



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
December 20, 2022 - 9:00 am

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**CALL TO ORDER**

Commissioner Whitehurst called the meeting to order at 9:00 am.

Present: Christian Whitehurst, District 1, Chair  
Sarah S. Arnold, District 2, Vice Chair  
Krista Joseph, District 4  
Henry Dean, District 5

Absent: None

Staff Present: Hunter S. Conrad, County Administrator  
David Migut, County Attorney  
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  
Saundra Hutto, Deputy Clerk

**ROLL CALL**

The clerk called the roll. Commissioner's Whitehurst, Arnold, Dean, and Joseph were present.

**INVOCATION**

Chaplin Kelly Kemp, St. Johns County Sheriff's Office, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Bill Dudley, Retired Lt. Col. U.S. Air Force, led the Pledge of Allegiance.

**RETIREMENT RECOGNITION OF GAIL OLIVER**

Conrad invited Gail Oliver, Land Management Systems Department Director, to the podium. He spoke on Oliver's accomplishments, and expressed his appreciation for her dedication to St. Johns County.

Oliver gave a background of her employment and expressed her appreciation for the opportunity to work for St. Johns County and expressed her gratitude to staff.

### **RETIREMENT RECOGNITION OF CHIEF JEFFREY PREVATT**

Conrad invited Chief Jeffrey Prevatt, St. Johns County Fire Rescue Chief, to the podium. He spoke on Prevatt's accomplishments and expressed his appreciation for his dedication to St. Johns County.

Prevatt gave a background of his employment and expressed his gratitude to St. Johns County Fire Rescue and his family for their support.

Hardwick expressed his gratitude to Prevatt and presented him with an American Flag for his dedication to St. Johns County.

### **RETIREMENT RECOGNITION OF THE HONORABLE JUDGE CHARLES J. TINLIN**

Judge Howard Maltz invited Judge Charles Tinlin to the podium. He spoke on Tinlin's accomplishments and expressed his appreciation for his dedication to St. Johns County.

Tinlin gave a background of his employment and spoke on the support of his family and the honor to have served St. Johns County.

### **PROCLAMATION RECOGNIZING JANUARY 2023 AS HUMAN TRAFFICKING AWARENESS MONTH**

Joseph presented the proclamation to Kristi Pierce, who spoke on the importance of human trafficking awareness. Lorena Inclan, Director of Public Affairs, read the proclamation

Hardwick spoke on Human Traffick Awareness and gave statistics regarding trafficking St. Johns County.

### **ACCEPTANCE OF PROCLAMATION**

**Motion by Arnold, seconded by Dean, carried 4/0, to accept the proclamation.**

**Yea: Arnold, Dean, Whitehurst, Joseph**

**Nay: None**

### **PUBLIC SAFETY UPDATE**

Jason Caban, Director of Corrections Division, St. Johns County Sheriff's Office, spoke on the importance of locking your car doors, a Driving Under the Influence (DUI) operation conducted this past weekend, having a low prisoner count, and starting a release and reentry department to begin in January.

Jeremy Robshaw, Chief Administrative Services, St. Johns County Fire Rescue, spoke on Prevatt's retirement and introduced Joel Sneed, St. Johns County Fire and Rescue Assistant Fire Chief, who expressed his gratitude to Prevatt, gave a background of his employment, and on the loyalty he showed the community.

## **CLERK OF COURT'S REPORT**

Nilsa Arissa, Inspector General, gave an overview of the major incentives and priorities regarding the Comprehensive Plan for Fiscal Year 2023 audits.

## **DELETIONS TO THE CONSENT AGENDA**

Migut requested to pull Consent Agenda Item 2.

Public Comment: There was none.

## **APPROVAL OF CONSENT AGENDA**

**Motion by Dean, seconded by Arnold, carried 4/0, to approve the Consent Agenda, as amended, with the deletion of Consent Agenda Item 2.**

**Yea: Dean, Arnold, Whitehurst, Joseph**

**Nay: None**

1. Motion to approve the Cash Requirement Report
2. Motion to adopt a resolution approving the final plat for Mill Creek Forest, Phase 5

*Consent Agenda Item 2 was pulled.*

3. Motion to adopt **Resolution No. 2022-464**, approving the final plat for Whisper Creek, Phase 11, Unit A
4. Motion to adopt **Resolution No. 2022-465**, approving the final plat for Mill Creek Forest, Phase 1B, Replat
5. Motion to approve the Entrada PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2022-11)
6. Motion to adopt **Resolution No. 2022-466**, approving the terms and conditions of a Use Agreement for use of Anastasia State Park in connection with a beach nourishment project; and authorizing the chair of the Board to execute the Use Agreement, on behalf of the County; and accepting Perpetual Beach Storm Damage Reduction Easements required for the project

7. Motion to adopt **Resolution No. 2022-467**, authorizing the county administrator to execute the attached Memorandum of Understanding with JEA, to provide for utility work related to the County Road 210 Widening from Greenbriar Road to Cimarrone Blvd project
8. Motion to adopt **Resolution No. 2022-468**, approving the First Amendment to Impact Fee Credit Agreement between St. Johns County and Murabella Owner, LLC, for State Road 16, Improvements and Villages West Park Entrance; and authorizing the county administrator, or designee, to execute the Amendment, on behalf of the County
9. Motion to adopt **Resolution No. 2022-469**, authorizing the county administrator, or his designee, to award Bid No. 23-10, County Road 208, Water Booster Pump Station – Electrical Work to Cogburn Bros, Inc., as the lowest responsive, responsible bidder; and to execute a contract, in substantially same form and format as attached hereto, for completion of the project, as provided in Bid No. 23-10, for a total lump sum cost of \$949,000
10. Motion to adopt **Resolution No. 2022-470**, authorizing the county administrator, or his designee, to award Bid No. 23-11, CR 208 Water Booster Pump Station – Electrical Work to Precon Corporation, as the lowest responsive, responsible bidder; and to execute a contract, in substantially same form and format as attached hereto, for completion of the project, as provided in Bid No. 23-10, for a total lump sum cost of \$2,309,900
11. Motion to adopt **Resolution No. 2022-471**, authorizing the county administrator, or designee, to execute and issue Change Order No. 02 to Master Contract No. 22-MCS-SCH-16033, with Schindler Elevator Corporation, for the additional work to modernize the States’ Attorney elevator for the additional cost of \$150,331
12. Motion to approve a transfer from General Fund Reserves in an amount up to \$20,000, to fund the engagement of professional services related to the Marsh Landing drainage system
13. Motion to approve the Fiscal Year 2023 Parks and Recreation Capital Improvement Plan Reappropriation
14. Motion to approve a transfer of \$10,553 from Equitable Sharing Justice Department Reserve and \$3,295 from Equitable Sharing Treasury Department Reserve for appropriation to the Sheriff’s Office, for use in accordance with federal guidelines to purchase eight tablets for the Special Investigations Unit
15. Motion to adopt **Resolution No. 2022-472**, approving the terms, conditions, and requirements of Amendment No. 0004 to the Homelessness Unified Contract between St. Johns County and Flagler Hospital, the CoC Lead Agency; and authorizing the county administrator, or designee, to execute the amendment, substantially in the same form and format as attached, on behalf of the County; and recognizing and appropriating the grant in the amount of \$10,000 into the General Fund Social Services Department, for Fiscal Year 2022-2023

16. Motion to adopt **Resolution No. 2022-473**, recognizing and appropriating \$1,711,625 of State of Florida Department of Children and Families Funding into the Fiscal Year 2023 Budget, corresponding to Amendment No. 29 of the Community Based Care Contract No. NJ206; and approving five full-time equivalent positions to the Community Based Care division of the Health and Human Services Department to support programs mandated by new legislation enacted as a result of the 2022 Legislative Session
17. Motion to adopt **Resolution No. 2022-474**, approving the terms, provisions, conditions, and requirements of the Agreement between St. Johns County and National Youth Advocacy Program, Inc., for the Enhanced Foster Care Program in an amount not to exceed \$145,371, for the current State fiscal year; and authorizing the county administrator, or designee, to execute the agreement, on behalf of the County
18. Motion to adopt **Resolution No. 2022-475**, authorizing the county administrator, or designee, to execute a non-exclusive permissive use agreement, in substantially the same form and format as attached hereto, authorizing temporary use of County-owned property.

#### **ADDITIONS/DELETIONS TO THE REGULAR AGENDA**

There were none.

#### **APPROVAL OF REGULAR AGENDA**

**Motion by Dean, seconded by Arnold, carried 4/0, to approve the Regular Agenda, as submitted.**

**Yea: Dean, Arnold, Whitehurst, Joseph**

**Nay: None**

1. Public Hearing - PUD 2022-14, Integra State Road 16 Planned Unit Development. Request to rezone approximately 56 acres of land from Open Rural (OR) and Commercial General (CG) to Planned Unit Development (PUD) to allow for a maximum 10,000 square feet of commercial space and 300 multi-family residential units. The subject property is located at 2980 State Road (SR) 16 and an unaddressed parcel located on the north side of SR 16, west of the interchange of SR 16 and Interstate 95. The Planning and Zoning Agency (PZA) heard this request during their regularly scheduled public hearing on October 6, 2022. The item was recommended for approval, with a vote of 4 to 1. There was public comment that discussed compatibility, traffic, roads, and recent BCC denials in the area. There was Agency discussion regarding the sixty-foot height of buildings, type of housing proposed, rental prices, traffic, impacted roads, and the lack of a second entrance to the site. This item was scheduled for the November 1, 2022, BCC hearing but was not heard. The applicant requested a continuance to a date certain of December 20, 2022, and the Board approved the continuance, with a vote of 4 to 0. No revisions have been provided by the applicant since the PZA hearing

Ellen Avery-Smith, Esq., Rogers Towers, P.A., representing the applicant, requested to withdraw the application.

Public Comment: There was none.

**Motion by Arnold, seconded by Dean, carried 4/0, to withdraw PUD 2022-14, Integra State Road 16 Planned Unit Development.**

**Yea: Arnold, Dean, Whitehurst, Joseph**

**Nay: None**

2. Public Hearing - COMPAMD 2022-03, State Road 207 and Wildwood Self-Storage (Adoption). Adoption hearing for a Comprehensive Plan amendment to amend Policy A.1.11.3, to increase the Floor Area Ratio (FAR) from 70% to 120%, for the construction of a personal property self-storage facility, within the Mixed-Use Future Land Use designation and specifically located at 1855 State Road 207. The Planning and Zoning Agency recommended approval of the adoption, with a 4-1 vote, at its November 17, 2022, meeting. The Agency discussed the aesthetics and height of the building. The applicant responded the height of the building will not exceed 47 feet

Douglas N. Burnett, Esq., St. Johns Law Group, representing the applicant, presented the details of the request, via PowerPoint.

Joseph questioned whether the 10-foot setback would affect the widening of State Road 207. Burnett responded that the expansion would go towards the middle of the median. Discussion ensued on the expansion, setbacks, buffers, and floor area ratio percentage.

Public Comment: Ed Slavin and Sherry Badger provided public comment.

**Motion by Dean, seconded by Arnold, carried 3/1, with Joseph dissenting, to enact Ordinance No. 2022-89, approving COMPAMD 2022-03, State Road 207 and Wildwood Self-Storage, based on four findings of fact, provided in the staff report.**

**Yea: Dean, Arnold, Whitehurst**

**Nay: Joseph**

3. Public Hearing - PUD 2022-12, Edgewater Business Center Planned Unit Development. Request to rezone approximately 7.27 acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD), to allow for a maximum of 39,000 square feet of commercial warehouse flex space. This request was heard by the Planning and Zoning Agency on November 3, 2022, and was recommended for approval, with a vote of 7-0

The Board disclosed ex parte communication.

Douglas N. Burnett, Esq., St. Johns Law Group, representing the applicant, presented the details of the request, via PowerPoint.

Joseph asked for an explanation of “flex space.” Burnett responded.

Public Comment: Chuck Labanowski, Ed Slavin, Nicole Crosby, and B.J. Kalaidi provided public comment.

Burnett spoke about adding language to ensure that *the property would not be used as a landfill or a solid waste transfer site*. Dean was in agreeance with adding the specific language, as well as a *corrections facility*. Discussion ensued on amending the motion.

**Motion by Arnold, seconded by Joseph, carried 4/0, to enact Ordinance No. 2022-90, PUD 2022-12, Edgewater Business Center Planned Unit Development, as amended, based on nine findings of fact, as provided in the staff report.**

**Yea: Arnold, Joseph, Dean, Whitehurst**  
**Nay: None**

4. Public Hearing - CPA(SS) 2022-15, 875 West King Street. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately .35 acres of land from Community Commercial (CC) to Residential-D (Res-D), to accommodate one residential dwelling unit being placed on the property. This request was heard by the Planning and Zoning Agency at their regularly scheduled hearing on November 17, 2022, and was recommended for approval, 6-0

Regular Agenda Items 4 and 5 were presented together.

The Board disclosed ex parte communication.

Mackenzie Smith, Administrator Coordinator for the Community Development Block Grant Disaster Recovery Department for St. Johns County, representing the applicant, presented the details of the request, via PowerPoint.

Public Comment: Ed Slavin provided public comment.

**Motion by Dean, seconded by Arnold, carried 4/0, to enact Ordinance No. 2022-91, approving CPA(SS) 2022-15, 875 West King Street, based upon four findings of fact, as provided in the staff report.**

**Yea: Dean, Arnold, Whitehurst, Joseph**  
**Nay: None**

5. SUPMIN 2022-08, 875 West King Street (Burns MH 131300-0000). Request for a Special Use Permit to allow for the replacement of an existing Manufactured/Mobile Home as a residence in Residential Single Family (RS-3) zoning, pursuant to Land Development Code, Section 2.03.08. This request is a companion application to CPA(SS) 2022-15, 875 West King Street. This request was heard by the Planning and Zoning Agency at their regularly scheduled hearing on November 17, 2022, and was recommended for approval, 6-0

Discussion occurred with Regular Agenda Item 4.

**Motion by Dean, seconded by Arnold, carried 4/0, to approve SUPMIN 2022-08, 875 West King St (Burns MH 131300-0000), subject to eleven conditions and eight findings of fact, as provided in the staff report.**

**Yea: Dean, Arnold, Whitehurst, Joseph**  
**Nay: None**

Valliere left the meeting and Kealy West, Assistant County Attorney, entered.

6. Public Hearing - Affordable Housing Advisory Committee Annual Report. As outlined in section 420.9076(2), Florida Statute, the County's Affordable Housing Advisory Committee (AHAC) is required to review established policies, procedures, ordinances, and the County's Land Development Code and Comprehensive Plan and make recommendations on actions or initiatives to encourage or facilitate affordable housing on an annual basis. Every year, by December 31st, AHAC must submit a new report of its recommended affordable housing incentive strategies. On November 16, 2022, as required by statute, AHAC conducted a properly noticed public hearing and by an affirmative vote of the majority of the AHAC membership, approved the attached final report of its recommended affordable housing incentive strategies. AHAC recommends the Board of County Commissioners adopt the recommendations in the final report

Roberto Ortiz, Manger, Housing and Community Services introduced Bill Lazar, Director of St. John's Housing Partnership, representing the applicant. Lazar presented the details of the annual report, via PowerPoint.

Public Comment: Joe McAnarney, Carol Holtz, Ed Slavin, Ervin Bullock, Greg Burke, Carolina Morrow, Steve Ladrado, B.J. Kalaidi, and Lisa Franklin provided public comment.

Lazar spoke about the amount of teamwork that was needed to make affordable housing happen in St. Johns County.

Dean spoke about balancing the budget annually, extending the impact fee payment schedule, and finding innovative ways to provide for affordable housing. There were additional comments from Joseph regarding the impact fee credit and having the means to live and work in the same county. Arnold spoke on the need to find a solution to affordable housing.

**Motion by Arnold, seconded by Dean, carried 4/0, to adopt Resolution No. 2022-476, adopting the Affordable Housing Advisory Committee 2022 Incentives Review and Recommendations Annual Report.**

**Yea: Arnold, Dean, Whitehurst, Joseph**  
**Nay: None**

7. Public Hearing - Approval of the 2022 Inventory List of Land Available for Affordable Housing in St. Johns County, Florida. Pursuant to section 125.379, Florida Statute, commencing in 2007, and every three years thereafter, the County is required to prepare



an inventory list identifying all real property within the County, to which the County holds fee simple title, that is appropriate for use as affordable housing. The Board of County Commissioners is required to review the inventory list at a public hearing and adopt a resolution approving the final list.

Roberto Ortiz, Manager, Housing and Community Service, representing the applicant, presented the details of the inventory list, via PowerPoint.

Joseph questioned locations not appropriate for affordable housing due to the lack of connectivity to water and sewer, close to any services, and having the roads available. Joseph Cone, Assistant Director, Health and Human Services, responded with the history of the lots that were gifted to the County to be used for affordable housing.

Public Comment: B. J. Kalaidi (Exhibit A), provided public comment.

Lazar responded that a large portion of the properties were donated without water and sewer and spoke on the underlining concerns with each property.

Cone spoke on the reason the Riberia Street property was not developed.

Joseph voiced her concerns with the motion.

Whitehurst questioned the total acreage of the listed properties and the properties zoned for agriculture. Cone responded with discussion on agricultural zoned land use and amending the motion to reflect *properties that are zoned residential*.

**Motion by Whitehurst, seconded by Joseph, carried 4/0, to adopt Resolution No. 2022-477, adopting the 2022 inventory list, as amended, identifying County owned property for appropriate for use as affordable housing, that is zoned residential.**

**Yea: Whitehurst, Joseph, Arnold, Dean**

**Nay: None**

## **PUBLIC COMMENT**

Chuck Labanowski; Ed Slavin; Nicole Crosby; Sherry Badger; Joe McAnarney (Exhibit A); and B.J. Kalaidi provided public comment.

Joseph questioned Badger regarding the approval of the light poles in Ponte Vedra. Discussion ensued on the light poles and the process to complete the project.

8. Public Hearing - Second public hearing to designate property located at 1850 B State Road 207 west of Wildwood Drive (Victoria Crossing), a Brownfield Area as authorized under the Florida Brownfields Redevelopment Act, Sections 376.77 – 376.85, Florida Statutes. Victoria Crossing Apartments, LP, is requesting that the St. Johns County Board of County Commissioners adopt a resolution designating the subject property a Brownfield Area as authorized under the Florida Brownfields Redevelopment Act, Sections 376.77 – 376.85.

The subject property is located at 1850 B State Road 207 west of Wildwood Drive. The owner is working toward the completion of the development of the property into a 96-unit affordable housing multi-family apartment complex identified as Victoria Crossing. Victoria Crossing Apartments, LP, is pursuing the brownfield designation to benefit from the State of Florida's tax exemption benefits for the development of affordable housing within a brownfield area. The owner and the County have complied with the procedures, designation criteria, and notice required by Florida Statutes. The first public hearing for this item was held on December 6, 2022, during the BBC's regular meeting.

Joseph Cone, Assistant Director, Health and Human Services introduced Michael Hartman, Turnstone Development, and Saul Crafton, Strategic Systems, Inc., owners. Hartman presented the details of the request. Crafton provided additional comments regarding the designation, via PowerPoint.

Public Comment: Joe McAnarney, B. J. Kalaidi, Nicole Crosby, and Ed Slavin provided public comment.

Whitehurst expressed his gratitude to West for briefing him on a Brownfield Area. Arnold concurred with Whitehurst and questioned West on the requirements for the designation. Discussion ensued on the designation and whether St. Johns County was responsible for any funding.

Joseph expressed her concerns with the project.

Dean spoke about the briefing he received and about the Florida Legislature setting the policy for the state.

**Motion by Dean, seconded by Arnold, carried 3/1, with Joseph dissenting, to adopt Resolution No. 2022-478, designating parcel numbers 135950-1850, 135960-0000, and 135940-0000, located at 1850 B State Road 207 west of Wildwood Drive in unincorporated St. Johns County, as a Brownfield Area, as authorized under the Florida Brownfields Redevelopment Act, Section 376.77-376.85, Florida Statutes for environmental rehabilitation and affordable housing; providing an effective date.**

**Yea: Dean, Arnold, Whitehurst**

**Nay: Joseph**

9. Amendment to Board's Rules and Policies concerning Rule 1.201 and 4.102. Pursuant to Board direction at its November 1, 2022, meeting, the Office of County Attorney has drafted language to amend Rule 4.102 of the Board's Rules and Policies to add language stating that the Board shall not hold a regular meeting on the first Tuesday of January or the first Tuesday of July. Additionally, the Office of County Attorney is proposing to amend Rule 1.201 of the Board's Rules and Policies to add language that in any year when Election Day falls on November 8th, the Special Meeting for Board reorganization shall be held on the first Tuesday of December (instead of the third Tuesday of November). This change is recommended to ensure compliance with State law.

David Migut, County Attorney, presented the details of the amendment (Exhibit A).

Public Comment: Ed Slavin provided public comment.

**Motion by Dean, seconded by Arnold, carried 4/0, to adopt Resolution No. 2022-479, adding amendments to Rule 1.201 and 4.102 of the Rules and Policies of the St. Johns County Board of County Commissioners.**

**Yea: Dean, Arnold, Whitehurst, Joseph**

**Nay: None**

## **PUBLIC COMMENT**

There was none.

## **COMMISSIONERS' REPORTS**

### Commissioner Joseph

Joseph expressed her gratitude to Whitehurst about designating a time certain general public comment.

### Commissioner Arnold

Arnold reported on attending Wreaths Across America Day and the West Augustine Community Redevelopment Agency (CRA) Steering Committee's Christmas in the Park.

### Commissioner Dean

Dean spoke about the offshore oil drilling and the impact to our environment and safety of the right whales.

### Commissioner Whitehurst

Whitehurst reported on attending Wreaths Across America day.

## **COUNTY ADMINISTRATOR'S REPORT**

No report.

## **COUNTY ATTORNEY'S REPORT**

Migut announced that West was being promoted to Senior County Attorney.

With there being no further business to come before the Board, the meeting adjourned at 12:17 p.m.

REPORTS:

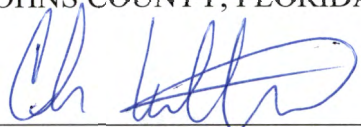
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 607513-607514, totaling \$1,640 (12/07/22)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 607515-607518, totaling \$3,506 and Voucher Register, Voucher Nos. 69477-69483, totaling \$10,670 (12/08/22)
3. St. Johns County Board of County Commissioners Check Register, Check No. 607519, totaling \$247.50 (12/08/22)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 607520-607701, totaling \$2,341,791.74 and Voucher Register, Voucher Nos. 69484-69554, totaling \$753,519.58 (12/12/22)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 607702-607714, totaling \$61,643.96 and Voucher Register, Voucher No. 69555, totaling \$455.11 (12/15/22)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 69556-69557, totaling \$7,846.99 (12/15/22)
7. St. Johns County Board of County Commissioners Check Register, Check No. 607715, totaling \$12,375 (12/16/22)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 607716-607928, totaling \$1,712,573.87 and Voucher Register, Voucher Nos. 69558-69670, totaling \$6,784,405.02 (12/19/22)

CORRESPONDENCE:

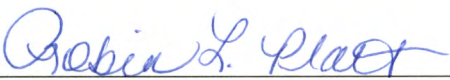
There was none.

Approved January 17, 2023

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Christian Whitehurst, Chair

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

By:   
Deputy Clerk

