



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 21, 2023 - 9:00 am

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
Roy Alaimo, District 3
Krista Joseph, District 4
Henry Dean, District 5

Staff 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
Christine Valliere, Senior Assistant County Attorney
Artricia K. Allen, Deputy Clerk

ROLL CALL

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

INVOCATION

Pastor Matt McCloghry, Colonial Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Angela McKenzie, United States Coast Guard Retired, led the Pledge of Allegiance.

PROCLAMATION RECOGNIZING THE 125TH ANNIVERSARY OF THE MARIA JEFFERSON CHAPTER OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Arnold presented the proclamation to Lynne Cason, representative from Maria Jefferson Chapter, who spoke on the importance of the National Society of the Daughters of the American Revolution. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

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

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

PUBLIC SAFETY UPDATE

Scott Beaver, Director, St. Johns County Sheriff's Office, thanked the Board of County Commissioners and County staff for their continued support of public safety, and spoke about the Sheriff's budget.

Scott Bullard, Interim St. Johns County Fire Rescue Chief, presented an overview on the newly implemented Pre-Plan in Minutes program.

CLERK OF COURT'S REPORT

No report.

DELETIONS TO THE CONSENT AGENDA

There were no deletions to the Consent Agenda.

Public Comment: Kevin Kramer, BTI Partners, provided public comment.

Whitehurst asked Greg Caldwell to provide details on Consent Agenda Items 3 and 10. Greg Caldwell, Director of Public Works, provided additional information on the projects and construction.

APPROVAL OF CONSENT AGENDA

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

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2023-55**, approving the final plat for Ravenswood Village
3. Motion to approve the Assignment of the Greenbriar Helow Development Agreement (HBIS)

4. Motion to adopt **Resolution No. 2023-56**, approving the terms of, and authorizing the county administrator, or designee, to execute, a Lease Agreement with Victoria Crossing Apartments, LP, on behalf of St. Johns County
5. Motion to adopt **Resolution No. 2023-57**, declaring certain County-owned property as surplus, and authorizing the sale of the property to an adjoining property owner, pursuant to provisions set forth in Section 125.35(2), Florida Statutes, and authorizing the chair to execute a County Deed upon sale of the property
6. Motion to adopt **Resolution No. 2023-58**, accepting a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty associated with the force main extension along State Road 207
7. Motion to adopt **Resolution No. 2023-59**, accepting an Easement for Utilities, Final Release of Lien, Warranty, Bill of Sale, and Schedule of Values associated with the water, sewer, pump station, sewer force mains, and reuse systems to serve Courtney Oaks and Courtney Chase - Silverleaf Parcels 7A-7B, located off St. Johns Parkway
8. Motion to adopt **Resolution No. 2023-60**, approving the term, conditions, provisions, and requirements of the state-funded Grant Agreement with the Florida Department of Transportation to receive \$8,000,000 for construction and construction engineering inspection for County Road 2209; and authorizing the chair to execute the agreement, on behalf of the County, and amending the Fiscal Year (FY) 2023 budget to recognize and appropriate grant revenue in an amount not to exceed \$8,000,000, within the Fiscal Year 2023 Transportation Trust Fund Budget (State Grant 1114-55305)
9. Motion to adopt **Resolution No. 2023-61**, authorizing the county administrator, or designee, to award Bid No. 23-26, Sheriff's Fleet Services and Supply Facility, to DiMare Construction 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 specified in Bid No. 23-26, for a lump sum amount of \$6,044,000
10. Motion to adopt **Resolution No. 2023-62**, authorizing the county administrator, or designee, to award Bid No. 23-35, Longleaf Pine Parkway Widening, to Baker Constructors, Inc., as the lowest, responsive, responsible bidder; to execute a contract in substantially the same form and format as attached, which only authorizes the completion of Phase I, until such time as the County receives payments from Developer Agreement Nos. 2022-01 and 2022-02, in amounts sufficient to proceed with Phases II and III, for a total lump sum amount of \$14,899,000; and to recognize and appropriate unanticipated revenue of \$19,270,890 in proportionate fair share funds and prepaid impact fees
11. Motion to adopt **Resolution No. 2023-63**, authorizing the county administrator, or his designee, to award Bid No. 23-31, St. Johns County Combined Fire Station 11 and Sheriff's Office Southwest Operations (Base Bid, Alternate No. 1, and Alternate No. 2), to DiMare Construction Co., as the lowest, responsive, responsible local bidder, and to execute a contract in substantially the same form and format as attached hereto, for completion of the project, as provided in Bid No. 23-31, for a lump sum cost of \$7,456,000

12. Motion to adopt **Resolution No. 2023-64**, authorizing the county administrator, or his designee, to piggyback the State of Florida Department of Transportation Contract No. CAJ69 to award Misc. No. 23-113, Inspection of Traffic Signal Mast Arms (TSMA) and High Mast Light Poles (HMLP), with Kisinger Campo & Associates, Corp., through and until July 13, 2023
13. Motion to declare the attachments as surplus and authorize the county administrator, or his designee, to dispose of same in accordance with Purchasing Policy 18.1 and Florida Statute 274
14. Motion to adopt **Resolution No. 2023-65**, recognizing and appropriating \$100,000 in unanticipated State Housing Initiatives Partnership disaster funds from the Florida Housing Finance Corporation within the Fiscal Year 2023 Budget, and authorizing the county administrator, or designee, upon a finding of legal sufficiency by the office of the county attorney, to execute all documents necessary for the acceptance and use of the funds
15. Motion to adopt **Resolution No. 2023-66**, recognizing and appropriating unanticipated revenue in the General Fund Recreation Facilities Maintenance Department in the amount of \$35,000
16. Motion to adopt **Resolution No. 2023-67**, approving four applications for Major Impact Special Events to take place on April 9, 2023, at Vilano Beach, Surfside Park, Mickler's, and Crescent Beach for sunrise Easter Services
17. Motion to adopt **Resolution No. 2023-68**, approving the template Utility Transmission Capacity Reservation Agreement and Reclaimed Water Unit Connection Fee Refund Agreement for the Outlet Mall Boulevard reclaimed water main project in the forms attached thereto; and authorizing the county administrator, or designee, to execute individual agreements, on behalf of the County, in substantially the same form and format as attached; and instructing the clerk to file executed Utility Transmission Capacity Reservation Agreements in the public records
18. Motion to adopt **Resolution No. 2023-69**, approving the terms, provisions, conditions, and requirements of a Sewer Unit Connection Refund Agreement between St. Johns County, Florida, and Richmond American Homes, 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
19. Motion to adopt **Resolution No. 2023-70**, approving the terms, provisions, conditions, and requirements of Amendment 1 to State Revolving Fund Loan Agreement DW550130; and authorizing the chair to execute the amendment, on behalf of St. Johns County
20. Motion to adopt **Resolution No. 2023-71**, approving the terms of, and authorizing the county administrator, or designee, to execute, a Memorandum of Understanding between St. Johns County and S.A.F.E. Pet Rescue, Inc.

21. Motion to adopt **Resolution No. 2023-72**, approving the terms, conditions, provisions, and requirements of an agreement for Fire Rescue and Emergency Services with PGA Tour, Inc.; and authorizing the county administrator, or designee, to execute the agreement on behalf of St. Johns County
22. Motion to approve minutes: 02/07/2023, BCC Regular

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were no changes to the Regular Agenda.

APPROVAL OF REGULAR AGENDA

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

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

PUBLIC COMMENT TIME CERTAIN

Trey Asner, Greg Neal, Yashwant Deo (Exhibit A), Brian Vogelsang, Sam Price, Judy Spiegel, Dr. George Spiegel, Kyle Haynes (Exhibit B), Peter Schmidt, Elizabeth Potter (Exhibit C), Ed Slavin, Dale Brassfield, Edward Pike, B.J. Kalaidi, James Hensley (Exhibit D), Charles Lotocki, Nadine Hughey, Richard Norwood (Exhibit E), Carol Holtz, and Doris Taylor (Exhibit F) provided public comment.

Joseph questioned when the Hamstra report would be received. Lex Taylor responded that the report was expected to be presented at the Board of County Commissioners' meeting on March 21, 2023.

Valliere left the meeting.

Discussion ensued on the options or requirements for raising the pond levels in Marsh Landing and if the Board was authorized to vote today on the project. Migut and Taylor explained the Board's options.

Whitehurst recessed the meeting at 11:58 a.m. and reconvened the meeting at 12:36 p.m. and moved to Regular Agenda Item 7.

1. Presentation of the St. Johns County Surplus and OPEB Investment Portfolios. The St. Johns County Board of County Commissioners Investment Policy, Section XVII Reporting, and OPEB Trust Investment Policy, Section XV, requires the Clerk, or designee, to prepare and submit a written report annually on all invested funds to the Board. Included in the report shall be a complete list of all invested funds, the name or type of security in which the funds are invested, the amount invested, the maturity date, earned income, the book value, the market value, and the yield on each investment. PFM Asset

Management, LLC, is the County's investment advisor and has prepared the annual reports for the quarter ended September 30, 2022.

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, introduced Richard Pengelly, CFA, CIMA,CTP, Manager Director of PFM Asset Management, and Khalid Yasin, CIMA, CHP, Director, who gave an overview of the performance of the County's investment funds last fiscal year.

Public Comment: Beth Breeding and Ed Slavin provided public comment.

Discussion ensued on who evaluated the holdings, when PFM's contract would be rebid, and the possibility of freeing up discretionary funds for capital and/or roadway improvements.

Jessie Dunn, Director of the Office of Management and Budget, offered an explanation on how and when the invested funds could be spent.

Discussion continued on the upcoming transportation forum, who created the investment policy, reviewing and changing the policy, and the flexibility of the invested funds. Patty reviewed the three primary factors of the policy that are weighed, per Florida statute: 1) the security of the dollars, 2) that the funds are sufficiency liquid, and 3) the performance of the investments; discussion ensued on the rates of return, and the financial stability of St. Johns County.

David Migut, County Attorney entered the meeting.

Motion by Dean to accept the investment reports as presented by the Clerk of Court and Comptroller and the County's investment advisers, PFM Asset Management, LLC. The motion failed for lack of a second.

Alaimo consulted legal for guidance with the motion to include language that was suggested by Whitehurst to prohibit ESG consideration as part of the investment policy.

Motion by Whitehurst, seconded by Alaimo, carried 5/0, to accept the investment reports as presented by the Clerk of Court and Comptroller and the County's investment advisers, to direct the Clerk of the Court and Comptrollers and PFM Asset Management, LLC, to prohibit ESG consideration as part of the investment policies.

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

2. PFS MOD 2022-01, Amendment to Grand Oaks Concurrency and Impact Fee Agreement (Proportionate Fair Share Agreement - PFS AGREE 2018-03). Southeast Development Partners, LLC (Applicant) has proposed an Amendment to the Concurrency and Impact Fee Credit Agreement (PFS AGREE 2018-03) for the Grand Oaks Planned Unit Development (PUD) to revise the required transportation mitigation and road impact fee credit amount (Amendment). The Grand Oaks Comprehensive Plan Amendment (COMPAMD 2016-08), PUD (PUD 2017-02), and Proportionate Fair Share Agreement (PFS AGREE 2018-03) were approved by the Board of County Commissioners on July 17,

2018, for the development of 999 single family units (maximum 674 non-age restricted and 325 age-restricted), 100,000 sq. ft. of commercial space and 50,000 sq. ft. of office space. PFS AGREE 2018-03, included the requirement to construct the 4-lane widening of State Road 16 from San Giacomo to the eastern (main) entrance to the Grand Oaks development, approximately 3.1 miles. The estimated cost of the widening was approximately \$15,000,000. The required proportionate share was calculated to be \$10,132,643. The applicant proposed in the companion comprehensive plan amendment (COMPAMD 2016-08) to contribute an additional \$4,867,357 as a public benefit with no impact fee credit for a total of \$15,000,000 for transportation mitigation. Payments for each plat were required until the widening of State Road 16 was designed (no more than 442 lots can be platted) and construction commenced (no more than 580 lots can be platted). Plats have been approved for 442 lots and mitigation totaling \$5,040,000 has been paid and is being held in escrow. The Applicant is requesting to amend PFS AGREE 2018-03, to remove the requirement to construct the widening of State Road 16 and instead pay the remaining transportation mitigation to the County. The total transportation contribution of \$15,000,000 is being revised to include pre-construction costs/pond acquisitions of \$2,100,000; therefore, the total funds to be paid would be \$12,900,000. The Applicant is also requesting that the road impact fee credit amount be increased from \$10,132,643 to \$15,000,000. The Applicant is further requesting that the platting triggers associated with the design and commencement of construction of the widening of State Road 16 be deleted.

Valliere stated that the applicant had requested to continue the item. Vinette Godelia, Attorney, Stearns Weaver Miller, requested a continuance of the item. Discussion ensued on the request to continue.

Motion by Arnold, seconded by Joseph, carried 5/0, to deny the continuance.

Yea: Arnold, Whitehurst, Dean, Alaimo, Joseph

Nay: None

Mike Roberson, Director of Growth Management, presented the details of the request, via PowerPoint.

Vinette Godelia, Attorney, Stearns Weaver Miller, gave an overview of the requested amendment, via PowerPoint.

Hunter S. Conrad, County Administrator entered the meeting.

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

Discussion ensued on the road construction, and the road deficiencies.

Motion by Arnold, seconded by Joseph, carried 5/0, to deny PFS MOD 2022-01, Amendment to Concurrency and Impact Fee Credit Agreement for the Grand Oaks PUD finding that the amendment was not consistent with the purpose and intent of the original Agreement and Article XI of the Land Development Code, as amended.

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

Motion by Arnold, seconded by Alaimo, carried 5/0, to find Developer, Southeast Development Partners, LLC, in default of the commitments and obligations set forth in the Grand Oaks Concurrency and Impact Fee Agreement (Proportionate Fair Share Agreement 2018-03) based on the following findings: 1.) the developers failed to honor its contractual commitments to widen approximately 3.1 miles of State Road 16 and phase its subdivision to coincide with the commencement of the road widening construction; 2) these contractual commitments are material to the Agreement and material to the Board's prior decisions to approve the developer's comprehensive plan amendment and Planned Unit Development rezoning applications to accommodate the subdivision; pursuant to Section 11 of the Agreement, the developer is declared in default and the \$5,040,000 in per unit payments escrowed with the County are now non-refundable and shall be transferred to the Florida Department of Transportation to fund the design of a project to four-lane a segment of State Road 16; the County Administrator is directed to execute documents necessary to transfer the funds to Florida Department of Transportation so that design may commence as of July 1, 2023.

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

3. Public Hearing - MAJMOD 2022-06, ICI Middlebourne PUD. Request for a Major Modification to the ICI Middlebourne PUD (Ord. 2018-29, as amended) to (i) add one land use, a Car Wash Facility, to the permitted uses within the PUD solely for the Gate Property; and (ii) add landscaping requirements and a related waiver for commercial and office parcels within the PUD property. The subject property is on an unaddressed parcel located on the north side of Longleaf Pine Parkway, approximately 650 feet south of Veterans Parkway. This item was recommended for approval by the Planning and Zoning Agency at their regularly scheduled public hearing on 10/06/2022, with a vote of 4 to 1. The Agency discussed the wetlands, trees on site, and the reduced buffer. This item was heard at the 11/01/2022, Board of County Commissioner meeting where a denial vote failed; the item was continued to a date uncertain until a 5-member Board was seated. The Board discussed the existing wetlands, proximity to the residential neighborhood, noise, and landscaping.

Board Members disclosed ex parte communications.

Ellen Avery-Smith, Esq, Rogers Towers, PA., presented the details of the request, via PowerPoint.

Taylor left the meeting.

Discussion ensued on the noise, road traffic from the high school, onsite wetlands, and buffering.

Public Comment: Chuck Labanowski (Exhibit A), Ed Slavin, and B.J. Kalaidi provided public comment.

Discussion ensued on the wetland impacts, increased/enhanced landscaping.

Taylor entered the meeting.

Motion by Alaimo, seconded by Dean, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2023-06, approving MAJMOD 2022-06, ICI Middlebourne PUD, based upon six findings of fact, as provided in the staff report.

Yea: Whitehurst, Arnold, Dean, Alaimo

Nay: Joseph

4. Public Hearing - NZVAR 2022-17, Century Acres. NZVAR 2022-17, Century Acres, Request for a Non-Zoning Variance to Section 6.02.01.B.3 of the Land Development Code to allow for a newly created lot to take access from an existing easement within a platted subdivision and to Section 5.01.01.C for relief from platting requirements for the newly created lot, specifically located at 1665 Century Acres Lane.

Board Members disclosed ex parte communications.

Hawley Smith, III, representing the applicant, presented the details of the request, via PowerPoint. Discussion ensued on the neighborhood notification of the Community Bill of Rights.

Public Comment: There was none.

Motion by Whitehurst, seconded by Arnold, carried 5/0, to approve NZVAR 2022-17, Century Acres request for a Non-Zoning Variance to Section 6.02.01.B.3 of the Land Development Code to allow for a newly created lot to take access from an existing easement within a platted subdivision and to Section 5.01.01.C for relief from platting requirements for the newly created lot, specifically located at 1631 Century Acres Lane, based on six findings of fact, and five conditions, as provided in the staff report.

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

5. Public Hearing - REZ 2022-23, Little Catrell. Request to rezone approximately 4.3 acres of land from Commercial, Intensive (CI), with three conditions (ORD 2018-32), to Commercial, Intensive (CI), with one condition.

There was no ex parte communication.

Jazmine Valdivia, applicant, presented the details of the request, via PowerPoint.

Public Comment: There was none.

Motion by Alaimo, seconded by Joseph, carried 5/0, to enact Ordinance No. 2023-7, approving REZ 2022-23, Little Catrell, based on four findings of fact, as provided in the staff report.

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

6. Public Hearing - REZ 2022-27, 3766 Old Lewis Speedway. Request to rezone approximately 0.4 acres of land from Industrial Warehouse (IW) and Residential, Single-Family (RS-3) to Residential, Single-Family (RS-3) to allow for a single-family residence.

There was no ex parte communication.

Matt Schonder, applicant, presented the details of the request. A brief discussion occurred regarding the location of the planned egress.

Public Comment: There was none.

Motion by Dean, seconded by Arnold, carried 5/0, to enact Ordinance No. 2023-8, approving REZ 2022-27, 3766 Old Lewis Speedway, based on four findings of fact, as provided in the staff report.

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

The Board moved to time certain public comment.

7. Public Hearing - Amendment to the Comprehensive Plan, Land Use Element A.1.11.1(m), reducing the percentage of minimum required dedicated workforce housing units from 40 percent to 30 percent. This is the transmittal hearing. This Comprehensive Plan amendment is a companion to an LDC amendment initiated by the Board at its regular meeting on October 18, 2022, and scheduled for the first hearing at the February 21, 2023, Board of County Commissioner meeting. This Comprehensive Plan amendment changes two references in Policy A.1.11.1(m) to the numeric percentage of minimum required dedicated workforce housing units in the Workforce Housing Zoning designation and is required to maintain consistency between land code regulations. This CPA transmittal was heard by the Planning and Zoning Agency on February 2, 2023, and was recommended for approval with a vote of 6-0. Included in the motion was a recommendation of the proposed changes to the LDC Section 5.11.00 presented by Northeast Florida Builders Association.

Regular Agenda Items 7 and 8 were presented together.

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

Allen left the meeting and Sandra Hutto, Deputy Clerk, entered.

Public Comment: Austin Nicklas, Northeast Builder Association Director of Government Affairs (Exhibit A); Bob Porter; Lieutenant Nicole Burrell, St. Johns County Sheriff's Office; Beth Tate, Chair of the St. Johns County Chamber of Commerce Public Policy Committee and Chair of the

Chamber's Essential Worker Housing Coalition (Exhibit B); Michael Ryan; Ed Slavin; Beth Breeding; Joe McAnarney; Chuck Labanowski; Doris Taylor; and B.J. Kalaidi provided public comment.

Joseph questioned the proposal regarding rentals and who would own them. Porter responded that either an investor or company could own the homes. Discussion ensued on the rental process and having the homes below Area Median Income (AMI).

Dean requested to include the red line amendment changes provided by NEFBA in the motion. He also spoke on the affordability of workforce housing, finding a middle ground, and his support of the proposal with the new figures. Discussion ensued on the AMI with the current market.

Arnold and Alaimo expressed their positions on affordable and workforce housing.

Whitehurst questioned when workforce housing units would be available for purchase, increasing units, and reducing the residential workforce housing units from 40 percent to 30 percent. Porter responded on the time frame of the availability, the process of the project, and the selling of homes.

Alaimo questioned Legal on whether he had a voting conflict of interest. Migut responded that he was eligible to vote.

Motion by Dean, seconded by Alaimo, carried 4/1, with Joseph dissenting, to approve transmittal of COMPAMD 2022-07, to revise Policy A.1.11.1(m) for the Workforce Housing Zoning District, subject to three findings of fact, as provided in the staff report.

Yea: Dean, Alaimo, Arnold, Whitehurst

Nay: Joseph

8. Public Hearing - Amendment to Land Development Code (LDC) Article V, Section 5.11.00 - Workforce Housing Zoning Designation. The proposed amendment to the Workforce Housing element of Land Development Code, Section 5.11.00 increases the Maximum Initial Sales Price to \$260,000 and decreases the minimum percentage of overall units to 30%. The Board of County Commissioners directed Growth Management to draft the amendment on October 18, 2022. The Planning and Zoning Agency recommended approval of the amendment with a 4-2 vote at its December 1, 2022, meeting

Discussion occurred with Regular Agenda Item 7.

Motion by Dean, seconded by Alaimo, carried 3/2, with Joseph and Whitehurst dissenting, to accept amendments to the Land Development Code Section 5.11.00, as presented, and pursue the companion Comprehensive Plan revision to change the minimum required percentage of workforce housing units to 30 percent; and to direct staff to incorporate the red line changes from NEFBA into the proposed amendment for second reading.

Yea: Dean, Alaimo, Arnold

Nay: Whitehurst, Joseph

Valliere left the meeting.

9. Update on Federal Emergency Management Agency (FEMA) Category B Emergency Beach Berm for Hurricanes Ian and Nicole. Hurricanes Ian and Nicole inflicted severe impacts on Florida, resulting in a presidential declaration for federal assistance. FEMA's Public Assistance program is a Federal grant to aid State and Local governments in returning a disaster area to pre-disaster conditions. The grant is provided to primarily address the repair and restoration of public facilities and infrastructure damaged or destroyed, or the restoration of services that were negatively impacted. This update is focused on FEMA's Category B Emergency Beach Berms. Specifically, eligible locations and volumes, resident easements, project cost, project funding, and project execution

Joseph Giammanco, PhD, Director, Emergency Management, presented the details of the project, via PowerPoint.

Dean spoke on two concerns regarding opening the vote to all condominium homeowners and having perpetual easements for only FEMA emergency projects. Giammanco responded on the number of votes and referenced a chart, as well as a photo of the dredging process (Exhibit A). *Dean requested Board consensus to include every resident in the voting process and to move forward with the time certain easements. Consensus was given.*

Joseph spoke on beach renourishment regarding access to the beach and the impact to homeowners. Giammanco responded on the beach access process. Discussion ensued on the renourishment of the beach regarding beach access, how the sand would be transported or renourished, and on permitting.

Public Comment: Sam Price, Georgann Ellis, Ed Slavin, and Vivian Browning provided public comment.

Giammanco spoke on the collection of easements from homeowners and the renourishment process for unsigned easements.

Whitehurst questioned what outreach had been completed regarding the obtaining easements, why the numbers were low for the Vilano area, and if the deadline for obtaining easements could be extended. Giammanco responded on how the process of sending the information out to residents was handled and the importance of having the documents back in a timely manner. Discussion ensued on capturing the required signatures for the easements and extending the deadline for an additional week. *Whitehurst requested Board consensus from the Board to allow an additional week to obtain the required signatures needed. Consensus was given.*

Motion by Dean, seconded by Joseph, carried 5/0, to adopt Resolution No. 2023-73, authorizing the county administrator, or designee, to procure, negotiate, and execute a contract with Professional Engineering Firm, to design, permit and perform monitoring services for the FEMA Cat B Emergency Berm project, for an amount not to exceed \$500,000; and motion to authorize the transfer of up to \$500,000 from General Fund Reserves.

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

Motion by Dean, seconded by Joseph, carried 5/0, to authorize the county administrator, or designee, to assemble a financing team to prepare necessary financing documents for the design, monitoring, and construction of a FEMA Category B berms relating to Hurricanes Ian and Nicole damages.

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

10. Fiscal Year 2024 Board of County Commissioners Budget Calendar and Initial Budget Guidelines. This agenda item provides initial budget guidelines for the upcoming Fiscal Year 2024 County budget process

Jesse Dunn, Director, Office of Management and Budget, presented the Fiscal Year 2024 budget process, via PowerPoint.

Joseph questioned the tax roll and how a specific property was assessed. Dunn responded on how the tax roll process worked and deferred to the property appraiser's office on the second question.

Public Comment: Ed Slavin and Chuck Labanowski provided public comment.

Kealy West, Senior Assistant County Attorney, entered the meeting.

11. Consider appointments to the Health and Human Services Advisory Council (HHSAC). The Health and Human Services Advisory Council's purpose is to evaluate human services programs in the community to ensure that the needs of the residents of St. Johns County are met. Currently, there are two vacancies due to expired terms. A vacancy ad was placed and ran for 60 days. Please find attached for your review and consideration, a letter of recommendation from HHSAC and 17 applications: Dirk Lobenbruck, Dist. 1; Kevin Kennedy, Dist. 1; Brian Clark, Dist. 1; Mary Kelly, Dist. 1; Leslie Barstow, Dist. 2; Marcus Williams, Dist. 2; Kayla Collins, Dist. 3; Susan Brown, Dist. 4; Wendy Dittman, Dist. 4; Steve Schoenly, Dist. 4; Linda Shaub, Dist. 4; Cara Seifart, Dist. 4; Lucellie Wells-Johnson, Dist. 5; Jorge Bertran, Dist. 5; Nicole Patalano-Bice, Dist. 5; Brittany Coronado, Dist. 5; and Shannon Nazworth, Dist. 5

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

Public Comment: There was none.

Motion by Arnold, seconded by Joseph, carried 5/0, to re-appoint Shannon Nazworth as an At-Large Member to the Health and Human Services Advisory Council for a second full four-year term, scheduled to expire on February 21, 2027.

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

Motion by Arnold, seconded by Joseph, carried 5/0, to appoint Leslie Barstow to the Health and Human Services Advisory Council for a first full four-year term, scheduled to expire on February 21, 2027.

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

12. Consider an appointment to the Tourist Development Council. There is currently one vacancy on the Tourist Development Council (TDC) due to the resignation of Kathy Fleming, who served as a non-accommodation member. Based on the TDC membership requirements laid out in Florida Statute 125.0104, the vacant seat may be held by either an accommodations representative or a non-accommodations representative. Please see attached for your review and consideration, a recommendation from the TDC and 14 applications: Brian Clark, Dist. 1; Sarina Wiechens, Dist. 1; Marty McEachean, Dist. 1; Mary Kelly, Dist. 1; Irving Kass, Dist. 2; Holly Donohoe, Dist. 3; Jeanetta Cebollero, Dist. 3; Natalia Plyam, Dist. 4; Constance Fontaine, Dist. 5; Dr. Arthur Field, Dist. 5; Nicholas Primrose, Dist. 5; Kevin Geddings, Dist. 5; Jan Marle Chesterton, Dist. 5; and Benjamin Brandao, Dist. 5

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

Public Comment: There was none.

Motion by Alaimo, seconded by Dean, carried 5/0, to appoint Irving Kass to the Tourist Development Council for a partial term, scheduled to expire August 3, 2025.

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

13. Consider an appointment to the Housing Finance Authority. Currently, there is one vacancy on the Housing Finance Authority due to the resignation of Andrew Evener. The vacancy ad was placed and ran for 60 days. Please find attached for your review and consideration a letter of recommendation from the Housing Finance Authority and four applications: Kevin Kennedy, Dist. 1; Brian Clark, Dist. 1; Jeff Mason, Dist. 4; and Amber Reeder, Dist. 4

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

Public Comment: There was none.

Motion by Joseph, seconded by Alaimo, carried 5/0, to appoint Brian Clark to the Housing Finance Authority for a partial term, scheduled to expire February 16, 2025.

Yea: Arnold, Joseph, Alaimo, Dean, Whitehurst

Nay: None

14. Consider appointments to the Affordable Housing Advisory Committee (AHAC). Currently, there are two vacancies on the Affordable Housing Advisory Committee (AHAC). One vacancy is due to the resignation of Gregory Burke and the second vacancy is due to the expired term of Tracy Hayes. A vacancy ad was placed and ran for four months. Please find attached for your review and consideration, a letter of recommendation letter and eight applications: Kevin Kennedy, Dist. 1; Brian Clark, Dist. 1; Gregory Burke, Dist. 2; Constance Fontaine, Dist. 5; Amber Reeder, Dist. 5; Brittany Coronado, Dist. 5; Orville Dothage, Dist. 5; and Maryanne Kolisnyk, Dist. 5

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

Alaimo clarified that Gregory Burke, who was originally on the board and resigned due to a conflict, would be eligible to reapply. Spencer responded he was eligible to reapply.

Public Comment: Joe McAnarney provided public comment.

Motion by Alaimo, seconded by Arnold, carried 5/0, to appoint Gregory Burke to the Affordable Housing Advisory Committee for a partial term, scheduled to expire December 17, 2023.

Yea: Arnold, Joseph, Alaimo, Dean, Whitehurst

Nay: None

Motion by Alaimo, seconded by Arnold, carried 5/0, to appoint Orville Dothage to the Affordable Housing Advisory Committee for a four-year term, scheduled to expire February 21, 2027.

Yea: Arnold, Joseph, Alaimo, Dean, Whitehurst

Nay: None

West left the meeting.

15. Public Hearing - Second Reading – Land Development Code (LDC) Amendments - Veterinary Office, Animal Hospital in Office, and Professional Services Use category. In response to a citizen inquiry, on September 20, 2022, the Board of County Commissioners directed staff to draft an amendment allowing Veterinary Offices in the Office and Professional Services Use category. The Planning and Zoning Agency recommended approval of this item by a 5-0 vote on December 15, 2022. This item was heard for the first reading at the regular Board of County Commissioners meeting on February 7, 2023. At that time the Board voted 5-0 in favor of the motion to hold the final hearing on the amendments at the regularly scheduled Board of County Commissioners meeting on February 21, 2023, and to include additional changes to LDC 6.08.04.C and 6.08.04.E,

increasing the distance between Non-enclosed Buildings and Confinement Yards and property zoned or used for residential purposes.

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

Public Comment: There was none.

Motion by Dean, seconded by Joseph, carried 5/0, to enact Ordinance No. 2023-9, approving the proposed amendments to the Land Development Code allowing Veterinary Office, Animal Hospital in the Office, and Professional Services Use category.

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

PUBLIC COMMENT

Joe McAnarney, Nicole Crosby, and Doris Taylor (Exhibit A) provided public comment.

Joseph commented on Taylor's public comment and suggested that the chair look at the financial plan highlights and have them updated.

COMMISSIONERS' REPORTS

Commissioner Joseph

Joseph spoke on the intersection of Pine Island Road and US 1 regarding traffic impacts. Greg Caldwell, Public Works Director, responded with background information, improvements that could be done in the area, and the process of acquiring funds, via PowerPoint. Joseph also reported on citizens that make a difference. She recognized two high school students from St. Johns County that won first place in the 2022 Congressional App Challenge.

Commissioner Arnold

Arnold spoke on working with Parks and Recreation staff and the West Augustine Community Development Agency (CRA) to provide programming for the both the underserved residents in that area and to increase the West Augustine community's utilization of the Solomon Calhoun Community Center by offering a reduced summer camp registration fee program.

Public Comment: There was none.

Motion by Arnold, seconded by Dean, carried 5/0, to suspend the BCC Rule 4.304 regarding a request for funding limitation.

Yea: Arnold, Dean, Joseph, Whitehurst, Alaimo

Nay: None

Motion by Arnold, seconded by Dean, carried 5/0, to direct staff to hold back 100 spots for the West Augustine CRA community students at a reduced summer registration fee of \$50.

Yea: Arnold, Dean, Whitehurst, Joseph, Alaimo

Nay: None

Motion Arnold, seconded by Joseph, carried 5/0, to reinstate the BCC Rule 4.304 regarding a request for funding limitation.

Yea: Arnold, Joseph, Whitehurst, Dean, Alaimo

Nay: None

Commissioner Dean

Dean spoke on the St. Johns County Comprehensive Plan amendment process and requested to have a comprehensive briefing from staff on the process of updating the comprehensive plan. Mike Roberson, Director of Growth Management, responded regarding the Comprehensive Plan Amendment process. Discussion ensued on the process, the timeline, and possible policy changes. Whitehurst requested staff to prepare an agenda item for discussion for the next meeting. Conrad responded there would be an agenda item within the next 30 days.

Commissioner Alaimo

Alaimo updated the public on his residency within District 3. He also spoke on the possibility of establishing a floating structure ordinance regarding the selling of products from the structure.

Commissioner Whitehurst

*Whitehurst requested Board consensus for a proclamation regarding Childhood Cancer Awareness week to be sent to the National Cancer Society. **Consensus was given.*** He spoke on the Transformation Summit meeting that would be held on March 3, 2023, at 9:00 a.m. in the BCC auditorium. He also spoke on the Bartram Trail, Ponte Vedra and Creekside High School girls' soccer teams.

COUNTY ADMINISTRATOR'S REPORT

No report.

COUNTY ATTORNEY'S REPORT

Migut questioned the floating structure concern regarding if legal needed to provide any information. Alaimo responded he wanted to collect information regarding a floating structure ordinance. Migut also questioned the Transportation Summit meeting regarding advertising and provided legal advice on communicating with other board members regarding the meeting. Discussion ensued on the floating structure concerns with a request to staff to prepare an ordinance for discussion.

Whitehurst recessed the meeting at 3:39 p.m. and reconvened it at 5:01 p.m. and moved to Regular Agenda Item 15.

With there being no further business to come before the Board, the meeting adjourned at 5:03 p.m.

REPORTS:

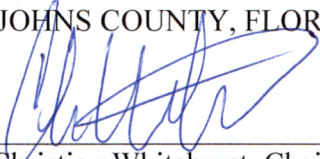
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 609300-609326, totaling \$48,886.63 and Voucher Register, Voucher Nos. 70622-70652, totaling \$34,919.12 (2/08/2023)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 609327-609332, totaling \$5,145 and Voucher Register, Voucher Nos. 70653-70657, totaling \$8,600 (2/08/2023)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 609333-609337, totaling \$2,133.57 and Voucher Register, Voucher No. 70658, totaling \$455.11 (2/09/2023)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 70659-70660, totaling \$8,811.31 (2/09/2023)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 609338-609521, totaling \$3,396,299.69 and Voucher Register, Voucher Nos. 70661-70758, totaling \$3,664,193.21 (2/13/2023)
6. St. Johns County Board of County Commissioners Check Register, Check No. 609522, totaling \$60 (2/13/2023)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 609523-609672, totaling \$3,694,562.58 and Voucher Register, Voucher Nos. 70759-70842, totaling \$3,986,027.03 (2/20/2023)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 609673-609737, totaling \$37,396.15 and Voucher Register, Voucher Nos. 70843-71056, totaling \$155,741.96 (2/22/2023)

CORRESPONDENCE:

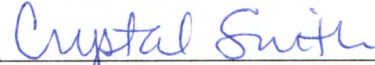
1. Letter dated February 1, 2023, regarding the 2022 St. Johns County Community Redevelopment Agency Annual Report.

Approved March 7th, 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

