke in opposition of the project regarding overdevelopment.

(10:31 a.m.) Chuck Labanowski, 1748 North Cappero Drive, referenced ariel maps, *Exhibit B*, and spoke in opposition of the project regarding timing and traffic impacts.

(10:34 a.m.) Mario Caycedo, 2229 Pacetti Road, spoke in opposition of the project regarding traffic impacts and growth of the area regarding safety.

(10:37 a.m.) Tina Beasley, 577 Porta Rosa Circle, spoke in opposition of the project regarding traffic impacts, timing of development, and asked to have the project tabled.

(10:39 a.m.) Sherry Badger, 2772 South Collins Avenue, spoke in opposition of the project regarding traffic impacts.

(10:40 a.m.) B.J. Kalaidi, 8 Newcomb Street, voiced her concerns regarding the community and the decisions made, and asked to table or deny the project.

(10:43 a.m.) Avery-Smith addressed the public's concerns on the timing of the project and traffic impacts.

(10:49 a.m.) Arnold questioned Avery-Smith on the land ownership and timing requirements for the roadway construction with respect to the extension of 2209 and Adler Creek Parkway. Erik Olsen, Shareholder with Gunster Law Firm, 212 South Monroe Street, Suite 601, Tallahassee, FL, Valliere, and Avery-Smith provided comments on the land ownership and the permitting process of the roadway.

(10:57 a.m.) Whitehurst, Conrad, and Dick D'Souza, Development Technical Chief Engineer, spoke about traffic fatality data in St. Johns County. Whitehurst, D'Souza, Duane Kent, County Engineer, spoke about the timing requirements for the roadway construction with respect to the extension of 2209 and Adler Creek Parkway, including acquiring the stormwater pond sites. Whitehurst and D'Souza spoke about traffic modeling for Adler Creek and the proportionate share agreement. Additional comments were provided by Avery-Smith and Brad Davis, Engineer with Prosser, Inc., 13901 Sutton Park Drive, Suite 200, Jacksonville, FL, on the roadway construction timeline.

Prior to the motion, there were technical difficulties with the remote participation software.

(11:07 a.m.) Motion by Arnold, seconded by Whitehurst, carried 4/0, to deny PUD 2021-21, Adler Creek PUD, based upon ten findings of fact, as provided in the staff report.

Yea: Arnold, Whitehurst, Dean, Blocker

Nay: None

The Board moved to Regular Agenda Item 13.

The meeting recessed at 1:55 p.m. and reconvened at 2:29 p.m., with Commissioners Dean, Whitehurst, Blocker, Arnold, Waldron (participated remotely), Conrad, Bradley, Taylor, Migut, Valliere, Taylor, and Deputy Clerk Allen in attendance.

(Regular Agenda Items 5 and 6 were presented together.)

(09/20/22 - 13 - 2:29 p.m.)

5. PUBLIC HEARING - DEVAGREE 2022-01, HBIS DEVELOPMENT AGREEMENT (GREENBRIAR HELOW PUD). THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS TO CONSIDER A PROPOSED DEVELOPMENT AGREEMENT FOR TRANSPORTATION MITIGATION, FOR THE GREENBRIAR HELOW PUD. HBIS PROPERTY HOLDINGS, LLC, A CONTRACT PURCHASER FOR A PORTION OF PROPERTY, LOCATED WITHIN THE PROPOSED GREENBRIAR HELOW PUD, THAT IS THE SUBJECT

OF APPLICATIONS FOR A LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT (COMPAMD 2021-02) AND PLANNED UNIT DEVELOPMENT (PUD 2021-15), HAS PROPOSED A DEVELOPMENT AGREEMENT TO MITIGATE THE TRANSPORTATION IMPACTS FOR 2,061 SINGLE FAMILY RESIDENTIAL UNITS TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS. A SECOND DEVELOPMENT AGREEMENT (DEVAGREE 2022-02) FOR THE REMAINDER OF THE 3,500 RESIDENTIAL UNITS IN THE PUD IS ALSO PROPOSED AND WILL TRACK WITH THIS AGREEMENT. THE HBIS DEVELOPMENT AGREEMENT PROPOSES TO CONTRIBUTE TRANSPORTATION MITIGATION, IN THE TOTAL AMOUNT OF \$18,428,736, INCLUDING WIDENING A PORTION OF GREENBRIAR ROAD, PROPORTIONATE SHARE PAYMENTS, AND PRE-PAYMENT OF ADDITIONAL ROAD IMPACT FEES TO BE USED FOR THE WIDENING OF LONGLEAF PINE PARKWAY FROM ROBERTS ROAD TO VETERANS' PARKWAY. THE APPLICANT PROPOSES TO PAY A PROPORTIONATE SHARE OF \$13,756,931.84 BY CONSTRUCTING A 4-LANE WIDENING OF GREENBRIAR ROAD FROM COUNTY ROAD 210 WEST A DISTANCE OF APPROXIMATELY .70 MILE, AT AN ESTIMATED COST OF \$9,657,846, TO COMMENCE CONCURRENT WITH DEVELOPMENT IN THE GREENBRIAR VILLAGE, BUT NO LATER THAN ONE YEAR FOLLOWING APPROVAL OF THE FIRST CONSTRUCTION PLAN ANYWHERE IN THE PUD. HBIS SHALL BE ALLOWED TO PLAT NO MORE THAN 200 UNITS PRIOR TO COMMENCING CONSTRUCTION. THE REMAINING PROPORTIONATE SHARE IN THE AMOUNT OF \$4,099,086 SHALL BE PAID PRIOR TO THE FIRST CONSTRUCTION PLAN APPROVAL ANYWHERE IN THE PUD. IN ADDITION TO THE REQUIRED PROPORTIONATE SHARE, THE APPLICANT PROPOSES TO PRE-PAY THE ESTIMATED REMAINING ROAD IMPACT FEES, AS DETERMINED BY THE APPLICANT, IN THE AMOUNT OF \$4,671,804, ALSO PRIOR TO APPROVAL OF THE FIRST CONSTRUCTION PLAN ANYWHERE IN THE PUD. THE PROPOSED AGREEMENT INCLUDES A REQUEST FOR ROAD IMPACT FEE CREDIT, IN THE AMOUNT, OF \$16,031,176.60, WHICH INCLUDES A \$2,397,559.40 REDUCTION IN THE CREDIT AWARDED FOR THE REQUIRED PROPORTIONATE SHARE AMOUNT, AS PROVIDED FOR IN SECTION 11.09.06.F OF THE LAND DEVELOPMENT CODE. ROAD IMPACT FEE CREDIT WILL BE AWARDED WHEN ROADWAY IMPROVEMENTS ARE BONDED OR PAYMENTS ARE RECEIVED BY THE COUNTY

Proof of publication of the notice of public hearing on DEVAGREE 2022-01, HBIS Development Agreement (Greenbriar Helow PUD), was received, having been published in *The St. Augustine Record* on August 26, 2022.

Ellen Avery-Smith, Esq., Rogers Towers, 100 Whetstone Place, Suite 200, and Lindsay Haga, Planning Manager, AICP, England-Thims and Miller, Inc., 14775 Old St. Augustine Road, representing the applicant, presented the details of the proposed developments, via PowerPoint.

(2:39 p.m.) Beth Tate, 441 East Kesley Lane, spoke in support of the proposed developments.

(2:39 p.m.) Chuck Labanowski, 1748 North Cappero Drive, spoke in support of the proposed developments.

(2:40 p.m.) Dean announce the date of the second require public hearing for both projects was scheduled on October 18, 2022.

(09/20/22 - 15 - 2:29 p.m.)

6. PUBLIC HEARING - DEVAGREE 2022-02, HELOW DEVELOPMENT AGREEMENT (GREENBRIAR HELOW PUD). THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS TO CONSIDER A PROPOSED DEVELOPMENT AGREEMENT FOR TRANSPORTATION MITIGATION FOR THE GREENBRIAR HELOW PUD. HELOW PROPERTIES, LTD, THE OWNER OF APPROXIMATELY 2,158 ACRES OF PROPERTY THAT IS THE SUBJECT OF APPLICATIONS FOR A LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT (COMPAMD 2021-02) AND PLANNED UNIT DEVELOPMENT (PUD 2021-15) KNOWN AS THE GREENBRIAR HELOW PUD, HAS PROPOSED A DEVELOPMENT AGREEMENT TO MITIGATE THE TRANSPORTATION IMPACTS FOR 1,439 RESIDENTIAL UNITS, TO MEET TRANSPORTATION CONCURRENCY REQUIREMENTS. A SECOND DEVELOPMENT AGREEMENT (DEVAGREE 2022-01) PROPOSED BY HBIS PROPERTY HOLDINGS, LLC, FOR 2,061 RESIDENTIAL UNITS BOTH EQUALING THE TOTAL PROPOSED 3,500 RESIDENTIAL UNITS IN THE PUD. THE HELOW DEVELOPMENT AGREEMENT PROPOSES TO CONTRIBUTE TRANSPORTATION MITIGATION, IN THE TOTAL AMOUNT OF \$10,500,000, IN PROPORTIONATE SHARE PAYMENTS AND PRE-PAYMENT OF ROAD IMPACT FEES TO BE USED FOR THE WIDENING OF LONGLEAF PINE PARKWAY TO 4-LANES FROM ROBERTS ROAD TO VETERANS' PARKWAY. THE APPLICANT PROPOSES TO PAY A PROPORTIONATE SHARE, IN THE AMOUNT OF \$9,961,916.16, TO BE PAID PRIOR TO APPROVAL OF THE FIRST CONSTRUCTION PLAN APPROVAL ANYWHERE IN THE PUD; AND PRE-PAY THE ESTIMATED REMAINING ROAD IMPACT FEES, AS DETERMINED BY THE APPLICANT, IN THE AMOUNT OF \$538,083.84, ALSO PRIOR TO APPROVAL OF THE FIRST CONSTRUCTION PLAN ANYWHERE IN THE PUD. THE PROPOSED AGREEMENT INCLUDES A REQUEST FOR ROAD IMPACT FEE CREDIT, IN THE AMOUNT OF \$8,763,836.34, WHICH INCLUDES A \$1,736,163.66 REDUCTION IN THE CREDIT AWARDED FOR THE REQUIRED PROPORTIONATE SHARE AMOUNT, AS PROVIDED FOR IN SECTION 11.09.06.F OF THE LAND DEVELOPMENT CODE. ROAD IMPACT FEE CREDIT WILL BE AWARDED WHEN PAYMENTS ARE RECEIVED BY THE COUNTY

Proof of publication of the notice of public hearing on DEVAGREE 2022-02, Helow Development Agreement (Greenbriar Helow PUD), was received, having been published in *The St. Augustine Record* on August 26, 2022.

Discussion occurred with Regular Agenda Item 5.

(Regular Agenda Items 7 and 8 were presented together.)

(09/20/22 - 15 - 2:41 p.m.)

7. PUBLIC HEARING - CPA(SS) 2021-23, CLATTER BRIDGE. REQUEST FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF APPROXIMATELY 4.14 ACRES OF LAND FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-B (RES-B). THE SITE IS SPECIFICALLY LOCATED AT 125 CLATTER BRIDGE ROAD. THE PLANNING AND ZONING AGENCY HEARD THIS REQUEST AT A SCHEDULED PUBLIC HEARING ON AUGUST 18, 2022. THIS ITEM WAS RECOMMENDED FOR APPROVAL, WITH A VOTE OF 5-0

Proof of publication of the notice of public hearing on CPA(SS) 2021-23, Clatter Bridge, was received, having been published in *The St. Augustine Record* on July 22, 2022.

The Board disclosed ex parte communications.

Curtis Hart, Hart Resources, LLC, 8051 Tara Lane, Jacksonville, FL, representing the applicant, presented the details of the project, via PowerPoint.

(2:47 p.m.) Mike Antonopoulos, 228 Clatter Bridge Road, spoke in support of the project noting that his concerns had been addressed.

(2:48 p.m.) **Motion by Blocker, seconded by Whitehurst, carried 5/0, via roll call vote, with Waldron participating remotely, to enact Ordinance No. 2022-64, approving CPA(SS) 2021-23, Clatter Bridge, based upon four findings of fact, as provided in the staff report.**

Yea: Arnold, Whitehurst, Dean, Waldron, Blocker

Nay: None

ORDINANCE NO. 2022-64

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-B (RES-B) FOR APPROXIMATELY 4.14 ACRES OF LAND, LOCATED AT 125 CLATTER BRIDGE ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(09/20/22 - 16 - 2:41 p.m.)

8. PUBLIC HEARING - REZ 2021-15, CLATTER BRIDGE. REQUEST TO REZONE APPROXIMATELY 4.14 ACRES OF LAND FROM OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY (RS-2). THE SITE IS SPECIFICALLY LOCATED AT 125 CLATTER BRIDGE ROAD. THE PLANNING AND ZONING AGENCY HEARD THIS REQUEST, AT A SCHEDULED PUBLIC HEARING, ON AUGUST 18, 2022. THIS ITEM WAS RECOMMENDED FOR APPROVAL, WITH A VOTE OF 5-0

Proof of publication of the notice of public hearing on REZ 2021-15, Clatter Bridge, was received, having been published in *The St. Augustine Record* on July 19, 2022.

Discussion occurred with Regular Agenda Item 7.

(2:49 p.m.) **Motion by Blocker, seconded by Whitehurst, carried 5/0, via roll call vote, with Waldron participating remotely, to enact Ordinance No. 2022-65, approving REZ 2021-15, Clatter Bridge, based upon four findings of fact, as provided in the staff report.**

Yea: Whitehurst, Arnold, Blocker, Waldron, Dean

Nay: None

ORDINANCE NO. 2022-65

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY (RS-2); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(09/20/22 - 17 - 2:49 p.m.)

9. PUBLIC HEARING - CPA(SS) 2021-21, PACETTI HOMESTEAD PROPERTY. REQUEST FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF APPROXIMATELY 25 ACRES OF LAND FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-C (RES-C), WITH A TEXT AMENDMENT LIMITING THE DENSITY WITHIN THE PROPERTY TO THREE UNITS PER ACRE. THE SITE IS SPECIFICALLY LOCATED AT 2400 AND 2410 PACETTI ROAD. THE PLANNING AND ZONING AGENCY HEARD THIS REQUEST DURING THEIR REGULARLY SCHEDULED PUBLIC HEARING ON AUGUST 4, 2022. THIS ITEM WAS RECOMMENDED FOR APPROVAL, WITH A VOTE OF 6-0

Proof of publication of the notice of public hearing on CPA(SS) 2021-21, Pacetti Homestead Property, was received, having been published in *The St. Augustine Record* on July 8, 2022.

Ellen Avery-Smith, Esq., Rogers Towers, 100 Whetstone Place, Suite 200, representing the applicant, requested that the Board table the agenda item until a date and time uncertain.

(2:50 p.m.) Motion by Arnold, seconded by Whitehurst, carried 5/0, via roll call vote, with Waldron participating remotely, to table Agenda Item.

Yea: Waldron, Arnold, Blocker, Dean, Whitehurst

Nay: None

(09/20/22 - 17 - 2:51 p.m.)

10. DISCUSSION ITEM REGARDING POSSIBLE REVISIONS TO THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE TO INCLUDE VETERINARY SERVICES IN THE OFFICE AND PROFESSIONAL USE CLASSIFICATION. THIS IS A DISCUSSION REQUESTED BY THE COMMISSIONERS AT THE JULY 19, 2022, BOCC MEETING, WHEREIN, THE GROWTH MANAGEMENT DEPARTMENT WAS ASKED TO REVIEW THE LAND DEVELOPMENT CODE (LDC) AND PROVIDE INFORMATION ON THE POSSIBILITY OF INCORPORATING VETERINARY SERVICES IN THE OFFICE AND PROFESSIONAL USE CLASSIFICATION. STAFF HAS RESEARCHED THE COUNTY'S CURRENT LDC REGULATIONS, ALLOWANCES IN SURROUNDING MUNICIPALITIES, AND DEVELOPMENT STANDARDS TO ADDRESS POSSIBLE IMPACTS TO ADJACENT RESIDENTIAL AND PROFESSIONAL OFFICE USES. STAFF SEEKS DIRECTION FROM THE BOARD OF COUNTY COMMISSIONERS TO MAINTAIN THE CURRENT DESCRIPTION OF OFFICE AND PROFESSIONAL USE CLASSIFICATION OR DRAFT AMENDMENTS FOR SUCH ALLOWANCE WITH OR WITHOUT SPECIFIC CONDITIONS/REQUIREMENTS

Justin Kelly, Senior Planner, Growth Management, presented the details of the request via, PowerPoint.

(2:59 p.m.) Whitehurst questioned whether the office and professional use wasn't allowed in the other counties. Kelly responded.

(3:00 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, provided additional information on the demand for Vet clinic and the two levels of limitations required from the State. In addition, he spoke in support of the request.

(3:03 p.m.) Dean spoke in support of including veterinary offices within the Office and Special Use classification, with conditions.

(3:04 p.m.) **Motion by Dean, seconded by Arnold, carried 5/0, via roll call vote, with Waldron participating remotely, to direct staff to pursue amendments that incorporate veterinary services to Office and Professional Services Use Classifications.**

Yea: Blocker, Whitehurst, Waldron, Dean, Arnold

Nay: None

3:05 p.m. Valliere left the meeting and Jalisa Ferguson entered the meeting

(09/20/22 - 18 - 3:05 p.m.)

11. CONSIDER APPOINTMENTS TO THE NORTHWEST COMMUNICATION TOWER ADVISORY BOARD. CURRENTLY, THERE ARE TWO VACANCIES ON THE NORTHWEST COMMUNICATION TOWER ADVISORY BOARD. THESE VACANCIES ARE DUE TO EXPIRING TERMS. A VACANCY AD WAS PLACED AND RAN FOR APPROXIMATELY NINETY DAYS. PLEASE FIND FOR YOUR REVIEW AND CONSIDERATION, A RECOMMENDATION LETTER AND FOUR APPLICATIONS. (ALBERT ABBATIELLO, DIST. 1; DAVID LEVY, DIST. 1; GEORGE VANCORE, DIST. 1; AND RUSSELL SCOTT, DIST. 1)

Joanne Spencer, Assistant to the Board of County Commissioners, presented the details of the vacancies.

(3:06 p.m.) **Motion by Whitehurst, seconded by Waldron, carried 5/0, via roll call vote, with Waldron participating remotely, to re-appoint David Levy to the Northwest Communication Tower Advisory Board for a full four-year term, scheduled to expire on September 20, 2026.**

Yea: Waldron, Whitehurst, Arnold, Dean, Blocker

Nay: None

(3:06 p.m.) **Motion by Whitehurst, seconded by Waldron, carried 5/0, via roll call vote, with Waldron participating remotely, to re-appoint George Vancore to the Northwest Communication Tower Advisory Board for a full four-year term, scheduled to expire on September 20, 2026.**

Yea: Dean, Blocker, Arnold, Waldron, Whitehurst

Nay: None

(3:10 p.m.) Ferguson left the meeting

(09/20/22 - 18 - 3:07 p.m.)

12. DISCUSSION ITEM REGARDING THE ESTABLISHMENT OF A SALES TAX ADVISORY COMMITTEE. ON FEBRUARY 15, 2022, THE BOARD DIRECTED THE COUNTY ATTORNEY TO PREPARE A PROPOSED ONE PERCENT LOCAL GOVERNMENT INFRASTRUCTURE SURTAX ORDINANCE FOR FIRST READING ON MARCH 1, 2022, AND SECOND READING FOR ADOPTION ON MARCH 15, 2022. AT ITS MARCH 15, 2022, MEETING, THE BOARD HEARD THE SECOND READING OF THE PROPOSED SURTAX ORDINANCE AND PASSED AN ORDINANCE (2022-23) TO LEVY THE INFRASTRUCTURE SURTAX, SUBJECT TO VOTER APPROVAL, IN A COUNTYWIDE REFERENDUM ELECTION, TO BE HELD ON NOVEMBER 8, 2022. THIS AGENDA ITEM IS TO ALLOW BOARD DISCUSSION REGARDING THE POTENTIAL ESTABLISHMENT OF A SALES TAX ADVISORY COMMITTEE

Henry Dean, Chairman for the Board of County Commissioners, presented to details of establishing a sales tax advisory committee. He suggested that the Board direct staff to

come up with a schedule and appointing a citizen advisory committee whether the referendum passes. Discussion ensued on the possible advisory members, direction for staff, and suggesting approval only for the concept.

(3:10 p.m.) Ed Slavin, P.O. Box 3084, suggested that the Board table the item until after the election.

(3:14 p.m.) Krista Keating-Joseph, 121 Lagoon Forest Drive, spoke in opposition of the advisory committee, however, if approved, making sure that the funds collected remained for the purpose intended.

(3:15 p.m.) B.J. Kalaidi, 8 Newcomb Street, spoke in opposition of the advisory committee and urged to vote “no” on the sale tax increase, displaying a “No Tax Hike,” button, *Exhibit A*.

(3:16 p.m.) Dean requested Board consensus to directing staff to come back with a formal recommendation. *Consensus was given.*

(09/20/22 - 19 - 11:08 a.m.)

13. PUBLIC HEARING - COMPAMD 2022-04, ELKTON INDUSTRIAL PARK (TRANSMITTAL). REQUEST FOR A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURE-INTENSIVE (A-I) TO INDUSTRIAL (I) FOR APPROXIMATELY 92 ACRES OF LAND, LOCATED ON THE SOUTH SIDE OF STATE ROAD 207 AND COUNTY ROAD 305, IN THE ELKTON AREA. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WITH A 4-2 VOTE, AT ITS JULY 21, 2022, REGULAR MEETING. THE AGENCY DISCUSSED THE TIMING OF THE PROPOSED INDUSTRIAL PARK AND FUTURE DEVELOPMENT IN THE ELKTON AREA, THE SUBSTANTIAL ECONOMIC DEVELOPMENT POTENTIAL OF THE PROPOSED PROJECT, THE RURAL CHARACTER OF ELKTON AND THE SURROUNDING AREA, AND THE LOSS OF AGRICULTURAL LANDS THROUGHOUT THE COUNTY

Proof of publication of the notice of public hearing on COMPAMD 2022-04, Elkton Industrial Park (Transmittal), was received, having been published in *The St. Augustine Record* on August 23, 2022.

(11:08 a.m.) Chris Shee, Heritage Development Group, LLC, 200 Business Park Circle, Suite 105, presented the details of the request, via PowerPoint, and referenced a list of Transportation Facilities of Regional Significance, noting Policy 28a, chart regarding roads and a chart showing property taxes levied, *Exhibit A*.

(11:47 a.m.) Joe McAnarney, 1005 Blackberry Lane, displayed an overhead presentation, *Exhibit B*, and spoke in opposition of the project regarding speculation.

(11:50 a.m.) Marsha Chance, 415 Arredondo Avenue, spoke in opposition of the project regarding the land being in one of the last rural agriculture landscapes. She gave a background of the area and was concerned about increased traffic.

(11:53 a.m.) Mark Adkins, 733 Blue Seas Court, referenced a PowerPoint, *Exhibit C*, and spoke in opposition of the project regarding the impact on recreation (bike trails) and traffic impacts. He suggested extending or relocating the bike trail for bikers’ safety.

(11:57 a.m.) Leslie Case, 4096 Rose Street, spoke regarding installing a traffic light at County Road 305 and State Road 207, traffic impacts, having a silencer wall and diming lights between a certain time, the vacant cement plant, having safety and infrastructure within the area, and the bike trail.

(11:59 a.m.) George Olsen, 1377 Prince Road, spoke regarding bike safety along the bike trail and possibly rerouting the trail.

(12:01 p.m.) Hank Whetstone, 400 Old Quarry Road, spoke in support of the project regarding the increase in industrial development and having the best location within the county.

(12:04 p.m.) John Sykes, Sykes Farms, 5995 Brough Road, spoke in opposition of the project regarding loosing farmlands, traffic impacts, and not having any wetlands to contend with.

(12:06 p.m.) Karl Vierck, 1189 Wildflower Court, spoke in support of the project due to the need for more industrial development, having more jobs, the location of the project, and the possibility of bringing affordable housing to the area.

(12:09 p.m.) Gene Povia, 5230 St. Ambrose Church Road, spoke in opposition of the project regarding traffic impacts and the loss of farmland.

(12:09 p.m.) Jacquelyn Willis, 6010 Armstrong Road, spoke in opposition of the project regarding traffic impacts, residents within the area, the bike trail, endangering the wildlife, and keeping the farmlands.

(12:12 p.m.) Greg White, 905 Pearl Street, spoke in support of the project with the possible job openings and the increased industrial development.

(12:15 p.m.) Pat Hamilton, 201 Owens Avenue, spoke in spoke in opposition of the project regarding the size of the buildings, traffic impacts, keeping agriculture within the county, and the project not being compatible with the area.

(12:18 p.m.) Robert Nimmons, 871 West 9th Street, spoke in support of the project regarding job openings, industrial development, KeHE supporting the community. He referenced photos, *Exhibit D*.

(12:21 p.m.) Charolette Hall, 5836 Middleton Road, spoke in opposition of the project regarding local bee farming, the rural nature of the area, traffic impacts, and creating the potential of bringing more industrial to the area.

(12:24 p.m.) Cindy Ward, 246 Wisteria Road, referenced an aerial map and an existing industrial building, *Exhibit E*, and spoke in opposition of the project regarding preserving the agriculture parcel, disturbing wildlife, contaminating the waterways, and the possibility of bringing more industrial to the area.

(12: 27 p.m.) Ann Taylor, 1365 State Road 206, read a letter from Margret Domini, 1573 Cambridge Street, Cambridge, MA. She gave a background of her farming career in the area and how changing the Comprehensive Plan would allow for more industrial uses. Taylor added that she supported Domini.

(12:29 p.m.) Roselle Lewis, 1650 Carter Road, spoke in support of the project regarding the need for industrial development, increased job opportunities, and being an employee with KeHE.

(12:32 p.m.) Keto Burns, 6857 East Seacove Avenue, President of South Anastasia Communities Association, spoke in opposition of the project regarding the size of the building, the inappropriate location, the changing of farmland and traffic impacts. He asked the Board to protect agriculture within the county.

(12:35 p.m.) Joseph Richter, 3rd Street, spoke in support of the project regarding the increased job opportunities and the existing traffic in the area.

(12:37 p.m.) Carolyn Fields, 6050 Armstrong Road, spoke regarding economic impacts, traffic impacts, and job opportunities. She asked the Board to consider all safety features.

(12:39 p.m.) Barbara Blonder, 8 Milton Street, spoke regarding the project changing the character of the area, the agriculture history, and the connection between the City of St. Augustine and the southwest part of the county.

(12:42 p.m.) Christine Humphries, 5845 Winifred Masters Road, spoke in opposition of the project regarding the removal of farmland and preserving agriculture.

(12:45 p.m.) Malinda Peeples, 6231 Armstrong Road, spoke in opposition of the project regarding disturbing the historical nature of the community, traffic impacts, and the removal of farmland.

(12:48 p.m.) Lisa McGlynn, 703 Pinehurst Place, Vice Chair and Treasurer of the St. Johns County Civic Roundtable, spoke in opposition of the project regarding it being outside the development boundary in the Comprehensive Plan, having a historical community, and supporting the farmers. She referenced 35 suggestions for smart growth, *Exhibit G*.

(12:50 p.m.) Charles Hunt, 5135 Silo Road, was opposed to the project regarding the growing of produce and the capability of powering the large facility.

(12:53 p.m.) Jay Kamys, 1315 County Road 13 South, spoke in opposition of the project regarding traffic impacts and changing the character of the area.

(12:57 p.m.) Jeffrey Parker, 3303 County Road 305, spoke in opposition of the project with the removal of farmland, the location of the project, and traffic impacts.

(12:59 p.m.) George Jacunski, 17 Bridge Street, spoke in opposition of the project regarding its location and preserving farmland.

(1:01 p.m.) Hutto left the meeting and Artricia Allen, Deputy Clerk, entered the meeting.

(1:00 p.m.) Bill Hamilton, Owner, Southern Horticulture, 1690 A1A South, he provided his horticulture background and voiced his concerns with protecting the farmlands.

(1:04 p.m.) Todd Zanner, 1165 Stonehedge Trail Lane, spoke in support of the project due to employment opportunities and job growth.

(1:05 p.m.) Sherry Badger, 2772 South Collins Avenue, voiced her concerns with wetlands, quality of life, and provided a report from St. Johns County Sherriff's Office of traffic crashes in the County Road 305 area from 2017 to January 2022, *Exhibit G*.

(1:06 p.m.) Chuck Labanowski, 1748 North Cappero, voiced his concerns with the changes taking place as the community grows. He suggested that the Board slow down developing and protect the farmlands.

(1:08 p.m.) Janet Patten, 7265 A1A South, voiced her concerns with leap frogging the County owned development boundary lines.

(1:10 p.m.) Jane West, 660 Sun Down Circle, representing residents in opposition of this project. She spoke in opposition of the project and voiced her concerns with the comprehensive plan agreement, land use changes, and allowable uses. She stated that

KeHe couldn't guarantee the proposed package or jobs for the County. She encouraged the Board to deny the request, due to premature timing, taking a nuance approach to benefit all parties, reaching out to surrounding County Commissioners, and to maintain the integrity of the State Road (SR) 207 corridor.

(1:20 p.m.) Ed Slavin, P.O. Box 3084, spoke about protecting farmlands and the historic integrity of the County.

(1:23 p.m.) Mario Caycedo, 2229 Pacetti Road, spoke in support of this project due to the economic advantages and infrastructures in place. He stated that should the project move forward, consider the public safety on the bike trail.

(1:24 p.m.) Rhonda Felder, 4925 Murry Street, voiced her concerns with the influx of residents and traffic in St. Johns County, increased accidents on SR 207, and the need for overpass roads. She requested that the project be placed on hold to ensure the safety of the residence.

(1:26 p.m.) B.J. Kalaidi, 8 Newcomb Street, spoke about quality of life, and requested to vote no on this project.

(1:28 p.m.) John Mollman, 18 Via Roma, Palm Coast, Florida, representative of KeHe Distributors, provided additional information on the company and requested approval of the project.

(1:29 p.m.) Shee provided the applicant's rebuttal and displayed a map of the bike path, *Exhibit H*.

(1:41 p.m.) Kathryn Whittington, Whittington Law, PLLC, 236 San Marco Avenue, she provided information regarding Florida's Strategic Intermodal System (SIS) and displayed an SIS map and description of Florida, *Exhibit I*.

(1:43 p.m.) Waldron voiced his concerns with infrastructure, noting that the project may be better suited closer to I-95 and SR207, stating that KeHe Distributors was a reputable company.

(1:45 p.m.) Arnold voiced her concerns with going outside the development boundary, traffic, trucks, and read a comment from a member of the Lane family regarding the project.

(1:46 p.m.) Whitehurst voiced the need for more commercial development, and jobs in St. Johns County, and reference the Comprehensive Plan, Section A.1.2.5, regarding compatibility.

(1:49 p.m.) Dean commented on the land use decisions on infrastructure and combability, stating that he was in support of the project.

(1:51 p.m.) Motion by Waldron, seconded by Arnold, carried 4/1, with Dean dissenting, via roll call vote, with Waldron participating remotely, to deny the transmittal of COMPAMD 2022-04, Elkton Industrial Park, based upon four findings of fact, as provided in the staff report.

Yea: Waldron, Arnold, Whitehurst, Blocker

Nay: Dean

(2:29 p.m.) The Board moved to Regular Agenda Item 5.

(09/20/22 - 23 - 3:16 a.m.)

PUBLIC COMMENT

(3:17 p.m.) Kenny McClain, P.O. Box 912, spoke about St. Johns County growth; Community Development Block Grant funds, a Community Redevelopment Agency (CRA) for Hastings; and redevelopment on the following needs: waterlines, water and sanitary sewer, drainage, flooding, streetlights, affordable housing, and broad band service. In addition, he asked the Board to add his request as an agenda item on a future meeting.

(3:30 p.m.) Sherry Badger, 2772 South Collins Avenue, voiced her continued concerns with flooding on South Collins Avenue, preserving their neighborhood, and presented a photo of the flooding, *Exhibit A*. Dean directed staff to respond with a follow-up at the next meeting.

(3:24 p.m.) Carol Holtz, 703 Hensley Street, concurred with the comments by McClain and spoke on meetings with county staff. She expressed her concerns with the conditions and economic development in Hastings. She asked the Board for guidance with the next step for moving forward with establishing a CRA in Hastings. Dean and Arnold requested an in-depth analysis to be presented to the Board

(3:30 p.m.) Ed Slavin, P.O. Box 3084, expressed his appreciation to the St. Johns County Sherriff's office for implementing body and dash cameras. He spoke on the dissolution of the Town of Hastings; suggested that the Board consider 25 government reforms; and in opposition of the sales tax increase. Dean responded to the dissolution of Hastings.

(3:34 p.m.) Bill Hennesy, 5461 4th Street, provided photos that were not displayed, *Exhibit B*, and voiced his concerns with access to the Palmetto Boat Ramp.

(3:38 p.m.) B.J. Kalaidi, 8 Newcomb Street, spoke on rolling back the millage rate to 4.1201; against a sales tax increase, showing a "No Tax Hike," button, *Exhibit C*; and moving general public comment to the beginning of the meeting.

(09/20/22 - 23 - 3:40 p.m.)

COMMISSIONERS' REPORTS

Commissioner Blocker

No report.

Commissioner Waldron

(3:40 p.m.) Waldron commented on the decision to discontinue staff presentation, stating that staff was available for questions from the Board.

Commissioner Whitehurst

No report.

Commissioner Arnold

(3:41 p.m.) Arnold requested consensus by the Board to direct staff to report on options to help bridge the gap of increased costs of the 92 units in the Village of West Augustine project. *Consensus was given.*

Commissioner Dean

(3:42 p.m.) Dean suggested the Board consensus for a 3 percent plus \$1.50 an hour pay increase for the County Administrator and the County Attorney. *Consensus was Given.*

(09/20/22 - 24 - 3:44 p.m.)

COUNTY ADMINISTRATOR'S REPORT

No report.

(09/20/22 - 24 - 3:44 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(09/20/22 - 24 - 3:44 p.m.)

ADJOURN

With there being no further business to come before the Board, Dean adjourned the meeting at 3:44 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 604700-604722, totaling \$39,525.55 and Voucher Register, Voucher Nos. 67507-67543, totaling \$31,921.31 (09/07/22)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 604723-604727, totaling \$2,162.29 and Voucher Register, Voucher No. 67544, totaling \$455.11 (09/08/22)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 67545-67546, totaling \$8,772.88 (09/08/22)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 604728-604928, totaling \$1,833,017.79 and Voucher Register, Voucher Nos. 67547-67640, totaling \$1,646,574.62 (09/12/22)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 604929-604954, totaling \$18,992.03 and Voucher Register, Voucher Nos. 67641-67661, totaling \$22,562.85 (09/14/22)
6. St. Johns County Board of County Commissioners Check Register, Check No. 604955, totaling \$3,400 (09/15/22)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 604956-605151, totaling \$3,893,727.05 and Voucher Register, Voucher Nos. 67662-67753, totaling \$1,885,894.04 (09/19/22)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 605152-605212, totaling \$41,321.23 and Voucher Register, Voucher Nos. 67754-67957, totaling \$145,905.45 (09/22/22)

CORRESPONDENCE:

1. Letter dated August 30, 2022, regarding Madera Community Development District's Resolution No. 2022-07, identifying the Fiscal Year 2022/2023 meeting schedule

Approved ____ October 4 _____, 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: Sam Halterman
Deputy Clerk

