



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
May 02, 2023 - 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  
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  
Christine Valliere, Senior Assistant County Attorney  
Lex Taylor, Deputy County Attorney  
Saundra Hutto, Deputy Clerk

**ROLL CALL**

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

**INVOCATION**

Jeff Gatlin, Pastor of Freedom Church, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Arnold led the Pledge of Allegiance.

The Board moved to the National Drug Court Proclamation.

## **PRESENTATION OF RISK MANAGEMENT REGIONAL AWARD**

Whitehurst introduced Mike Marinan, Public Risk Underwriters of Florida and Director of Member Services, who spoke on the importance of Risk Management. Marinan presented the award to Laura Dodd, Risk and Benefits Manager for Risk Management, and staff.

## **PROCLAMATION RECOGNIZING NATIONAL FOSTER CARE MONTH**

Arnold presented the proclamation to Chris and Raye Coleman and other foster care organizations, who spoke on the importance of foster care. Shelby Romero, Assistant to the Board of County Commissioners, read the proclamation.

## **PROCLAMATION RECOGNIZING CORRECTIONAL OFFICERS AND EMPLOYEES WEEK**

Alaimo presented the proclamation to the St. Johns County Sheriff's Office; Sheriff Robert Hardwick, Director Jason Caban, Captain Stephen Colson, Captain Misty North, and Captain Sommer Adams. Sheriff Hardwick spoke on the importance of correctional officers and employees. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

## **PROCLAMATION RECOGNIZING NATIONAL DRUG COURT MONTH**

Joseph presented the proclamation to Judge Christine, St. Johns County, and Ralph Cumberbatch, Adult Drug Court Coordinator, who spoke on the importance of drug court. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

The Board moved to the presentation of the Risk Management Regional award.

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

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

**Nay: None**

## **PUBLIC SAFETY UPDATE**

Jeremy Robshaw, Interim Assistant Chief for St. Johns County Fire Rescue, provided an update on the brush fire that occurred off Datil Pepper Road. He also spoke on the retirement of Battalion Chief Sherman Missick on April 30, 2023.

Jason Caban, Director of Corrections Division, St. Johns County Sheriff's Office, spoke in support of the roadway ordinance, schools being out for the summer with the potential of increase in property crimes and increased beach population, increase in tourism, the jail population, and an inmate who was captured while on work release.

## CLERK OF COURT'S REPORT

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, spoke on the drug court proclamation and provided the process of criminal court and being accepted into drug court. He also spoke on the capital improvement project, including the updated walkway by the courthouse.

## DELETIONS TO THE CONSENT AGENDA

There were none.

Public Comment: Ed Slavin and Tom Reynolds (Exhibit A) provided public comment.

## APPROVAL OF CONSENT AGENDA

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

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

**Nay: None**

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2023-135**, approving the final plat for Silverlake Drive, Phase 2
3. Motion to adopt **Resolution No. 2023-136**, approving the final plat for Reverie at Silverleaf, Phase 1
4. Motion to adopt **Resolution No. 2023-137**, approving the final plat for Beacon Lake, Phase 4B
5. Motion to adopt **Resolution No. 2023-138**, approving the final plat for Bridgewater, Phase 2A
6. Motion to adopt **Resolution No. 2023-139**, approving the final plat for Sabal Estates, Phase One
7. Motion to adopt **Resolution No. 2023-140**, authorizing the notice required by Section 336.10, Florida Statute, for a Public Hearing on June 20, 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 unopened portions of Sartillo Street and Quitto Street rights-of-way (VACROA 2022-11 San Sebastian Commercial)
8. Motion to approve a transfer in the amount of \$75,000 of Bus Advertising Revenues from the Transit Grant Department Reserve account to lines within the Transit Grant Department to cover unanticipated mid-year expenditures

9. Motion to approve a transfer from Land Acquisition Management Program (LAMP) Fund Reserves in an amount up to \$20,000 to fund the engagement of professional services related to property appraisals and staff negotiations for potential LAMP Board recommended property list acquisitions
10. Motion to adopt **Resolution No. 2023-141**, accepting a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty associated with the water system to serve Grand Oaks Large Amenity, located off State Road 16
11. Motion to adopt **Resolution No. 2023-142**, accepting Grant of Easements and Temporary Construction Easements from property owners to St. Johns County for the Summer Haven North Stormwater Drainage Project along Old A1A
12. Motion to adopt **Resolution No. 2023-143**, accepting a Coastal Management Easement Agreement from Sea Colony Neighborhood Association, Inc., to St. Johns County and authorizing the chair to join in the execution of the easement agreement on behalf of the County
13. Motion to adopt **Resolution No. 2023-144**, accepting an Easement for Utilities near State Road 207 and Cypress Links Boulevard
14. Motion to adopt **Resolution No. 2023-145**, accepting a Deed of Dedication Right-of-Way, for a portion of Veterans Parkway, that lies south of Longleaf Pine Parkway
15. Motion to adopt **Resolution No. 2023-146**, approving the terms, conditions, provisions, and requirements of a Supplemental Agreement to a Grant Agreement between the Florida Department of Transportation (FDOT) and St. Johns County, extending the agreement terms until December 31, 2025, for improvements at the intersection of State Road 16 and International Golf Parkway (IGP); and authorizing the chair to execute the Supplemental Agreement to the Grant Agreement on behalf of the County
16. Motion to adopt **Resolution No. 2023-147**, authorizing the county administrator, or his designee, to award Bid No. 23-33R, County Road 208 Water Booster Pump Station – Construction of Facility to Petticoat-Schmitt Civil Contractors, Inc., as the lowest, responsive, responsible, 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. 23-33R, for a total lump sum cost of \$3,239,000
17. Motion to adopt **Resolution No. 2023-148**, authorizing the county administrator, or his designee, to piggyback the Central Florida Expressway Authority Contract No. 000900, for Merchant Services, and to execute a contract in substantially the same form and format as attached hereto, with Bank of America, N.A., for itself and as assignee of Bank of America Merchant Services, LLC
18. 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

19. Motion to authorize staff to prepare and submit an application for funding for the Emergency Solution Grant and Emergency Solutions Grant CV3 for Fiscal Year 2023-2025 to serve individuals and families who are homeless or at risk of homelessness
20. Motion to adopt **Resolution No. 2023-149**, approving the Local Housing Assistance Plan for fiscal years 2023-2024, 2024-2025, and 2025-2026 as required by the State Housing Initiatives Partnership Program Act
21. Motion to adopt **Resolution No. 2023-150**, approving the terms and authorizing the county administrator, or designee, to execute Amendment No. 6 to Department of Environmental Protection Contract RP783, for the County to provide lifeguard services for Anastasia State Park from May 26, 2023, to September 4, 2023
22. Motion to execute and issue the Certificate of Public Convenience and Necessity to Mayo Clinic Jacksonville Transport, effective until May 2, 2026
23. Motion to approve minutes: April 18, 2023, BCC Regular

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

Joseph suggested postponing Regular Agenda Items 1 and 2 until the Senate Bill 102 Live Local Act has been finalized and obtain more information regarding the act.

Dean spoke in support of postponing the items. He suggested implementing a time period of sales and rentals for affordable housing regarding when they can be flipped and having the monthly rent or mortgage payment not to exceed 30 percent of the annual gross income.

Whitehurst questioned legal on how the Live Local Act would impact workforce housing zoning. Valliere responded that it would not impact the classification. Discussion ensued on the timeframe of rescheduling the items.

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

**Motion by Joseph, seconded by Dean, carried 5/0, to move Regular Agenda Items 1 and 2 to the June 6, 2023, Board of County Commissioners meeting.**

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

**Nay: None**

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

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

**Nay: None**

1. Public Hearing - COMPAMD 2022-07, Workforce Housing-Adoption

*Regular Agenda Item 1 was pulled.*

2. Public Hearing - Second Reading - LDCA 2023-04, Workforce Housing

*Regular Agenda Item 2 was pulled.*

The Board recessed the meeting at 9:44 a.m. and reconvened at 9:50 a.m.

3. Second Reading of Ordinance Relating to Pedestrian and Vehicle Safety within Public Road and Rights-of-Way. At its April 4, 2023, regular meeting, the Board of County Commissioners heard the first reading of a proposed ordinance to prohibit the dangerous use of certain designated public rights-of-way in a way that interferes with the safe and efficient movement of people and property. The Board also heard evidence regarding the risk to public health, safety, and welfare associated with the unexpected presence of pedestrians near a motor vehicle or within the travel lanes, including medians, or when engaged in person-to-vehicle or vehicle-to-person interactions. The attached ordinance would specifically prohibit 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 subsequent violations prosecuted in the same manner as misdemeanors

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

Whitehurst clarified that the ordinance would not affect the advertising of businesses or political activities on a sidewalk. Bulthuis responded that it would not affect pedestrians on sidewalks or bicyclists in the bike lane.

Public Comment: Tom Reynolds and Judy Spiegel provided public comment.

Dean suggested that legal respond to Reynolds' public comment concern. Migut responded that no laws were broken.

Bulthuis responded to Spiegel's concerns on providing notice to the public of the ordinance and pedestrians being on private property. Discussion ensued on support of the ordinance and thanked the St. Johns County Sheriff's Office for their cooperation.

**Motion by Alaimo, seconded by Arnold, carried 5/0, to enact Ordinance No. 2023-16, relating to pedestrian and vehicle safety within public roads and rights-of-way.**

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

**Nay: None**

4. St. Johns County Brand Development Project. St. Johns County has undergone the development of a county-wide brand to be used for key functions, facilities, and departments to reflect the existing assets of the county. This presentation will share the county logo and branding elements that were developed based on extensive community and stakeholder input and research. The presentation will also share the steps to implementing the brand throughout all county departments.

Tera Meeks, Tourism and Cultural Development Director, presented the details of the project, via PowerPoint.

Joseph questioned the budget process with implementing a new brand. Meeks responded on the budgeting funds and process.

Public Comment: Ed Slavin, Michel Pawlowski, Tom Reynolds, Dwight Miller, Chuck Labanowski, Isabelle Renault, and Judy Spiegel provided public comment.

Dean spoke in support of the new brand and suggested to recognize musical events within the County. Meeks responded on the challenges of incorporating music and art in the brand and provided further information on expansion of growing and modifying the brand, if needed.

Whitehurst questioned legal on the schedule of events regarding the Shade Meeting. Migut responded that they should move to public comment and finish as scheduled and recess until the time certain special meeting.

The Board moved to Public Comment.

Whitehurst reconvened the special public/private meeting.

5. Special Public Meeting and Special Private Meeting of the Board of County Commissioners (BCC). The Board of County Commissioners will hold a special public meeting on Tuesday, May 2, 2023, beginning at 1:00 p.m., in the County Administration complex located at 500 San Sebastian View, St. Augustine, Florida. The public meeting will be held in the County Auditorium. The purpose of the special public meeting will be to announce and to hold a special private attorney-client meeting. The special private attorney-client meeting will be held in accordance with Section 286.011(8), Florida Statutes, and will be confined to settlement negotiations and litigation expense strategy pertaining to the pending lawsuit between Robert J. Lupoli, et al. v St. Johns County, et al., Case No. CA22-0546. St. Johns County is a party to the lawsuit. The special private attorney-client meeting will be held in the Board of County Commissioners Executive Conference Room adjacent to the Auditorium.

David Migut, County Attorney, provided the timeline for the hearing.

Whitehurst provided information on the special meeting and listed those who would be in attendance.

Whitehurst recessed the special public/private meeting at 1:01 p.m. and reconvened the special public/private meeting at 1:56 p.m.

## **PUBLIC COMMENT**

Dwight Miller, James Hensley (Exhibit A), Keith Kessler (Exhibit B), Donald Resio, Michel Pawlowski (Exhibit C), Ed Slavin, B.J. Kalaidi, Sherry Badger (Exhibit D), Deo Yashwant, and Tom Reynolds provided public comment.

Dean responded to Reynolds' comment and spoke on his support of the county attorney. Discussion ensued on the support of the county attorney and county staff.

## **COMMISSIONERS' REPORTS**

### Commissioner Alaimo

Alaimo reported on attending the Groundbreaking Ceremony for the new Fire Station 11 and the Sheriff's Southwest Operation Center on April 25, 2023, and the Housing Finance Authority Ceremony for the new Executive Director Priscilla Howard. He also spoke on visiting the Marsh Landing community.

### Commissioner Dean

No report.

### Commissioner Joseph

Joseph spoke in remembrance of her son, United States Navy Seal Charles Keating, IV, via, PowerPoint.

### Commissioner Arnold

No report.

### Commissioner Whitehurst

Whitehurst reported on the Legislative Action Plan and requested Board consensus to pass a Federal Advocacy Statement to seek funds for the following projects: *1.) State Road 16, 2.) St. Johns Safe Rail Project, 3.) Safe Streets for St. Johns County, 4.) Hastings Workforce Training and Certification Facility, and 5.) Land acquisition for Habitat Conservation and Preservation item.* Migut suggested making a motion for approval.

Public Comment: Ed Slavin provided public comment.

Whitehurst clarified that the projects have been discussed by the Board previously and were non-controversial.

**Motion by Whitehurst, seconded by Dean, carried 5/0, to adopt the Federal Advocacy Statement with the five items as listed.**



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

## **COUNTY ADMINISTRATOR'S REPORT**

Conrad reported on the Legislative Delegation and provided an update on the funds that have been requested from the county and the requested funds that have been appropriated from the State budget. He also reported on the county achieving a grant award.

Joseph questioned if the legislative transportation meeting helped in making these decisions. Conrad responded on how the meeting was successful.

Conrad also reported on the process of hiring department heads. He introduced Corey Bowens, Interim Director of Land Management Systems Department, and provided a background of his work history.

Public Comment: There was none.

**Motion by Dean, seconded by Arnold, carried 5/0, to confirm the hiring of Corey Bowens as the Land Management Systems Director.**

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

Conrad introduced Wayne Larson, Director of Public Affairs, and provided a background of his work history.

Public Comment: There was none.

**Motion by Dean, seconded by Arnold, carried 5/0, to confirm the hiring of Wayne Larson as the Director of Public Affairs.**

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

## **COUNTY ATTORNEY'S REPORT**

Migut reported on a section of County Road 210 that was two laned experiencing traffic impacts with the Twin Creeks Development Reginal Impact (DRI) being obligated to widen the section of road. He spoke on county staff having meetings with the Developer of Twin Creeks and other entities and not progressing to a resolution. Migut then requested to seek authorization from the Board to file suit, if and when it is determined, against Twin Creeks Development Associates, LLC, and related entities regarding the widening of County Road 210 and other obligations of Twin Creeks DRI related agreements.

Public Comment: There was none.

Dean spoke in support of filing the suit and requested that legal be fair and reasonable.

**Motion by Dean, seconded by Arnold, carried 5/0, to authorize the county attorney to file suit against Twin Creeks Development Associates, LLC, and related entities to enforce the terms and requirements of the Twin Creeks DRI and related agreements.**

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

**Nay: None**

Whitehurst recessed the regular meeting at 11:31 a.m. and convened the special/private meeting at 1:00 p.m., with all commissioners, Conrad, Migut, Bulhuis, Senior Assistant County Attorney, and Deputy Clerk Artricia Allen in attendance. The Board moved to Regular Agenda Item 5.

With there being no further business to come before the Board, the meeting adjourned at 1:56 p.m.

REPORTS:

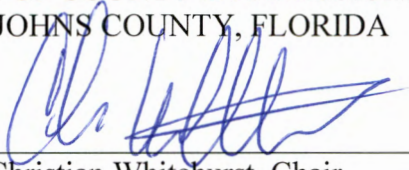
1. St. Johns County Board of County Commissioners Check Register, Check No. 611290, totaling \$1,000 (04/18/2023)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 611291-611360, totaling \$43,968.71 and Voucher Register, Voucher Nos. 71998-72208, totaling \$153,191.48 (04/19/2023)
3. St. Johns County Board of County Commissioners Check Register, Check No. 611361, totaling \$24,365.90 (04/19/2023)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 611362-611375, totaling \$63,831.08 and Voucher Register, Voucher No. 72209, totaling \$455.11 (04/20/2023)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 72210-72211, totaling \$8,205.20 (04/20/2023)
6. St. Johns County Board of County Commissioners Check Register, Check No. 611376, totaling \$696 (04/21/2023)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 611377-611552, totaling \$3,127,953.79 and Voucher Register, Voucher Nos. 72212-72309, totaling \$4,547,735.86 (04/24/2023)
8. St. Johns County Board of County Commissioners Check Register, Check No. 611553, totaling \$30 (04/25/2023)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 611554-611570, totaling \$611,261.97 (04/28/2023)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 611571-611742, totaling \$2,193,334.98 and Voucher Register, Voucher Nos. 72310-72406, totaling \$1,159,617.81 (05/01/2023)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 611743-611764, totaling \$20,641.32 and Voucher Register, Voucher Nos. 72407-72437, totaling \$48,854.57 (05/03/2023)

CORRESPONDENCE:

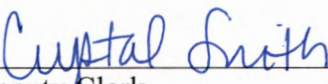
1. Letter dated April 14, 2023, regarding Glen St. Johns Community Development District.

Approved May 16, 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

