



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
April 4, 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: 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  
Sandra Hutto, Deputy Clerk

**ROLL CALL**

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

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

John Leslie, Commander, United States Navy, Retired, led the Pledge of Allegiance.

**CERTIFICATE OF RECOGNITION FOR JOHN PATTON, CELEBRATING HIS 100TH BIRTHDAY**

Whitehurst presented a certificate of recognition to John Patton for his 100th birthday. Patton expressed his appreciation.

**PROCLAMATION RECOGNIZING CHILD ABUSE PREVENTION MONTH**

Alaimo presented the proclamation to Christy Gillis, representative from Child and Family Well-Being, who spoke on the importance of child abuse. Shelby Romero, Assistant to the Board of County Commissioners, read the proclamation.

**PROCLAMATION RECOGNIZING SEXUAL ASSAULT AWARENESS MONTH**

Arnold presented the proclamation to Jackie Meredith, representative from Betty Griffin Center, who spoke on the importance of sexual assault. Shelby Romero, Assistant to the Board of County Commissioners, read the proclamation.

**PROCLAMATION RECOGNIZING NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK**

Joseph presented the proclamation to Scott Bullard, Interim St. Johns County Fire Rescue Chief, and Sheriff Robert Hardwick, St. Johns County Sheriff's Office, who spoke on the importance of public safety telecommunications. Shelby Romero, Assistant to the Board of County Commissioners, read the proclamation.

Whitehurst recognized Shane Lockwood, Florida Department of Health, for National Public Health Week.

**Motion by Dean, seconded by Joseph, carried 5/0, to accept the certificate and proclamations.**

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

**Nay: None**

**PUBLIC SAFETY UPDATE**

Sheriff Robert Hardwick, St. Johns County Sheriff's Office, reported on the recognition of telecommunications week, the increase of commercial property theft, and the increase of drug overdoses. He stated services were available to the public.

Scott Bullard, Interim Fire Rescue Chief, reported on the total calls, transports, and time in non-emergency activities, via PowerPoint.

**CLERK OF COURT'S REPORT**

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, reported on how the office worked with the judiciary and other agencies to protect children, via dependency court.

**DELETIONS TO THE CONSENT AGENDA**

There were none.

Public Comment: Beth Breeding provided public comment.

**APPROVAL OF CONSENT AGENDA**

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

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

**Nay: None**

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2023-102**, approving the final plat for Entrada, Phase 2, Unit 3C
3. Motion to adopt **Resolution No. 2023-103**, approving the final plat for Beacon Lake, Phase 4A
4. Motion to adopt **Resolution No. 2023-104**, approving the terms and conditions of Joint Participation Agreement, Financial Project 418441-1-84-23, for receiving a State of Florida Public Transit Block Grant for \$606,303, and to recognize the funds for the St. Johns County Transit Revenue and Expenditure budget for Fiscal Year 2023, and to authorize the county administrator, or his authorized designee, to execute any other documents or Supplemental Joint Participation Agreements, for the purpose of scope changes and/or funding adjustments and all other documents as may be required
5. Motion to adopt **Resolution No. 2023-105**, approving the transfer of \$48,143.93 in road impact fee credits from the Wingfield Glen Planned Unit Development (PUD) to the Broudy's Bartram Walk west (COMM 2022-20), within the Bartram Walk West PUD finding the request consistent with Florida Statute
6. Motion to adopt **Resolution No. 2023-106**, approving the terms, conditions, provisions, and requirements of the Construction Agreement between St. Johns County and Florida Department of Transportation, and authorizing the county administrator, or designee, to execute the agreement, on behalf of the County, in substantially the same form and format as attached hereto
7. Motion to adopt **Resolution No. 2023-107**, authorizing the county administrator, or designee, to award RFQ No. 23-22, design services for new permit center building to Passero Associates, LLC, as the top ranked firm, and to execute a contract in substantially in the same form and format as attached, for completion of the work, at a total price of \$928,875
8. Motion to adopt **Resolution No. 2023-108**, authorizing the county administrator, or his designee, to execute contracts in substantially the same form and format as attached, with the top ranked firms in each work category, as provided in the Notice of Intent to Award, to perform the work in accordance with RFQ No. 23-21, Utility Rehabilitation/Construction Services
9. Motion to adopt **Resolution No. 2023-109**, authorizing the county administrator, or his designee, to execute Change Order No. 01, to Master Contract No. 22-MCA-GHU-17262,

with G and H Underground Construction, Inc., under Bid No. 23-07, Community Development Block Grant-Disaster Recovery Project – South Holmes Boulevard Drainage Improvement Project - The Lakes, for an amount not to exceed \$336,330.22, to complete the project

10. Motion to adopt **Resolution No. 2023-110**, authorizing the county administrator, or his designee, to award Bid No. 23-36, Purchase of Reclaimed Watermain and Forcemain Pipe for County Road 2209, to Isco Industries, Inc., and to issue a purchase order, in an amount not to exceed \$621,234
11. Motion to declare the attachments as surplus and authorize the county administrator, or his designee, to dispose of same, in accordance with the Purchasing Policy 18.1 and Florida Statute 274
12. Motion to approve the Fiscal Year 2023 Capital Improvement Program re-appropriation and associated budget transfers, per the attached schedule
13. Motion to adopt **Resolution No. 2023-111**, approving and authorizing the county administrator, or designee, to submit a completed Adaptive Sport Grant Application, on behalf of St Johns County Parks and Recreation Department, for funding to expand Veteran's programming
14. Motion to adopt **Resolution No. 2023-112**, approving Amendment No. 31, to Contract No. NJ206, between St. Johns County and Florida Department of Children and Families, ratifying the county administrator's execution of the amendment, on behalf of the County, and recognizing and appropriating the additional \$133,040, within the County Fiscal Year 2023 Community Based Care Fund
15. Motion to approve minutes: 03/21/2023, 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 submitted.**

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

**Nay: None**

Christine Valliere, Senior Assistant County Attorney, entered the meeting.

1. Public Hearing - NZVAR 2022-09, McLaughlin Easement. Request for a Non-Zoning Variance to Section 6.02.01.B.3.a of the Land Development Code to allow for the use of an easement for access within a platted subdivision

There were no ex parte communications.

Ivan Lamos, applicant and owner, presented the details of the request, via PowerPoint.

Joseph questioned clearcutting and asked if a buffer would be kept along the easement. Lamos responded that a buffer would be kept and some of the trees cut in the 30-foot easement would be used for some of the buildout.

Public Comment: There was none.

**Motion by Alaimo, seconded by Dean, carried 5/0, to approve NZVAR 2022-09, McLaughlin Easement, request for a Non-Zoning Variance to Land Development Code to Section 6.02.01.B.3.a, to allow for the use of an easement for access within a platted subdivision, based on six findings and subject to five conditions, as listed in the staff report.**

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

**Nay: None**

2. Public Hearing - REZ 2022-26, Continental Truck Service Rezoning. Request to rezone approximately 6.1 acres of land from Commercial Highway and Tourist (CHT) to Commercial Intensive (CI). The property is located within the southwest quadrant of the State Road 206 and I-95 interchange

There were no ex parte communications.

Christina Evans, Matthews Design Group, presented the details of the request, via PowerPoint.

Dean provided background information of the area and the compatibility of the rezoning.

Public Comment: There was none.

**Motion by Alaimo, seconded by Dean, carried 5/0, to enact Ordinance No. 2023-12, approving REZ 2022-26, Continental Truck Service Rezoning, based on four findings of fact, as provided in the staff report.**

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

**Nay: None**

Valliere left the meeting.

3. Second Reading of Proposed Ordinance Establishing Procedures for Code Enforcement Lien Release or Reduction. At its March 7, 2023, regular meeting, the Board of County Commissioners heard the first reading of a proposed ordinance to establish procedures for the consideration of requests to reduce or forgive liens for code enforcement fines, penalties, and/or costs assessed against the violator. The attached proposed ordinance establishes application requirements, eligibility criteria, and process for review of the application and recommendation by the applicable code enforcement body, which is then considered by the Board for final disposition

Bradley Bulthuis, Senior Assistant County Attorney, provided the details of the proposed ordinance, via PowerPoint.

Public Comment: There was none.

**Motion by Dean, seconded by Arnold, carried 5/0, to enact Ordinance No. 2023-13, establishing procedures for the release or reduction of code enforcement liens.**

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

**Nay: None**

4. First Reading of an Ordinance Relating to Pedestrian and Vehicle Safety within Public Road and Rights-of-Way. A recent study identified the State of Florida as the second highest-ranked state in the country in pedestrian deaths, in both the total and as an average per person. Traffic crash data shows that St. Johns County has experienced a number of vehicle/pedestrian crashes, including crashes causing death. The risk of such incidents is increased by the unexpected presence of pedestrians near a motor vehicle or within the travel lanes, including within medians or when engaged in person-to-vehicle or vehicle-to-person interactions. The inherent danger of such situations is heightened for certain higher traffic volume and/or speed roadways, such as interstate/intrastate highways and arterials and collector roads, and their approaches. The State of Florida and the National Highway Traffic Safety Administration have both identified enhanced legislation, regulation, and enforcement as elements of a successful strategy for enhancing pedestrian safety. The attached proposed ordinance would prohibit dangerous use of certain designated public rights-of-way in a way that interferes with the safe and efficient movement of people and property. Prohibited uses include, specifically, physical interactions while a vehicle is in the travel lanes and stopping or remaining in a median longer than needed to safely cross, subject to certain exceptions. The ordinance would be enforced by the Sheriff after conducting a public education campaign for the first 30 days and issuing warnings, after which first violations would result in a civil citation and fine, and second and subsequent violations prosecuted in the same manner as misdemeanors

Bradley Bulthuis, Senior Assistant County Attorney, provided the details of the ordinance, via PowerPoint. He introduced Rodney Cooper, Traffic Engineer, and questioned him on the rights-of-way with respect to pedestrians and median safety. Cooper responded on median safety, aggressive driving, distracted driving, and refuge areas.

Dean questioned the Vigue verses Shoar case that Bulthuis referenced. Dean and Bulthuis noted that this was a District Court of opinion and was binding to St. Johns County.

Public Comment: B.J. Kalaidi and Judy Spiegel provided public comment.

Joseph questioned election campaigning. Bulthuis responded that it would not prohibit campaigning and provided further information on pedestrian activity.

Whitehurst asked Bulthuis if the decision from the appeals court was taken into consideration for the draft of the ordinance. Bulthuis responded yes.

## **PUBLIC COMMENT**

Greg Neal, Eric Almond, Tripp Richland, Amy Wallman (Exhibit A), B.J. Kalaidi (Exhibit B), John Noell, William Fellner, Sherry Badger (Exhibit C), Pat Doran, Kristen Richland, Charles McTiernan, Peter Karpen, Mr. Prevatt, Steve Loveland, Robert Reale, Mark Popovich, Deo Yashwant, Keith Kessler (Exhibit D), Richard Norwood (Exhibit E), and Tamara Haleem provided public comment.

Dean responded to Kalaidi's public comment on property cleanup. He stated that he would reach out to John Regan, City of St. Augustine's Manager, regarding the cleanup of 36 Grande Street. Discussion ensued on Mr. Prevatt's public comment regarding pedestrian safety on Anastasia Island.

Joseph voiced her concerns regarding the Marsh Landing community and suggested a meeting to obtain a progress update that would be presented before the Board for discussion. Dean responded that the draft version of the Hamstra report was received and was currently being reviewed by the County Attorney and County Administration. He stated that the Hamstra report would be added to the April 18, 2023, agenda. Discussion ensued on the timelines with acquiring information needed to present it to the Board for further discussion.

Whitehurst questioned legal on whether there was selective enforcement or a higher standard for the Marsh Landing community over other communities. Migut responded with how the code enforcement system worked. Whitehurst addressed the public's concerns regarding the Hamstra and Pegasus reports. Discussion ensued on addressing the inaccuracies of the Hamstra report, with additional comments provided by Lex Taylor.

Neal requested four weeks to prepare and provide rebuttal to the Board on the Hamstra report. Discussion ensued on hearing the Hamstra report in four weeks and on the publishing deadlines. *It was the consensus of the Board to hear the Hamstra report on May 16, 2023.*

Almond spoke on being turned into the Florida Board of Professional Engineers (FBPE). He advised the Board that his report went under review by the FBPE and was exonerated. He also read a couple of statements under conclusion, from the exoneration report.

## **COMMISSIONERS' REPORTS**

### Commissioner Alaimo

Alaimo stated he would schedule a meeting with the Marsh Landing Community residents.

### Commissioner Dean

Dean expressed holiday sentiments for Easter.

### Commissioner Joseph

Joseph reported on visiting the St. Johns County School District Academy of International Business and Marketing and the Future Academy of Teachers and asked for a social media advertisement campaign for littering. She asked the Board if the students could come and present their campaign at the April 18, 2023, meeting. *It was the consensus of the Board for a Litter Campaign to be presented on April 18<sup>th</sup> during Commissioner Reports.* Whitehurst questioned if this project would be affiliated with the other clean up groups. Joseph responded that the project would be considered an awareness campaign on littering in the community.

#### Commissioner Arnold

Arnold reported on the support of the West Augustine summer camp program.

#### Commissioner Whitehurst

Whitehurst expressed holiday sentiments for Easter. He reported on the aggressive acts from China and *requested Board consensus to direct staff to send a letter to the Legislature to support Senate Bill 264 and House Bill 1355 to combat purchasing land by the Chinese Government and the political parties affiliated to China. Consensus was given.* He also reported on being confronted by developers that the county had \$130 million in transportation funds (impact fees). He requested the Office of Management and Budget (OMB) to draft a white paper reviewing the allocation of funds and which road projects were appropriate. Jesse Dunn, Director of OMB, provided an overview of the white paper. Discussion ensued on incumbered funds, the infrastructure need, and capacity projects.

### **COUNTY ADMINISTRATOR'S REPORT**

Conrad reported on the status of cultural resources. He provided information regarding the merger of cultural resources and environmental inspections. Joseph questioned who currently held the position; Mike Roberson, Growth Management Director, responded that the position was held by Hali Barkley.

### **COUNTY ATTORNEY'S REPORT**

No report.

With there being no further business to come before the Board, the meeting adjourned at 11:55 a.m.

#### REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 610480, totaling \$4,455 (03/22/2023)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 610481-610547, totaling \$37,989.09 and Voucher Register, Voucher Nos. 71429-71639, totaling \$156,723.41 (03/22/2023)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 610548-610560, totaling \$65,005.46 and Voucher Register, Voucher No. 71640, totaling \$455.11 (03/23/2023)



3. St. Johns County Board of County Commissioners Check Register, Check Nos. 610548-610560, totaling \$65,005.46 and Voucher Register, Voucher No. 71640, totaling \$455.11 (03/23/2023)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 71641-71642, totaling \$8,292.98 (03/23/2023)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 610561-610709, totaling \$1,991,278.13 and Voucher Register, Voucher Nos. 71643-71721, totaling \$1,835,407.60 (03/27/2023)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 610710-610727, totaling \$507,621.53 (03/29/2023)
7. St. Johns County Board of County Commissioners Check Register, Check No. 610728, totaling \$300 (03/29/2023)
8. St. Johns County Board of County Commissioners Check Register, Check No. 610729, totaling \$834 (03/31/2023)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 610730-610995, totaling \$3,457,128.27 and Voucher Register, Voucher Nos. 71722-71826, totaling \$2,116,049.90 (04/03/2023)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 610996-611022, totaling \$37,356.18 and Voucher Register, Voucher Nos. 71827-71856, totaling \$38,036.39 (04/05/2023)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 611023-611028, totaling \$2,156.92 and Voucher Register, Voucher No. 71857, totaling \$455.11 (04/06/2023)
12. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 71858-71859, totaling \$8,160.90 (04/06/2023)

CORRESPONDENCE:

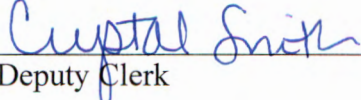
There was none.

Approved April 18th, 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

