



Minutes of Meeting
Board of County Commissioners
St. Johns County, Florida
Regular Meeting
County Administration Building
500 San Sebastian View
St. Augustine, Florida 32084
June 20, 2023 - 9:00 a.m.

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
Sarah Taylor, Assistant County Administrator
Lex Taylor, Deputy County Attorney
Artricia K. Allen, Deputy Clerk

ROLL CALL

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

INVOCATION

Reverend Eluit Alicea, Bridge of Life Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Colonel George Johnson, United States Army Retired, led the Pledge of Allegiance.

FIRE RESCUE CITIZEN COMMENDATION RECOGNITION

Chief Bullard, Chief Welch, and Chief Wilson presented a certificate to Kyle Atwater and Gabriel Caez in recognition for life saving efforts.

PROCLAMATION DESIGNATING JULY AS PARKS AND RECREATION MONTH

Whitehurst presented the proclamation to Ryan Kane, Parks and Recreation Director, and Jamie Baccari, Assistant Director, who spoke on the importance of Parks and Recreation Month. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

PARKS AND RECREATION HALL OF FAME RECOGNITION

Ryan Kane presented a certificate to the family of Eddie Lee Vickers. The Vickers family expressed their appreciation.

Dean spoke about the Florida Association of Counties Trust, he introduced Denise Vogelgesang, Insurance Manager, and welcomed her to the Board of County Commissioners' meeting.

ACCEPTANCE OF PROCLAMATION

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

Yea: Whitehurst, Arnold, Dean, Joseph, Alaimo

Nay: None

PUBLIC SAFETY UPDATE

Scott Bullard, St. Johns County Fire Rescue Chief, reported that Recruit Class 1-23 were the newest hires to the St. Johns County Fire Rescue program.

Russ Martin, Director of the Operation Division, St. Johns County Sheriff's Office, reported on an increased call in 911.

Scott Beaver, Director of the Patrol Division, St. Johns County Sheriff's Office, commented on addressing parties and turtle nest disturbances at Mickler's Beach.

CLERK OF COURT'S REPORT

Brandon J. Patty, Clerk of the Circuit Court, and Comptroller introduced David McClintock, the new St. Johns County Inspector General. McClintock spoke on serving the county and enhancing the efficiency and effectiveness of government.

DELETIONS TO THE CONSENT AGENDA

There were none.

APPROVAL OF CONSENT AGENDA

Public Comment: There was none.

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

Yea: Whitehurst, Arnold, Dean, Joseph, Alaimo

Nay: None

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2023-195**, approving the final plat for Entrada, Phase 4, Unit 7
3. Motion to adopt **Resolution No. 2023-196**, approving the final plat for Beacon Lake, Phase 4C
4. Motion to adopt **Resolution No. 2023-197**, approving the final plat for Crosswinds at Nocatee
5. Motion to adopt **Resolution No. 2023-198**, approving the final plat for Coral Ridge at Nocatee, Phase 2
6. Motion to adopt **Resolution No. 2023-199**, approving the terms, conditions, and requirements of a state funded grant from the Florida Department of Environmental Protection Hurricane Stormwater and Wastewater Assistance Program in the amount of \$10,000,000, authorizing the county administrator, or his designee, to execute the Grant Agreement on behalf of the county, and recognizing the grant award as unanticipated revenue and authorizing its appropriation and expenditure in the Fiscal Year 2023 County Utility System Fund budget
7. Motion to adopt **Resolution No. 2023-200**, authorizing the county administrator, or designee, to execute and submit a Resilient Florida Program Implementation Grant Application to the Florida Department for Environmental Protection for the 2023 application cycle, on behalf of the county, for projects that may qualify for grant funding under the program
8. Motion to adopt **Resolution No. 2023-201**, authorizing the notice required by Section 336.10, Florida Statute, for a public hearing on July 18, 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 the Railroad Avenue right-of-way (VACROA 2021-06 North Brevard and North Volusia Street)
9. Motion to adopt **Resolution No. 2023-202**, accepting a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty, associated with the sewer force main to serve Bannon Lakes CDD, located off International Golf Parkway
10. Motion to adopt **Resolution No. 2023-203**, accepting a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty, associated with the water and sewer systems to serve Garrison Subdivision, Phase 1, located off US 1 North in Ponte Vedra

11. Motion to adopt **Resolution No. 2023-204**, accepting an Easement for Utilities, Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty, associated with the water and sewer systems to serve Entrada, phase 2, Unit 3B, located off State Road 207
12. Motion to adopt **Resolution No. 2023-205**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty, associated with the water, sewer, and reuse systems to serve Silverleaf 29B-1, located off Silverleaf Parkway
13. Motion to adopt **Resolution No. 2023-206**, accepting three Easements for Utilities, a Bill of Sale, Final Release of Lien, and Warranty, associated with the water, sewer, reuse, and fire hydrant systems to serve Senior Living at the Greens, located off State Road 16
14. Motion to adopt **Resolution No. 2023-207**, accepting five Easements for Utilities, a Bill of Sale, Schedule of Values, Warranty, and Final Release of Lien, associated with the water and sewer force mains systems to serve Vicar's Landing at Oak Bridge, Phase 1, located off A1A North
15. Motion to adopt **Resolution No. 2023-208**, accepting two Easements for Utilities, a Bill of Sale, Final Release of Lien, and Warranty, associated with the water and sewer force mains systems to serve San Marcos Heights, located off State Road 207
16. Motion to adopt **Resolution No. 2023-209**, accepting two Grants of Easement to St. Johns County for construction and future maintenance of a sidewalk along a portion of Pearl Street
17. Motion to adopt **Resolution No. 2023-210**, approving, and authorizing the chair of the board, on behalf of the county, to execute, an Easement to Florida Power and Light Company to provide electrical service to the St. Johns County Utility Lab, located on Inman Road
18. Motion to adopt **Resolution No. 2023-211**, renewing the non-exclusive commercial and industrial solid waste collection franchise, and approving the associated Franchise Agreement, for each of the fourteen existing franchise holders who submitted timely and complete renewal applications and are identified in the attached Franchise Agreements; and authorizing the county administrator, or designee, to execute the agreements on behalf of the County
19. 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
20. Motion to adopt **Resolution No. 2023-212**, Mickler Road and State Road A1A intersection improvements – Florida Department of Transportation (FDOT) FPN No. 445798-2-54-01, and FDPT FPN No. 445798-3-54-01, to DB Civil Construction, LLC, 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. 23-40, for a lump sum cost of \$4,699,650 and approve a budget transfer from Impact Fees Roads Zone B Capital Outlay Reserves, in the amount of \$1,600,000

21. Motion to adopt **Resolution No. 2023-213**, authorizing the county administrator, or designee, to execute Contract Amendment No. 9 to Master Contract No. 18-MCC-SOU-09717, with Southland Specialties, Inc., to add five one-year renewals to the contract, at the same terms and conditions as provided in the master contract
22. Motion to adopt **Resolution No. 2023-214**, authorizing the county administrator, or his designee, to execute and issue Change Order No. 01, to Master Contract No. 23-PSA-OLS-18021, Olsen Associates, Inc., to complete Phase II, Coastal Engineering Services under RFQ No. 23-42, Engineering Services for Federal Emergency Management Agency Cat. B Emergency Berms
23. Motion to adopt **Resolution No. 2023-215**, authorizing the county administrator, or his designee, to execute and issue Change Order No. 05, to Master Contract No. 21-MCC-WOO-13032, with Woolpert, Inc., under RFQ No. 21-34, Digital Orthophotography
24. Motion to adopt **Resolution No. 2023-216**, approving the terms, conditions, provisions, and requirements of a Maintenance and Hold Harmless Agreement with AG EHC II (LEN) Multi State 1, LLC, regarding certain improvements consisting of overflow parking within a certain portion of the County-owned-right-of-way of Superior Boulevard; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
25. Motion to adopt **Resolution No. 2023-217**, approving the terms, conditions, provisions, and requirements of a Maintenance and Hold Harmless Agreement with AG EHC II (LEN) Multi State 1, LLC, regarding certain improvements consisting of overflow parking within a certain portion of the County-owned-right-of-way of Simonson Road; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
26. Motion to adopt **Resolution No. 2023-218**, authorizing the county administrator, or designee, to execute and submit an application to the Florida Department of Environmental Protection for a Hazardous Waste Collection Center Program Grant, for the purchase of hazardous waste collection containers
27. Motion to adopt **Resolution No. 2023-219**, approving the Grant Agreement (DMS-22/23-357) for cybersecurity technical assistance between the Florida Department of Management Services and St. Johns County Board of County Commissioners, and ratifying the county administrator's execution of the agreement, on behalf of the Board
28. Motion to adopt **Resolution No. 2023-220**, allocating \$50,000 to Epic Community Services, Inc., as a local contribution to its Department of Children and Families, Criminal Justice, Mental Health, and Substance Abuse Reinvestment one year Planning Grant, to plan a Mental Health Court in St. Johns County; approving, and authorizing the county administrator, or designee, to execute, a Memorandum of Understanding between the County and Epic

29. Motion to adopt **Resolution No. 2023-221**, approving the fiscal year 2023-2024 Annual Action Plan and authorizing the county administrator, or designee, to execute and submit the Annual Action Plan, SF-424, Universal Application, and Certificates to Housing and Urban Development, on behalf of the County, and to implement, manage, and administer the Community Development Block Grant program
30. Motion to adopt **Resolution No. 2023-222**, approving Amendment 28 to contract NJ206, between St. Johns County and Florida Department of Children and Families, in substantially the same form as the attached hereto, and authorizing the county administrator, or designee, to execute the amendment on behalf of the County
31. Motion to adopt **Resolution No. 2023-223**, approving Amendment 32 to contract NJ206, between St. Johns County and Florida Department of Children and Families, in substantially the same form as attached hereto, and authorizing the county administrator, or designee, to execute the amendment on behalf of the County
32. Motion to adopt **Resolution No. 2023-224**, approving the terms and conditions of the Temporary Use Agreement between Kingdom Development Group, Inc., and the County, and authorizing the county administrator, or designee, to execute the agreement, in substantially the same form as attached, on behalf of the County
33. Motion to adopt **Resolution No. 2023-225**, sunsetting the Amphitheatre and Ponte Vedra Concert Hall Advisory Committee and providing an effective date
34. Motion to approve minutes: June 6, 2023, BCC Regular

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were none.

APPROVAL OF REGULAR AGENDA

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

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

PUBLIC COMMENT TIME CERTAIN

Ronda Brennen (Exhibit A), Jim O'Brien, Randy Fitch, Al Abbatiello (Exhibit B), Phyllis Abbatiello (Exhibit C), Michael Dunlop (Exhibit D), and Chuck Labanowski provided public comment.

Whitehurst recessed the regular meeting at 12:38 p.m. and reconvened at 1:15 p.m. with Sandra Hutto, Deputy Clerk present. The Board moved to Regular Agenda Item 4.

1. Constitutional Officers' Fiscal Year 2024 Budget Presentations - St. Johns County Clerk of the Circuit Court and Comptroller and St. Johns County Property Appraiser. Presentation of the Constitutional Officer's tentative budgets for Fiscal Year 2024. Under F.S. 129.03(2), on or before June 1 of each year, Constitutional Officers shall submit to the Board of County Commissioners (BCC) a tentative budget for their respective offices for the ensuing fiscal year. Since the Tax Collector is fee-based, it is not required for the Tax Collector's budget to be submitted to the BCC at this time. The Clerk of the Circuit Court and Comptroller and the Property Appraiser will each give a brief oral presentation to the BCC relative to their respective tentative budget

Jesse Dunn, Director, Office of Management and Budget, spoke on the constitutional officer's budget process and introduced Brandon J. Patty, Clerk of the Circuit Court, and Comptroller; and Eddie Creamer, St. Johns County Property Appraiser, to present their budgets.

Brandon J. Patty, Clerk of the Circuit Court, and Comptroller presented the details of the Fiscal Year 2024 Clerk of the Circuit and Comptroller budget, via PowerPoint.

Public Comment: There was none.

Eddie Creamer, Property Appraiser, presented the details of the Fiscal Year 2024 Property Appraiser budget, via PowerPoint. A brief discussion ensued regarding the percentage increase over the previous year's budget.

Public Comment: There was none.

2. Brigadier General Michael P. Fleming to update St. Johns County Commissioners on the active role Fire Watch is taking in Northeast Florida. As a part of its mission to end veteran suicide, The Fire Watch created the Watch Stander program, equipping community members with the skills they need to identify veterans in crisis and point them toward resources. The Fire Watch is also working hard to ensure that data is tracked by gathering data from the American Community Survey and the Florida Department of Health, and performing independent analyses, including this report on the original five county region of Northeast Florida (Baker, Clay, Duval, Nassau, and St. Johns Counties), with data partner NLP Logix

Michael P. Fleming, Brigadier General Retired, gave an overview of the progress that had been made with Fire Watch, via PowerPoint. Discussion followed regarding the emergency suicide hotline.

Public Comment: Chuck Labanowski and Judy Spiegel provided public comment.

3. Public Hearing - PUD 2021-26, Mivo Multi-Family Development, Rehearing pursuant to Board of County Commissioner action on March 21, 2023. The applicant is requesting to rezone approximately 15.7 acres of land from Open Rural (OR) to Planned Unit Development (PUD) for the development of 204 multi-family residential dwelling units. The property is located southwest of the US 1 South and Watson Road Intersection. This item was heard at the October 18, 2022, BCC meeting, and resulted in a 2-2 vote of the

Commissioners. On March 21, 2023, the County Attorney recommended the item be reheard

The Board disclosed ex parte communication.

Christine Valliere, Senior Assistant County Attorney entered the meeting.

Thomas Ingram, Sodl and Ingram PLLC, Land Use Attorney, representing the applicant, provided an overview of the proposed project, via PowerPoint. He then introduced Blair Knighting, AICP, Kimley-Horn, Certified Planner, who said the project was consistent with the Comprehensive Plan and compatible with the surrounding land uses. Bill Schilling, Kimley Horn, Professional Engineer, spoke on the proposed traffic and road improvements.

Discussion ensued on the traffic impacts.

Joe Mecca, P.E., Kimley-Horn Associates, addressed the engineering and drainage aspects of the proposed project.

Ian Slavin, MIVO Development Group, Principal, explained how the location of the development was selected.

Public Comment: Marc Albanese representing eight residents (Exhibit A), Judy Spiegel representing 42 residents (Exhibit B), Gloria White (Exhibit C), Susan Baker, Gerry Anzalone, Tracie Spooner, Kelvin Merrick, Susan Lederach, Kathleen Walsh, John Hart, Bob Allen, Diane Allen, Tracy Rose, Allen Lauro, Chuck Labanowski (Exhibit D), Suzanne Clulow (Exhibit E), Jose Ortiz, Patricia Simmons, George Spiegel (Exhibit F), Art Peloso (Exhibit G), Doris Taylor, and Tony Mediate, provided public comment.

Migut provided an explanation of why this issue was allowed to be reheard in less than one-year time requirements.

Michael Sznajstajler, Cobb Cole, Attorney, introduced Jody Sisk, Ecological Consultant, who spoke on wetlands.

Discussion followed regarding the cypress trees being cut down and drainage issues.

Schilling provided additional information on the traffic concerns, and Sznajstajler further addressed drainage concerns, compatibility, and code requirements.

Motion by Alaimo, seconded by Joseph, carried 5/0, to deny PUD 2021-26, Mivo Multifamily PUD, based on ten findings of fact, as provided in the staff report.

Yea: Whitehurst, Arnold, Dean, Alaimo, Joseph

Nay: None

The Board moved to the Public Comment section of the meeting.

4. Public Hearing - MAJMOD 2023-01, Deerpark Commerce Center. Request for a Major Modification to the Deerpark Commerce Center PUD (Ord. 2005-91, as amended) to accommodate several changes to the Master Development Plan (MDP) Text and Map. The subject property is located at 3800 Deerpark Boulevard and includes two unaddressed lots located to the north. The Planning and Zoning Agency (PZA) heard this request during their regularly scheduled public hearing on May 18, 2023. The item was recommended for approval with a vote of 5 to 0 on the condition that the applicant revises the plan to include language regarding the height of structures. Agency members discussed the wetland impacts, location, traffic, building height, and grade height. There was no public comment. The applicant has provided a revised MDP Text which defines how they plan to measure the height of the building and has requested a waiver to LDC Article XII definition of Height of Building

The Board disclosed ex parte communication.

Ellen Avery-Smith, Esq., Rogers Towers, P.A., representing the applicant, presented the details of the request, via PowerPoint, and responded to questions regarding the height of the building. She introduced Chuck Graefen, Support Vice President of KeHE, who spoke in support of the location of the project.

Public Comment: Lisa McGlynn and Chuck Labanowski provided public comment.

The Board members expressed their support of KeHE being a St. Johns County business partner and Avery-Smith agreed.

Motion by Alaimo, seconded by Arnold, carried 5/0, to enact Ordinance No. 2023-23, approving MAJMOD 2023-01, Deerpark Commerce Center, based upon six findings of fact, as provided in the staff report.

Yea: Alaimo, Arnold, Dean, Whitehurst, Joseph

Nay: None

5. Public Hearing - COMPAMD 2023-03, 11280 US 1 North Self-Storage (Transmittal). Transmittal hearing for a site-specific Text Amendment to Policy A.1.11.3 of the 2025 Comprehensive Plan to allow a Floor Area Ratio (FAR) of 110 percent in lieu of the required maximum of 50 percent in the Intensive Commercial Future Land Use Map designation to accommodate construction of a Self-Storage Facility, specifically located at 11280 US 1 North. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, May 18, 2023, and was recommended for Transmittal by a vote of 5-0

Brad Wester, Driver McAfee Hawthorne and Diebenow, representing the applicant, presented the details of the request, via PowerPoint, and responded to a questions regardin reaching out to neighbors for any concerns.

Public Comment: Chuck Labanowski provided public comment.

Wester responded to Labanowski's question regarding the deacceleration lane for the entrance.

Motion by Joseph, seconded by Arnold, carried 5/0, to approve the transmittal of COMPAMD 2023-03, 11280 US 1 North Self-Storage (FAR), based upon four findings of fact, as provided in the staff report.

Yea: Joseph, Arnold, Dean, Whitehurst, Alaimo

Nay: None

6. Public Hearing - CDD AMD 2023-01, Entrada CDD. Petition to amend the Entrada Community Development District to add approximately 131.99 acres to the District

Kyle Magee, Associate with Kutak Rock, LLP, requested to continue the item until the July 18, 2023, meeting. Discussion ensued on determining a meeting date.

Public Comment: There was none.

Motion by Alaimo, seconded by Arnold, carried 5/0, to continue CDD AMD 2023-01, Entrada CDD, to a date to be determined.

Yea: Alaimo, Arnold, Dean, Whitehurst, Joseph

Nay: None

7. Public Hearing - VACROA 2022-11, San Sebastian Commercial - Public Hearing to vacate portions of Sartillo Street and Quitto Street. The applicant has requested the vacation of portions of Sartillo Street and Quitto Street in the Navara Subdivision. Based on staff's review, no party will be unreasonably affected by the requested road vacation

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

Public Comment: There was none.

Motion by Dean, seconded Alaimo, carried 5/0, to adopt Resolution No. 2023-226, approving VACROA 2022-11, San Sebastian Commercial, a petition to vacate portions of Sartillo Street and Quitto Street in the Navara Subdivision.

Yea: Dean, Alaimo, Whitehurst, Arnold, Joseph

Nay: None

8. Public Hearing - VACPLA 2023-01, Lot 30 at St. Augustine Shores. Request to vacate the 20' Drainage Easement shown on Lot 30, Block 189, St. Augustine Shores Unit Eight, Map Book 21, Pages 58-63. The subject property is located east of US 1 South and south of Shores Boulevard within the plat of St. Augustine Shores, Unit Eight. The property is assigned an address of 164 Bilboa Drive

Darren Gowens, applicant, presented the details of the request, via PowerPoint.

Public Comment: There was none.

Motion by Alaimo, seconded by Joseph, carried 5/0, to approve Resolution No. 2023-227, petition for a partial plat vacation of a drainage easement VACPLA 2023-01, Lot 30, at St. Augustine Shores, based on the five findings of fact.

Yea: Alaimo, Joseph, Arnold, Whitehurst, Dean

Nay: None

9. Public Hearing - VACPLA 2023-02, Lot 80 at Turtle Shores. Request to vacate the 20' Drainage Easement shown on Lot 80, Turtle Shores West Unit Two, Map Book 30, Pages 89-94. The subject property is located west of South Ponte Vedra Boulevard and is assigned the address of 332 Ebb Tide Court. Lot 80 is within the plat of Turtle Shores West, Unit Two

The Board disclosed ex parte communication.

Diane Scheriff, applicant, presented the details of the request, via PowerPoint.

Discussion ensued on the release of easement.

Public Comment: Jay Gass (Exhibit A) and Roger Fry provided public comment.

Discussion ensued on drainage concerns and Board members expressed their positions.

Motion by Dean, seconded by Alaimo, carried 4/1, with Joseph dissenting, to approve Resolution No. 2023-228, petition for plat vacation VACPLA 2023-02, Lot 80 at Turtle Shores, based on the five findings of fact.

Yea: Dean, Alaimo, Whitehurst, Arnold

Nay: Joseph

10. Public Hearing - PLNAPPL 2023-02, Strickland Carport. Request to appeal the Planning and Zoning Agency (PZA) denial of Zoning Variance (ZVAR 2022-24) to allow for an existing carport to have a reduced side yard setback of zero feet in lieu of eight feet, and a reduced front yard setback of twelve feet in lieu of twenty feet. The request also seeks to allow for an existing metal shed to encroach four feet into the northern side setback and seven feet into an access easement. The subject property is located in Residential Mobile Home (RMH) zoning at 8473 Perry's Park Road. This appeal application was rescheduled from the initial June 6, 2023, hearing date to meet public noticing requirements

The Board disclosed ex parte communication.

Jack Strickland, appellant, presented the details of the request, via PowerPoint.

Discussion between Arnold and Beverly Frazier, Growth Management Assistant Director, ensued on permitted property improvements.

Public Comment: Jimmy Johnson provided public comment.

Strickland responded to Johnson's concerns on trespassing, selling the property, and encroaching on the easement.

Motion by Arnold, seconded by Alaimo, carried 5/0, to deny PLNAPPL 2023-02, Strickland Carport (ZVAR 2022-24), upholding the decision of the Planning and Zoning Agency and denying ZVAR 2022-24, based upon four findings of fact.

Yea: Arnold, Alaimo, Whitehurst, Dean, Joseph

Nay: None

11. Public Hearing - LDCA 2023-04 - Workforce Housing, Land Development Code (LDC) Amendment, Second Reading. The attached ordinance proposes modifications to the LDC Section 5.11.00 Workforce Housing Zoning text, Article VI Table 6.01, and Article XII Definitions. The first reading of the proposed amendments was considered by the Board on February 21, 2023, wherein staff was directed to incorporate the redline authored by the Northeast Florida Builder's Association for second reading. This item was scheduled and advertised for second reading at the May 2, 2023, Board of County Commissioners (BCC) meeting at which time the Board engaged in brief discussion and voted 5-0 to postpone the item to the June 6, 2023, BCC meeting, pending staff incorporation of additional regulations for consideration. After discussion at the June 6, 2023, BCC meeting, this item was continued until June 20, 2023

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

Joseph and Valliere presented three proposed revisions to the Board for consideration (Exhibit A):
1) The definition of "Maximum Rental Rate" - The Maximum Rental Rate shall be no more than 70 percent of the Area Medium Income, as established annually by the State of Florida SHIP program, not inclusive of utilities. The Maximum Rental Rate shall be adjusted annually when the new limits are established by the State; 2) an addition to Section 5.11.04.B(2)(a), under Workforce Housing Offered for Rent, "except that a tenant's rental rate for the first year shall not be increased for the second year, if the lease is renewed. The same tenant's rental rate may be increased up to the Maximum Rental Rate after the second lease term"; and 3) the additions to Section 5.11.04(A)(1)(e), under Workforce Housing Units Offered for Sale, "On or before July 1 of each year, Developer shall provide a demographic report to the County Administrator stating the number of Workforce Housing units sold that year, the sales price for each unit and the initial buyer's employment, if they are employees in any of the following professions; law enforcement, first responder, education, government, health care or hospitality. The annual report is required each year until all Workforce Housing units have been sold to initial buyers" and Section 5.11.04(A)(2)(d), under Workforce Housing Offered for Rent, "On or before July 1 of each year, Property Owner shall provide a demographic report to the County Administrator stating the number of Workforce Housing units leased that year, the rental rate for each unit and the tenant's employment, if they are employed in any of the following professions: law enforcement, first responder, education, government, health care or hospitality. The annual report is required each year until a period of six years after the final certificate of occupancy."

Discussion ensued on the informational annual demographic reporting requirements.

Public Comment: Judy Spiegel, Austin Nicholas, Bob Porter, Suzanne Clulow, and Doris Taylor provided public comment.

Motion by Dean, seconded by Joseph, carried 5/0, to enact Ordinance No. 2023-24, approving the proposed amendments to the Workforce Housing provisions of the Land Development Code, and subject to the revisions, as described by Joseph and legal.

Yea: Dean, Joseph, Whitehurst, Arnold, Alaimo

Nay: None

Valliere left the meeting and Bradley Bulthuis, Senior Assistant County Attorney, entered the meeting.

12. Public Hearing - Public Hearing and Adoption of Final Schedule of Water, Wastewater, and Reclaimed Water Rates, Deposits, Charges, Fees, and Costs for Fiscal Year 2023 for the Main and Ponte Vedra Systems. The St. Johns County Utility Department (SJCUD) is a self-sustained enterprise fund with two separate water, wastewater, and reclaimed water fee structures for the Main and Ponte Vedra Systems. SJCUD has experienced substantial growth and an increased customer base and has recognized economies of scale for a more efficient cost of operations. SJCUD anticipates a continuation of the County's high growth rate in the coming years and expects to maintain revenue sufficiency to meet level of service demands, current and future regulatory mandates, and creditworthiness requirements for a capital-intensive business. Based on recent financial evaluations, at its June 6, 2023, regular meeting, the Board adopted preliminary schedules of water, wastewater, and reclaimed water rates, deposits, fees, charges, and costs that reflected reductions to all current Main System water and wastewater usage rates by 3.0 (or as indicated in the Utility Rate Tariff document attached to this agenda item). The preliminary schedules also provide for current Ponte Vedra water, wastewater, and reclaimed water rates that match those of the Main System, and a flat-rate wastewater charge to accommodate sewer-only customers without a water meter to utilize, to calculate sewer charges. This agenda item provides for a public hearing concerning the rates, fees, and charges, after which the schedules, either as originally adopted or as modified or amended, shall be adopted, and put into effect

Colin Groff, Utility Director, presented the details request, via PowerPoint, and responded to questions regarding water consumption. Dean provided additional comments about water consumption.

Public Comment: There was none.

Motion by Dean, seconded by Arnold, carried 5/0, to adopt Resolution No. 2023-229, adopting the St. Johns County Utility Rate Tariff, including all schedules thereto, as the schedules of rates, deposits, fees, charges, and costs for Fiscal Year 2023, effective July 1, 2023.

Yea: Dean, Arnold, Joseph, Whitehurst, Alaimo

Nay: None

Bulthuis left the meeting.

13. First Reading of Floating Structure Ordinance. On February 21, 2023, the Office of the County Attorney was directed by the Board of County Commissioners to draft a Floating Structure Ordinance to address the floating structure issues in waters of the County. The attached proposed ordinance will prohibit the anchoring, mooring or otherwise affixing of floating structures upon or to, waters of the County within the incorporated and unincorporated areas of the County unless a municipality opts out or adopts an ordinance in conflict, and allow for direct removal of floating structures in violation of the ordinance. Floating structures found to be in violation of the ordinance will have a notice placed upon them to notify the owner(s) that the floating structure is in violation of this ordinance and that they have twenty-one calendar days from the date of the posting to remove the floating structure, except when there is an impending tropical system, in which case an owner(s) shall be given twenty-four hours from the date and time of the posting of the notice to remove the floating structure. Any law enforcement officer or Code Enforcement Officer acting within his/her jurisdiction can enforce this ordinance

Jalisa Ferguson, Assistant County Attorney, presented the details of the request, via PowerPoint. She stated that the ordinance would be brought back before the Board members for a second hearing at a date to be determined.

The Board members expressed their positions on the floating structure ordinance.

Public Comment: Lisa McGlynn and Doris Taylor provided public comment.

Joseph responded to Taylor's concerns on structures without motors. Migut provided further information on motorized and nonmotorized vessels.

PUBLIC COMMENT

Suzanne Clulow and Doris Taylor provided public comment.

COMMISSIONERS' REPORTS

Commissioner Joseph

Joseph wished her parents a happy anniversary.

Commissioner Alaimo

Alaimo reported on the Rock Springs Farms Community and provided an update on the major modification, that included the closure of the park. He asked legal what was needed to close the park. Migut provided legal advice regarding the closure of the park and suggested making a motion with specific language. Discussion ensued on the closure of the park and who was responsible for the park maintenance. Sarah Taylor, Assistant County Administrator, provided additional comments on the liability insurance of the park.

Motion by Alaimo, seconded by Dean, carried 4/1, with Joseph dissenting, to close Rock Springs Farms Park until the major modification application comes before the Board or until November 1, 2023.

Public Comment: Judy Spiegel and Randy Fitch provided public comment.

Commissioner Dean

Dean reported on the damage sustained to the Embassy Suites seawall from prior hurricanes. He requested a Permissive Use Agreement. Discussion between Whitehurst and Ryan Kane, Director of St. Johns County Parks and Recreation, ensued on the project timeline of October 15, 2023. Joseph provided additional comments on beach parking.

Migut provided legal advice regarding the proposed language for the motion.

Public Comment: Suzanne Clulow provided public comment.

Motion by Dean, seconded by Arnold, carried 5/0, to authorize the county administrator, or designee, to execute a Permissive Use Agreement related to construction at the Embassy Suites Hotel effective date July 5, 2023, in a form acceptable to the county attorney.

Yea: Dean, Arnold, Whitehurst, Joseph, Alaimo

Nay: None

Commissioner Arnold

Arnold reported on St. Johns Fire Rescue and St. Johns County Animal Control services. She also reported on Juneteenth being recognized as a federal holiday and requested to not hold any meetings on that day in the future. Whitehurst expressed his concerns on the request.

Arnold referenced a director's meeting that had recently been scheduled and spoke on the workplace environment and culture amongst county staff, with respect to communication between staff and commissioners. Conrad responded to the culture and communication between administration, directors, and commissioners. Whitehurst asked if there had been a policy direction regarding communication between directors and commissioners and Conrad responded no. Discussion ensued on communication.

Commissioner Whitehurst

Whitehurst reported on a parcel of land in Fruit Cove Estates known as Otoe's Place and requested an update on the land entitlement. Mike Roberson, Growth Management Director, spoke about the commercial construction plans and stated there were concerns on the removal of the tree canopy, drainage, and access to the parcel. *Whitehurst requested Board consensus to allow Roberson to communicate with neighboring residents on the development of the parcel. Consensus was given.* Discussion ensued on preserving the tree canopy.

Whitehurst spoke on Bert Watson, former St. Johns County Parks and Recreation Board member, and announced a memorial naming ceremony of Mills Field on Saturday, June 24, 2023.

Whitehurst referenced a letter received by the Ponte Vedra Athletic Association regarding the need for additional ball fields. *He requested Board consensus to direct staff to pursue a bonding solution to build all four parks that have been requested in the area. Consensus was given.*

COUNTY ADMINISTRATOR'S REPORT

Conrad announced the confirmation of Scott Bullard as St. Johns County Fire Rescue Chief and explained the process he pursued to become chief. Bullard expressed his gratitude. *Conrad requested Board consensus to confirm Scott Bullard as the permanent St. Johns County Fire Rescue Chief. Consensus was given.*

COUNTY ATTORNEY'S REPORT

Migut provided an update on the Child Safety Zone ordinance and on the St. Johns County prohibited holiday activity ordinance for sexual offenders and sexual predators. *He requested Board consensus to bring back proposed changes to the St. Johns County prohibited holiday activity ordinance for sexual offenders and sexual predators. Consensus was given.*

With there being no further business to come before the Board, the meeting adjourned at 3:50 p.m.

REPORTS:

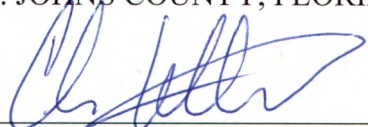
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 612829-612849, totaling \$19,468.12 and Voucher Register, Voucher Nos. 73142-73174, totaling \$66,123.61 (06/07/2023)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 612850-612856, totaling \$6,092.75 and Voucher Register, Voucher Nos. 73175-73179, totaling \$8,600 (06/07/2023)
3. St. Johns County Board of County Commissioners Check Register, Check No. 612857, totaling \$876 (06/08/2023)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 612858-613058, totaling \$2,277,651.99 and Voucher Register, Voucher Nos. 73180-73294, totaling \$4,651,940.87 (06/12/2023)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 613059-613072, totaling \$63,526.14 and Voucher Register, Voucher No. 73295, totaling \$455.11 (06/15/2023)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 73296-73297, totaling \$8,453.14 (06/15/2023)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 613073-613259, totaling \$2,036,401.68 and Voucher Register, Voucher No. 73298-73397, totaling \$2,079,723.64 (06/19/2023)
8. St. Johns County Board of County Commissioners Check Register, Check No. 613260, totaling \$137.55 (06/20/2023)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 613261-613315, totaling \$33,508.06 and Voucher Register, Voucher No. 73398-73603, totaling \$154,597.69 (06/21/2023)

CORRESPONDENCE:

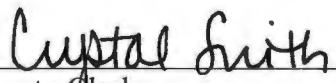
There was none.

Approved July 18, 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

