



Minutes of Meeting
Board of County Commissioners
St. Johns County, Florida
Regular Meeting
County Administration Building
500 San Sebastian View
St. Augustine, Florida 32084
February 7, 2023 - 9:00 am

CALL TO ORDER

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

ROLL CALL

Present: Christian Whitehurst, District 1, Chair
Sarah S. Arnold, District 2, Vice Chair
Roy Alaimo, District 3
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

INVOCATION

Will Wold, Pastor of First United Methodist Church of St. Augustine, gave the invocation.

PLEDGE OF ALLEGIANCE

CSGT. Maj. Joseph McDermott, United States Army Retired, led the Pledge of Allegiance.

PROCLAMATION RECOGNIZING FEBRUARY 2023 AS BLACK HISTORY MONTH

Arnold presented the proclamation to Gayle Phillips, Lincolnville Museum and Cultural Center, and Robert Nimmons, West Augustine Steering Committee, who spoke on the importance of Black History Month. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

ACCEPTANCE OF THE PROCLAMATION

Motion by Dean, seconded by Joseph, carried 5/0, to accept the proclamation.

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

PUBLIC SAFETY UPDATE

Lieutenant George Harrigan, Public Information Officer with St. Johns County Sheriff's Office, provided statistics for the 2022 year and spoke on Safer Internet Day.

Whitehurst and Harrigan spoke on the fentanyl increase in the county.

Scott Bullard, Interim Fire Rescue Chief, gave a presentation on fire simulator training, and recognized the Rapid Intervention Team on competing in the Daytona Fire-Rescue EAST Annual Conference, via PowerPoint.

CLERK OF COURT'S REPORT

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, spoke on the first inaugural group wedding ceremony.

DELETIONS TO THE CONSENT AGENDA

Migut requested that Consent Agenda Item 2 be pulled. Joseph requested that Consent Agenda Item 8 be pulled and added to the Regular Agenda as Item 5.

Public Comment: Ed Slavin, B.J. Kalaidi, Ellen Avery-Smith, and Joe McAnarney provided public comment.

APPROVAL OF CONSENT AGENDA

Motion by Arnold, seconded by Alaimo, carried 5/0, to approve the Consent Agenda, as amended.

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt a resolution approving the final plat for Preserve at Bannon Lakes, Phase 2D

Consent Agenda Item 2 was pulled.

3. Motion to adopt **Resolution No. 2023-24**, approving the final plat for Silver Landing, Phase 2A
4. Motion to adopt **Resolution No. 2023-25**, approving the final plat for Entrada, Phase 3, Unit 5
5. Motion to adopt **Resolution No. 2023-26**, approving the final plat for Stokes Landing
6. Motion to adopt **Resolution No. 2023-27**, authorizing the notice required by Section 336.10, Florida Statute, for a Public Hearing on March 7, 2023, at 9:00 a.m., or at a date and time as soon thereafter as possible, to hear a request for the vacation of a portion of unused Right of Way on Bishop Estates Road (VACROA 2022-05)
7. Motion to approve a transfer, in the amount of \$62,123, from Transit Reserves (59920) to Aid to Private Organizations (58200)
8. Motion to approve PFS AGREE 2022-04, and authorize the county administrator to execute the Ferber State Road 16 Planned Unit Development Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code

Consent Agenda Item 8 was pulled and added to the Regular Agenda as Item 5.

9. Motion to adopt **Resolution No. 2023-28**, accepting a Bill of Sale and Schedule of Values associated with the sewer system to serve Family Bible Church, located off Palm Valley Road
10. Motion to adopt **Resolution No. 2023-29**, accepting a Bill of Sale, Schedule of Values, and Warranty associated with the water system to serve Datil Pepper Business Park, located off US Highway 1 South
11. Motion to adopt **Resolution No. 2023-30**, accepting an Easement for Utilities, Warranty, Bill of Sale, and Schedule of Values associated with the water system to serve Planet Fitness Epic Outparcel, located off State Road 207
12. Motion to adopt **Resolution No. 2023-31**, accepting an Easement for Utilities, Final Release of Lien, Warranty, Bill of Sale, and Schedule of Values associated with the water system to serve Silverleaf Parcel 20 Commercial, located off Saint Johns Parkway
13. Motion to adopt **Resolution No. 2023-32**, accepting a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty associated with the Vicar's Landing at Oak Bridge offsite force main, located along A1A North
14. Motion to adopt **Resolution No. 2023-33**, accepting an Easement for Utilities, Final Release of Lien, Warranty, Bill of Sale, and Schedule of Values associated with the water, sewer, and sewer force mains systems to serve Whisper Creek, Phase 9, Unit B, located off Pacetti Road

15. Motion to adopt **Resolution No. 2023-34**, accepting an Easement for Utilities, Final Release of Lien, Warranty, Bill of Sale, and Schedule of Values associated with the water and sewer systems to serve Treaty Oaks Marketplace, located on State Road 207
16. Motion to adopt **Resolution No. 2023-35**, accepting a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty associated with the offsite force main improvements along State Road 207
17. Motion to adopt **Resolution No. 2023-36**, approving the attached Memorandum of Understanding between the County and St. Johns County School District and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
18. Motion to adopt **Resolution No. 2023-37**, approving the terms, provisions, conditions, and requirements of Amendment 1 to Clean Water State Revolving Fund Construction Loan Agreement; and authorizing the chair to execute the amendment on behalf of St. Johns County
19. Motion to adopt **Resolution No. 2023-38**, approving the terms, provisions, conditions, and requirements of a Sewer Unit Connection Refund Fee Agreement between St. Johns County, Florida, and GB ST AUGUSTINE, LLC, for the provision of utility sewer unit connection fee refund; and authorizing the county administrator, or designee, to execute the agreement on behalf of St. Johns County
20. Motion to adopt **Resolution No. 2023-39**, approving the terms, provisions, conditions, and requirements of a Unit Connection Fee Refund Agreement between St. Johns County, Florida, and Southeast Development Partners, LLC, to recognize the developer's required Utility Transmission Contributions, and authorizing the county administrator, or designee, to execute the agreement on behalf of St. Johns County
21. Motion to adopt **Resolution No. 2023-40**, approving a template Utility Service Agreement setting forth the terms, conditions, provisions, and requirements for the line extension project between 191 South Roscoe Boulevard and the intersection of King Sago Court including along Cat Road; and authorizing the county administrator, to execute individual agreements on behalf of the County; instructing the clerk to file executed agreements in the public records; and authorizing the Utility Department to accept the required payments and proceed with construction of the project
22. Motion to adopt **Resolution No. 2023-41**, approving a template Utility Service Agreement setting forth the terms, conditions, provisions, and requirements for the line extension project between 511 and 541 North Wilderness Trail; and authorizing the county administrator, to execute individual agreements on behalf of the County; instructing the clerk to file executed agreements in the public records; and authorizing the Utility Department to accept the required payments and proceed with construction of the project

23. Motion to adopt **Resolution No. 2023-42**, authorizing the county administrator, or his designee, to piggyback Florida Sheriff's Association Contract No. FSA20-VEF14.01, and to issue a purchase order for the purchase of three ambulances, as specified herein, from Ten-8 Fire Equipment, Inc., for a total purchase price of \$1,062,192, in accordance with the terms of the contract
24. Motion to declare the attachments as surplus and to authorize the county administrator, or his designee, to dispose of same in accordance with the Purchasing Policy 18.1 and Florida Statute 274
25. Motion to adopt **Resolution No. 2023-43**, approving the terms, provisions, conditions, and requirements of the Large User Reclaimed Water Agreement between St. Johns County, Florida, and Sawgrass Country Club, Inc., and authorizing the county administrator, or designee, to execute and record the agreement on behalf of St. Johns County
26. Motion to adopt **Resolution No. 2023-44**, establishing civil penalties as provided in Schedule "A" thereto for all citation proceedings under Section 162.21, Florida Statutes, for violation of Section 2.02.04.B.19, of the St. Johns County Land Development Code
27. Motion to adopt **Resolution No. 2023-45**, authorizing the county administrator, or designee, to submit a Safe Streets for All Grant application and a Railroad Crossing Elimination Grant application to the U.S. Department of Transportation
28. Motion to adopt **Resolution No. 2023-46**, authorizing the county administrator, or designee, to submit grant applications authorized in Senate Bill 4-A to the Department of Environmental Protection and the Division of Emergency Management
29. Motion to adopt **Resolution No. 2023-47**, approving the terms, conditions, and requirements of Amendment No. 30 to the Community Based Care Contract No. NJ206, between St. Johns County, Florida, and the State of Florida, Department of Children and Families, which inserts the Schedule of Funds dated 12/07/2022, for State Fiscal Year 2022-2023, and recognizing and appropriating an associated \$263,631 within the County Fiscal Year 2023 Community Based Care Fund
30. Motion to adopt **Resolution No. 2023-48**, in accordance with the policy provided in Resolution No. 1999-152, approving the request to name Off Beach Parking 7740 Coastal Highway to Tortuga Park
31. Motion to adopt **Resolution No. 2023-49**, for assistance under the Florida Inland Navigation District; to authorize the county administrator, or designee, to submit a grant application to the Florida Inland Navigation District, on behalf of St. Johns County, in efforts to secure funding for Genovar land acquisition; and further authorizing the county administrator, or designee, to execute all supplemental documents necessary to secure an award of grant funds

32. Motion to adopt **Resolution No. 2023-50**, approving the terms and conditions of, and authorizing the chair to execute, the memorandum of agreement between the Bureau of Ocean Energy Management of the Department of the Interior, the Department of the Army, and St. Johns County regarding the use of outer continental shelf sand resources, in substantially the form attached for the St. Johns County Coastal Storm Risk Management Project at South Ponte Vedra and Vilano Beach
33. Motion to adopt **Resolution No. 2023-51**, approving the terms and conditions of, and authorizing the chair to execute, a Memorandum of Agreement (MOU) between the U.S. Army Corps of Engineers and the County regarding the one-time placement of additional sand in connection with the emergency nourishment of the St. Johns County Coastal Storm Risk Management Project at South Ponte Vedra and Vilano Beach
34. Motion to adopt **Resolution No. 2023-52**, approving the terms and conditions of, and authorizing the chair to execute, a Cooperation Agreement, in substantially the form attached for the rehabilitation of the St. Johns County Coastal Storm Risk Management Project at South Ponte Vedra and Vilano Beach; and to approve the transfer of \$233,000 from appropriate reserves
35. Motion to adopt **Resolution No. 2023-53**, approving the terms and conditions of, and authorizing the chair to execute, a cooperation agreement, in substantially the form attached, for the rehabilitation of the St. Johns County Shore Protection Project at St. Augustine Beach; and approving the transfer of \$260,000 from appropriate reserves
36. Motion to adopt **Resolution No. 2023-54**, approving the terms and conditions of, and authorizing the chair to execute, an amendment in substantially the form attached, to the Project Partnership Agreement for the St. Johns County Coastal Storm Risk Management Project at South Ponte Vedra and Vilano Beach, and to authorize the Management and Budget Director to execute a self-certification of financial capability
37. Motion to approve minutes: 01/17/2023, BCC Regular

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were none.

APPROVAL OF REGULAR AGENDA

Motion by Dean, seconded by Arnold, carried 5/0, to approve the Regular Agenda, as amended.

Yea: Dean, Arnold, Alaimo, Whitehurst, Arnold

Nay: None

1. Public Hearing - MAJMOD 2022-11, St. Johns Sheriff's Office (SJSO) Fleet Maintenance. Request for a Major Modification to the St. Johns County Training Facility Planned Unit Development (Ordinance No. 2015-7, as amended) to add 1.9 acres for the development of

a fleet maintenance building and associated infrastructure. The Planning and Zoning Agency voted 6-0 to recommend approval

Board members disclosed ex parte communications.

Autumn Martinage, Matthews Design Group, presented the details of the request, via PowerPoint.

Joseph and Greg Caldwell, Public Works Director, spoke about the project budget.

Public Comment: There was none.

Motion by Arnold, seconded by Alaimo, carried 5/0, to enact Ordinance No. 2023-5, approving MAJMOD 2022-11, SJSO Fleet Maintenance, based on six findings of fact, as provided in the staff report.

Yea: Arnold, Alaimo, Whitehurst, Dean, Joseph

Nay: None

2. First Reading - Land Development Code Amendments - Veterinary Office, Animal Hospital in Office & Professional Services Use category. Land Development Code Amendment - Veterinary Office, Animal Hospital: On September 20, 2022, the Board of County Commissioners directed staff to draft an amendment allowing Veterinary Offices in the Office & Professional Services Use category. The Planning and Zoning Agency voted on December 15, 2022, to recommend approval of this item, 5-0

Amy Ring, Growth Management Special Projects Manager, presented the details of the amendment, via PowerPoint.

Public Comment: There was none.

Whitehurst suggested the following revisions to Article VI, Section 6.08.04, Subsection C and E *to change each distance to 300 feet*. Joseph agreed with the revisions. Valliere stated the revisions could be stated in the motion.

Motion by Whitehurst, seconded by Joseph, carried 5/0, to hold the final hearing on the proposed Land Development Code amendments at the regularly scheduled Board of County Commissioners meeting on February 21, 2023, to include the revisions as described by Commissioner Whitehurst.

Yea: Whitehurst, Joseph, Alaimo, Arnold, Dean

Nay: None

Dean and Doug Burnett, St. Johns Law Group, spoke about the reuse of medical facilities for veterinary clinics.

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

The Board recessed the St. Johns County Board of County Commissioners' regular meeting and convened the St. Johns County Community Redevelopment Agency (CRA) meeting.

3. Public Hearing - A request of the St. Johns County Community Redevelopment Agency (CRA) to approve the transfer of funds from the Flagler Estates trust fund for the purchase of two undeveloped parcels adjacent to Flagler Estates Park. At the request of the Flagler Estates CRA Steering Committee, the County is proposing the purchase of two undeveloped parcels adjacent to the Flagler Estates Park for the future expansion of the park. The purchase of the lots will require a transfer of funds from the Flagler Estates Trust Fund and is not to exceed \$100,000. The proposal conforms with the Flagler Estates Redevelopment Plan and the St. Johns County 2025 Comprehensive Plan as the project will add to the development of a system of parks, recreation facilities, and open spaces to meet the health, safety, and welfare needs of the County citizens and visitors

Shawna Novak, Health and Human Services Director, presented the details of the request, via PowerPoint.

Public Comment: William Fisher and Ed Slavin provided public comment.

Motion by Arnold, seconded by Joseph, carried 5/0, to adopt CRA Resolution No. 2023-1, approving the transfer of funds, not to exceed \$100,000, from the Flagler Estates Trust Funds for the County's purchase of two undeveloped parcels adjacent to Flagler Estates Park; and providing an effective date.

Yea: Arnold, Joseph, Whitehurst, Dean, Alaimo

Nay: None

The Board adjourned the St. Johns County Community Redevelopment Agency meeting and reconvened the regular meeting of the St. Johns County Board of County Commissioners.

West left the meeting.

4. Consider election of a Board of County Commissioners member to the Value Adjustment Board. Florida Statute 194.015 and Chapter 12D-9.004 Florida Administrative Code, require that the Board of County Commissioners elect two members from their membership to serve on the Value Adjustment Board (VAB). This item is to elect the second and final member from the Board of County Commissioners to the Value Adjustment Board

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

Joseph expressed that she was interested in the position and questioned how Alaimo was chosen. Alaimo responded that he was grateful for the opportunity to serve on the VAB.

Public Comment: There was none.

Motion by Arnold, seconded by Dean, carried 5/0, to elect Commissioner Roy Alaimo as a member of the St. Johns County Value Adjustment Board.

Yea: Arnold, Dean, Whitehurst, Alaimo, Joseph

Nay: None

Valliere entered the meeting.

5. PFS AGREE 2022-04, and to authorize the county administrator to execute the Ferber State Road 16 Planned Unit Development (PUD) Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code

Formerly Consent Agenda Item 8.

Migut provided details regarding the process of the item.

Ellen Avery-Smith, Rogers Tower, representing the applicant, provided a history of the item. She noted that the intent was always to give the county the money and the right-of-way for roadway improvements.

Public Comment: Joe McAnarney (Exhibit A), Leslee Keys, Ed Slavin, and Ron Brown provided public comment.

Whitehurst asked if the proposed amendment was consistent with Section 11.09 of the Land Development Code. Valliere responded that it was consistent.

Joseph questioned the future costs of development and when the development of the apartments would commence. Avery-Smith responded on how the agreement was drafted and the process of the road improvements. Tom Mundy, Ferber Company, and Conrad spoke on the start of construction of the apartments. Conrad provided comments on the commencement of the design and construction.

Motion by Whitehurst, seconded by Dean, carried 4/1, with Joseph dissenting, to approve PFS AGREE 2022-04, and to authorize the county administrator to execute the Ferber State Road 16 PUD Proportionate Fair Share Agreement, finding that the proposed Agreement is consistent with Section 11.09 of the Land Development Code.

Yea: Whitehurst, Dean, Arnold, Alaimo

Nay: Joseph

Valliere left the meeting.

PUBLIC COMMENT

Public Comment: Carol Anderson (Exhibit A), Kristy Richland, Tripp Richland, Peter Karpen, Greg Heal, Robert Reale (Exhibit B), Karen Toker (Exhibit C), Janis Saunier (Exhibit D), Yash Deo (Exhibit E), Mary Ellen Shouse, Barbara Sandusky, Phillip Shouse, Nicole Crosby (Exhibit

F), Ed Slavin, Doris Taylor (Exhibit G), Brian Beard (Exhibit H), Judy Spiegel (Exhibit I), Joe McAnarney (Exhibit J), Ron Joseph, B.J. Kalaidi, and Sherry Badger provided public comment.

COMMISSIONERS' REPORTS

Commissioner Alaimo

Alaimo spoke on staff's support since becoming commissioner.

Commissioner Dean

Dean spoke on the county administrator's contract renewal. renewing his contract and would like to have a discussion before the June renewal. Discussion ensued on the contract renewal process between Conrad and members of the Board.

Public Comment: Ed Slavin, B.J. Kalaidi, and Doris Taylor provided public comment.

Migut provided legal advice to the Board.

Motion by Dean, seconded by Alaimo, carried 5/0, to authorize the chair of the Board of County Commissioners to negotiate a contract, with Hunter Conrad, and to bring the contract renewal back before the Board for consideration and approval.

Yea: Dean, Alaimo, Whitehurst, Arnold, Joseph

Nay: None

Commissioner Joseph

Joseph reported on citizens that make a difference. She recognized Heather Buchanan who assisted a local veteran in her neighborhood. Joseph also reported on the Run for the Fallen and recognized two citizens participating from St. Augustine.

Commissioner Arnold

Arnold referenced a Marion County news article regarding fire rescue suicides and thanked the Board members for their support in creating the mental health program for the St. Johns County Fire Rescue. She also spoke on Aiden Fucci's guilty plea with respect to Tristyn Bailey's family.

Commissioner Whitehurst

Whitehurst reported on transportation projects within the county. He stated the projects would enhance the safety of the roadways. He requested *Board consensus to plan a transportation event to highlight transportation priorities and needs. Consensuses was given.*

Public Comment: Judy Spiegel, Doris Taylor, and Ed Slavin provided public comment.

COUNTY ADMINISTRATOR'S REPORT

No report.

COUNTY ATTORNEY'S REPORT

No report.

With there being no further business to come before the Board, the meeting adjourned at 11:32 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 608452-608646, totaling \$2,938,941.49 and Voucher Register, Voucher Nos. 70106-70181, totaling \$852,819 (01/17/23)
2. St. Johns County Board of County Commissioners Check Register, Check No. 608647, totaling \$1,350 (1/17/23)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 608648-608717, totaling \$38,011.14 and Voucher Register, Voucher Nos. 70182-70392, totaling \$151,990.55 (1/18/2023)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 608718-608908, totaling \$2,041,604.68 and Voucher Register, Voucher Nos. 70393-70470, totaling \$4,882,177.58 (1/23/2023)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 608909-608922, totaling \$65,722.12 and Voucher Register, Voucher No. 70471, totaling \$455.11 (1/26/2023)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 70472-70473, totaling \$8,079.61 (1/26/2023)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 608923-608939, totaling \$377,481.84 (1/30/2023)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 608940-609119, totaling \$2,563,789.63 and Voucher Register, Voucher Nos. 70474-70552, totaling \$4,262,773.72 (1/30/2023)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 609120-609121, totaling \$50,200 (1/31/2023)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 609122-609299, totaling \$3,068,988.53 and Voucher Register, Voucher Nos. 70553-70621, totaling \$625,440.40 (2/06/2023)

CORRESPONDENCE:

There was none.

Approved February 21, 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

