



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
July 18, 2023 - 9:00 a.m.

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**CALL TO ORDER**

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

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: Joy Andrews, Interim County Administrator  
David Migut, County Attorney  
Brad Bradley, Deputy County Administrator Chief of Staff  
Sarah Taylor, Assistant County Administrator  
Lex Taylor, Deputy County Attorney  
Saundra Hutto, Deputy Clerk

**ROLL CALL**

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

**INVOCATION**

Jason Cullum, Pastor at Christ's Church, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Henry Dean led the Pledge of Allegiance.

**PUBLIC SAFETY UPDATE**

Scott Bullard, St. Johns County Fire Rescue Chief, provided an update on the new rescue vehicles, via PowerPoint.

Tara Wildes, Director of General Services of the St. Johns County Sheriff's Office, provided an update on the 2022 statics regarding drug use and the treatment that were provided. She also spoke on drug court.

## CLERK OF COURT'S REPORT

Julio Cruz, Chief Operations Officer, introduced Deborah Schiavoni, Jury Coordinator, and Tara Schultz, Criminal Division Director, who spoke on the jury operations.

## DELETIONS TO THE CONSENT AGENDA

Migut requested that Consent Agenda Item 19 be pulled and Consent Agenda Item 22 and 31 be moved to the regular agenda. Whitehurst recommended that Consent Agenda Item 22 be moved to the Regular Agenda as Item 13, and Consent Agenda Item 31 be moved to the Regular Agenda as Item 14.

Alaimo requested that Consent Agenda Item 30 be moved to the regular agenda. Whitehurst responded that Consent Agenda Item 30 would be moved to the Regular Agenda as Item 15.

Public Comment: B.J. Kalaidi provided public comment.

Jospeh requested to move Consent Agenda Item 4 to the Regular Agenda. Whitehurst responded that Consent Agenda Item 4 would be moved to the Regular Agenda as Item 16.

## APPROVAL OF CONSENT AGENDA

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

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

**Nay: None**

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2023-230**, approving the final plat for Rivertown - Bald Cypress Lane and Bee Balm Lane
3. Motion to adopt **Resolution No. 2023-231**, approving the final plat for Stillwater, Phase 1C, Replat of Tract "CC"
4. Motion to adopt a resolution approving the transfer of \$371,530, in park impact fee credits from the Marshall Creek Planned Unit Development to the Stokes Landing Workforce Housing Development finding the request consistent with Florida Statute

*Consent Agenda Item 4 was pulled and added to the Regular Agenda as Item 16.*

5. Motion to adopt **Resolution No. 2023-232**, approving the transfer of \$292,240, in park impact fee credits from the Marshall Creek Planned Unit Development (PUD) to the Bridgewater PUD, finding the request consistent with Florida Statute

6. Motion to approve the Greenbriar Helow Planned Unit Development/HBIS Property School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-02)
7. Motion to approve the Momentum Twin Creeks School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-04)
8. Motion to approve a transfer in the amount of \$40,000 of Bus Advertising Revenues from the Transit Grant Department Reserve account to the Transit Grant Department Equipment account to cover the cost of unanticipated mid-year purchase of bus security cameras
9. Motion to approve PFS AGREE 2022-03, and authorize the county administrator to execute the Momentum Twin Creeks Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code
10. Motion to adopt **Resolution No. 2023-233**, approving the realignment of a portion of United States Bike Route 1 (USBR 1) to A1A/Beach Boulevard
11. Motion to adopt **Resolution No. 2023-234**, approving the terms and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement for property required for a storm water pond site and for right-of-way improvements, along Kings Estate Road
12. Motion to adopt **Resolution No. 2023-235**, authorizing the chair of the Board, on behalf of the County, to execute a Termination of Irrevocable License and Contract at Harmony Drive North
13. Motion to adopt **Resolution No. 2023-236**, authorizing the chair of the Board, on behalf of the County, to execute a Release of Restriction and a Release of Phosphate, Minerals, Metals and Petroleum Reservations and Release of Related Rights of Entry and Exploration set forth in County Deed
14. Motion to adopt **Resolution No. 2023-237**, approving the terms and conditions of a Purchase and Sale Agreement for the acquisition of vacant land located on the east side of State Road A1A (Coastal Highway) in Vilano Beach and authorizing the county administrator, or designee, to execute the agreement on behalf of the County; and to authorize the transfer of \$15,142 from Tourist Development Tax Fund Category V reserves
15. Motion to adopt **Resolution No. 2023-238**, approving the terms and conditions of a Purchase and Sale Agreement for Grant of Easement for a water line serving Fruit Cove Forest west, located off State Road 13 North, and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
16. Motion to adopt **Resolution No. 2023-239**, accepting an Easement for Utilities, a Bill of Sale, Schedule of Values, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Waterford Lakes, Phase 3, located off Saint John's Parkway
17. Motion to adopt **Resolution No. 2023-240**, authorizing the notice required by Section 336.10, Florida Statue, for a public hearing on August 15, 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 an access and

utility easement in the Vilano Oaks Subdivision (VACROA 2023-01, Naples St. Johns County Easement Vacation)

18. Motion to adopt **Resolution No. 2023-241**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Grand Oaks, Phase 2A, Unit 1, located off State Road 16
19. Motion accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Garrison Subdivision, located off US1 North

*Consent Agenda Item 19 was pulled.*

20. Motion to adopt **Resolution No. 2023-242**, approving the terms and conditions of the Non-exclusive Construction and Demolition Debris Franchise Agreement between St. Johns County, Florida, and Grambo's Roll Off and Waste, LLC, and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
21. Motion to adopt **Resolution No. 2023-243**, approving the terms, provisions, conditions, and requirements of Amendment 1 to State Revolving Fund Loan Agreement No. WW550160, and authorizing the chair to execute the amendment on behalf of St. Johns County
22. Motion to authorize the county administrator, or his designee, to award Bid No. 23-63, Construction of Mill Creek Park to Burke Construction Group, Inc., 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 provided in Bid No. 23-63, for a total lump sum bid price of \$11,917,792, which includes Phases 1 and 2 and Alternates No.1-4, with Alternates No. 3 and No. 4 being deferred until Fiscal Year 2024 budget appropriation, and to appropriate as unanticipated revenue, \$950,000, for payments from Murabella Owner, LLC, in accordance with the Impact Fee Credit Agreement

*Consent Agenda Item 22 was pulled and added to the Regular Agenda as Item 13.*

23. Motion to adopt **Resolution No. 2023-244**, authorizing the county administrator, or his designee, to award Bid No. 23-60, Improvements to Vilano Oceanfront Park to E.B. Morris General Contractors, Inc., 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 provided in Bid No. 23-60, for a total lump sum cost of \$1,264,000
24. Motion to adopt **Resolution No. 2023-245**, authorizing the county administrator, or his designee, to award Bid No. 23-61, Fiscal Year 2023 Pavement Management Milling and Resurfacing Project to P and S Paving, Inc., as the lowest, responsive, responsible bidder for Area C, for a not to exceed cost of \$547,809.20, and to Hubbard Construction Company as the lowest, responsive, responsible bidder for Area B with reduced scope, for a not to exceed cost of \$3,977,826.40, and to execute contracts in substantially same form and format as attached hereto, for completion of the projects as provided in Bid No. 23-61

25. Motion to declare the 2003 Gradall XL3100 (CV No. 0291) as surplus, and authorize the county administrator, or designee, to donate the equipment to the City of St. Augustine Beach
26. Motion to adopt **Resolution No. 2023-246**, authorizing the county administrator, or designee, to execute Contract Amendment No. 03, extending Master Contract No. 18-MCC-TET-08926, with Tetra Tech, Inc., through and until March 31, 2024, and further authorizing the county administrator, or designee, to issue any further amendments as necessary to extend the contract term in order to complete the response to a storm event, if applicable
27. Motion to adopt **Resolution No. 2023-247**, approving the terms, provisions, conditions, and requirements of the Large User Reclaimed Water Agreement between St. Johns County, Florida, and Concert Marsh Landing, LLC, and authorizing the county administrator, or designee, to execute and record the agreement on behalf of St. Johns County
28. Motion to approve a transfer in the amount of \$175,000 from the General Fund Reserve to the county attorney account to cover outside legal expenses
29. Motion to adopt **Resolution No. 2023-248**, authorizing the chair to execute an Interlocal Agreement, in substantially the same form and format as attached, with the City of Jacksonville, approving the terms and conditions of for improvements on property, located on the municipal boundary within both the City of Jacksonville and St. Johns County
30. Motion to adopt a resolution authorizing the county administrator, or designee, to close Rock Springs Farm Park until Rock Springs Farms Homeowners Association Major Modification is heard by the Board or until November 1, 2023, whichever comes first

*Consent Agenda Item 30 was pulled and added to the Regular Agenda as Item 15.*

31. Motion to adopt a resolution authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application seeking funding assistance through the Office of Criminal Justice Grants – Florida Department of Law Enforcement - Edward Byrne Memorial Justice Assistance Grant - Countywide (JAG-C) Program Fiscal Year 2022 on behalf of the County

*Consent Agenda Item 31 was pulled and added to the Regular Agenda as Item 14.*

32. Motion to adopt **Resolution No. 2023-249**, authorizing the county administrator, or designee, to execute and submit an application to the Florida Division of Emergency Management 2023/2024 Hurricane Legislative Appropriation Program, on behalf of the County, for projects that may qualify for funding
33. Motion to adopt **Resolution No. 2023-250**, recognizing \$7,299 in additional grant funds within the County's fiscal year 2022-2023 budget as unanticipated revenue and appropriating the grant funds to the Housing Department for the housing counseling program; and approving and authorizing the county administrator, or designee, to execute

and deliver an amendment to the Fiscal Year 2022 Housing Counseling Grant Agreement between the County and Department of Housing and Urban Development (HUD)

34. Motion to adopt **Resolution No. 2023-251**, recognizing a \$400 donation from Gail Threet as unanticipated revenue and allocating the funds for use in the Fiscal Year 2023 Recreation Programs Special Events budget to purchase food for summer camp at Solomon Calhoun Community Center
35. Motion to adopt **Resolution No. 2023-252**, recognizing a \$500 reimbursement from The Bass Pro Shops and Cabela's Grant Donation program as unanticipated revenue and appropriating to Recreation Programming Operating Supplies
36. Motion to adopt **Resolution No. 2023-253**, authorizing the use of not more than \$50,000 from Tree Bank Funds that was originally intended for the Alpine Groves Restoration Project, for the landscaping project at St Johns County Pier Volleyball Courts and parking lot; and authorizing the county administrator, or designee, to execute any and all paperwork associated with, or necessary to accomplish, the landscaping project
37. Motion to approve **Resolution No. 2023-254**, authorizing the county administrator, or designee, to amend the Interlocal Agreement with the City of St. Augustine Beach to provide for law enforcement activities on beaches situated within the City's municipal limits, effective immediately for the 2023 fiscal year, adding an amount not to exceed \$25,000 for the 2023 fiscal year and increasing the annual not to exceed to \$200,000 for the 2024 Fiscal Year; and to authorize the transfer of \$25,000 from Beach Services Fund.
38. Motion to adopt **Resolution No. 2023-255**, authorizing the county administrator, or his designee, to apply for a grant opportunity with the Department of Financial Services on behalf of the County, recognizing that if approved the State will provide 75 percent of the equipment cost and the County will be required to contribute 25 percent of the total cost
39. Motion to adopt **Resolution No. 2023-256**, approving the terms, conditions, and requirements of a grant agreement with the Florida Division of Emergency Management in the amount of \$105,806, through the Emergency Preparedness and Assistance Grant; authorizing the county administrator, or his designee, to execute the grant agreement on behalf of the County, and recognizing and appropriating with the Fiscal Year 2023 General Fund Emergency Management Department
40. Motion to authorize the transfer of General Fund Reserves in the amount of \$417,850 to the Economic Development Department for the Evaluation and Appraisal Review
41. Motion to approve minutes: June 20, 2023, BCC Regular
42. Proofs:
  - a. Proof: Notice of public hearing, Establishment of Ordinance relating to Workforce Housing Zoning Designation, held on June 6, 2023, published May 23, 2023, in *The St. Augustine Record*.

- b. Proof: Requisition of Bids, Bid No. 23-41, Construction of Emergency Berms – FEMA CAT B Post Hurricane Ian and Nicole – South Portion, published on May 11, 2023, and May 18, 2023, in *The St. Augustine Record*.
- c. Proof: Requisition of Bids, Bid No. 23-54R, Sale of Real Property Located at 1135 Harmony Drive South, St. Johns County, Florida, 32259, published on May 12, 2023, and May 19, 2023, in *The St. Augustine Record*.
- d. Proof: Requisition of Bids, Bid No. 23-61, Fiscal Year 2023 Pavement Management Milling and Resurfacing Project, published on April 26, 2023, and May 3, 2023, in *The St. Augustine Record*.
- e. Proof: Requisition of Bids, Bid No. 23-63, Construction of Mill Creek Park, published on May 10, 2023, and May 17, 2023, in *The St. Augustine Record*.
- f. Proof: Notice of hearing, Establishment of Ordinance relating to a slow speed minimum wake boating restricted area within a portion of Pablo Creek, published on May 10, 2023, in *The St. Augustine Record*.
- g. Proof: Public Notice, Legal Ad Display, relating to the Fiscal Year 2024 Administrator’s Budget Workshop Schedule, published on May 17, 2023, in *The St. Augustine Record*.
- h. Proof: Notice of a Special Public Meeting, to announce and hold a special private attorney-client meeting, published on May 30, 2023, in *The St. Augustine Record*.
- i. Proof: Notice of Receipt, unsolicited proposal for a public-private partnership to manage cultural events for St. Johns County, RFP No. 23-58, published on April 25, 2023, and May 2, 2023, in *The St. Augustine Record*.
- j. Proof: Public Notice, 2022 Value Adjustment Board, published on May 30, 2023, in *The St. Augustine Record*.

**ADDITIONS/DELETIONS TO THE REGULAR AGENDA**

Whitehurst requested that Regular Agenda Item 7 be heard after Regular Agenda Item 1.

Migut requested that two red folder items be added to the regular agenda: VACROA 2021-06 – North Brevard and North Volusia Street; and a transfer of Tourist Development Tax (TDT) Reserve funds to the Visitors and Convention Bureau (VCB). Whitehurst responded that VACROA 2021-06 be heard as Regular Agenda Item 1a and the transfer of TDT funds be heard as Regular Agenda Item 17.

**APPROVAL OF REGULAR AGENDA**

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

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

**Nay: None**

**TIME CERTAIN PUBLIC COMMENT**

Public Comment: Tom Reynolds, Ronda Brennan (Exhibit A), Elizabeth Potter (Exhibit B), Dianne Battle, Nicole Crosby (Exhibit C), Richard Norwood (Exhibit D), Anthony Britton, Sherry Badger (Exhibit E), Beth Breeding, B.J. Kalaidi, and Suzanne Clulow provided public comment.

The Board moved to Regular Agenda Item 16.

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

1. Presentation of the Northeast Florida Regional Council (NEFRC) Local Emergency Planning Committee First Responding Unit Exercises with St. Johns County Fire Rescue. On June 13-15, 2023, the Northeast Florida Regional Council's Northeast Florida (NEFL) Local Emergency Planning Committee for hazardous materials conducted Initial Responding Unit exercises with St. Johns County Fire Rescue. These exercises were structured to educate non-hazardous materials team members with the basic knowledge of their capabilities to perform life safety rescues

Tyler Nolen, NEFRC Special Projects Coordinator, gave the presentation, via PowerPoint.

West left the meeting.

- 1a. Public Hearing – VACROA 2021-06, North Brevard and North Volusia Street. Request the vacation of a portion of the unopened right-of-way, known as Railroad Street, between North Brevard Street and North Volusia Street in the Afro American Subdivision. The right-of-way to be vacated extends from North Brevard Street 150 feet to the east

Matthew Lahti, P.E., President of Gulfstream Design Group, LLC, presented the details of the request, via PowerPoint.

Public Comment: Ed Slavin provided public comment.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2023-257, approving VACROA 2021-06, North Brevard and North Volusia Street, petition to vacate an unopened/unimproved portion of Railroad Street.**

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

**Nay: None**

The Board moved to Regular Agenda Item 7.

2. Waiver of Time Limits, pursuant to Section 9.04.05.C for PUD 2021-19, Bella Terra. On March 7, 2023, the Board of County Commissioners denied PUD 2021-19, Bella Terra, with a 5/0 vote. The applicant is requesting to submit a new application for this property. Land Development Code Section 9.04.05.B, states: re-application after denial of rezoning; whenever the Board of County Commissioners has denied an application for the rezoning of land, no further application shall be filed for the same rezoning category of any part, or all of the same land, for a period of one year from the date of such action. In the event that two or more applications for the same rezoning, for any part or all of the same land, have been denied, no further application shall be filed for the same rezoning category, of any



part or all of the same land, for a period of two years from the date of such action denying the last application filed. Section 9.04.04.C. allows for a waiver of the above time limits and states: the time limits in Sections 9.04.05.A. and 9.04.05.B. above may be waived by the affirmative vote of a majority of the Board of County Commissioners when such action is deemed necessary to prevent injustice or to facilitate proper development of the County

Doug Burnett, St. Johns Law Group, presented the details of the request, via PowerPoint.

Discussion ensued on the waiver request.

Public Comment: Ed Slavin, Judy Spiegel (Exhibit A), Doris Taylor (Exhibit B), Tom Reynolds, Suzanne Clulow, Chuck Labanowski, Andris Duffy, B.J. Kalaidi, and Brendan Prevatt provided public comment.

Burnett provided additional information on the waiver request, what the future intent was for the property, fragment ownership, and having a community meeting.

**Motion by Alaimo, seconded by Dean, carried 3/2, with Joseph and Whitehurst dissenting, to approve the waiver of time limits pursuant to Land Development Code Section 9.04.04.C.**

**Yea: Alaimo, Dean, Arnold**

**Nay: Whitehurst, Joseph**

The Board moved to time certain public comment.

3. Public Hearing - NZVAR 2023-03, 52 Whatley Lane (Paver Setback). Request for a Non-Zoning Variance to Section 6.04.06.F.7.b, of the Land Development Code to allow for pavers to be located closer than three feet to the side property line

The Board disclosed ex parte communication.

Jessica Cappock, Esquire, Mathis Law Group, representing the applicant, presented the details of the request, via PowerPoint.

Discussion followed regarding swales, sidewalks between the homes, and homeowners' association fines.

Public Comment: Chuck Labanowski, Cara Viola, Debbie Thorburn (Exhibit A), Tom Reynolds, Ed Slavin, and Zachary Schwermer (video on phone) provided public comment.

Cappock addressed the walkway, swales, and drainage concerns.

**Motion by Joseph, seconded by Dean, carried 4/1, with Whitehurst dissenting, to deny NZVAR 2023-03, 52, Whatley Lane (Paver Setback), the request for a Non-Zoning Variance to Section 6.04.06.F.7.b of the Land Development Code, to allow for pavers to be located closer than three feet to the side property line, based on six findings, as listed in the staff report.**

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

**Nay: Whitehurst**

4. Public Hearing - CPA(SS) 2021-09, Little Florence Cove. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of 19.81 acres of land from Rural Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the property to a maximum of five single-family dwelling units, located south of the State Road 16/State Road 13 north merger, approximately a half mile east of the Shands Bridge

Matthew Lahti, Gulfstream Design Group, LLC, presented the details of the request, via PowerPoint.

Public Comment: Dianne Battle, Ed Slavin, Tom Reynolds, and John Magura provided public comment.

Lahti addressed the compatibility components with RES-A, pre-plated subdivisions, and wetlands. Discussion followed on clearcutting the land, the proposed use of the 20 acres, and septic tank concerns.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to enact Ordinance No. 2023-25, approving CPA(SS) 2021-09, Little Florence Cove, based upon four findings of fact, as provided in the staff report.**

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

**Nay: None**

5. Public Hearing - REZ 2023-01, RV and Boat Storage of St. Augustine. A request to rezone approximately 4.2 acres of land located on the west side of US 1 South, between Bella Terra Drive and Watson Road, from Office Professional (OP) to Commercial Intensive (CI), with conditions, to limit the use to RV/Boat Storage, Accessory Residential, Cultural, or Institutional uses, Neighborhood Business or Commercial uses, General Business uses, or Offices and Professional uses, and increased buffer and screening standards. This request was heard by the Planning and Zoning Agency at its regularly scheduled public hearing on June 1, 2023, and was recommended for approval, 4-0

The Board disclosed ex parte communication.

Karen M. Taylor, Land Planner, presented the details of the request, via PowerPoint.

Discussion ensued on preserving the natural buffer, speed limits, the egress and ingress, and waiving the rights to have affordable housing as an option on the property. Robert Morgan, RGM Engineering, and Taylor addressed preserving the buffer, speed limits, and the Florida Department of Transportation's requirements.

Public Comment: Judy Spiegel (Exhibit A), Doris Taylor, Ed Slavin, and Tom Reynolds provided public comment.

Taylor addressed traffic impacts and discussion followed on the proposed use of land and compatibility with the surrounding properties.

**Motion by Alaimo, seconded by Dean, carried 5/0, to enact Ordinance No. 2023-26, REZ 2023-01, RV and Boat Storage of St. Augustine, based on three conditions, and four findings of fact, as provided in the staff report, to include exemption from the Live Local Act.**

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

**Nay: None**

The Board moved to Regular Agenda Item 8.

West entered the meeting.

6. Discussion Item; St. Johns County Land Development Code tree protections. At its March 21, 2023, regular meeting, the Board directed staff to bring forward a discussion item regarding the St. Johns County Land Development Code tree protections

Corryn George, Environmental Supervisor, presented the details of the request, via PowerPoint.

Joseph provided the Board with 14 goals and recommendations of tree preservation: 1. Continue to prevent removal of trees on a lot less than an acre; 2. Provide greater tree protection on all lots that are an acre or greater and/or are coastal habitat lots; 3. Better protect our irreplaceable trees so that they're not removed by those who could afford to pay the fines; 4. Greater conservation of trees for Planned Unit Developments; 5. More strongly discourage non-permitted tree removal; 6. Keep tree payment fund payments current with inflation; 7. Prevent land clearing too far in advance of development; 8. Preserve buffers, thereby protecting an existing neighborhoods' privacy and other quality of life aspects; 9. Ensure that development and construction do not lead to die-off of trees in abutting preserve areas; 10. Continue to allow the County's surveyor to create a tree inventory; 11. Preserve more trees in commercial settings; 12. Ensure that 100 percent of disbursement of funds from the County's Tree Bank goes toward the purchase and installation of trees; 13. Monitor and ensure adherence to code is accomplished with higher fines (recommended here); and 14. Notification of clearing within 300 feet of the property to the people on the property line (Exhibit A).

Discussion ensued on the timeline for revisions to the tree ordinance, private property rights, the 14 goals and recommendations provided by Commissioner Joseph.

Public Comment: Judy Spiegel, Ed Slavin, John Magura, Chuck Labanowski, Nicole Crosby, Tom Reynolds, Jacqueline Leblanc, and Doris Taylor provided public comment.

**Motion by Dean, seconded by Joseph, carried 4/1, with Alaimo dissenting, to direct staff to bring back specific recommendations addressing the 14 points [as stated by Commissioner Joseph] to have an opportunity to address them further.**

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

**Nay: Alaimo**

The Board moved to Regular Agenda Item 9.

7. Fiscal Year 2024 Recommended Budget. The annual County budget process requires a number of steps, ranging from its preparation through adoption. Florida Statutes (F.S. 129.03(3) and F.S. 200.065, Truth in Millage (“TRIM”) requirements) specify that a balanced recommended budget must be submitted to the Board of County Commissioners as the next step in the budget process. The Fiscal Year 2024 recommended budget has been balanced with expenditures and adequate reserves within each County fund equal to projected fund revenues. County Administration's recommended budget represents a funding level that can reasonably assure the achievement of St. Johns County’s operational needs while minimizing the tax impact on its citizenry. A Fiscal Year 2024 Recommended Budget Workbook will be provided to the County Commission in July. In addition, an electronic version of the workbook may be found on the County's website at: [www.sjcfl.us/OMB](http://www.sjcfl.us/OMB). As part of their regular meeting on August 1, 2023, the County Commission will establish the tentative millage rates for the County’s TRIM mailing and establish a date, time, and place of the first public hearing for the adoption of the Fiscal Year 2024 Annual Budget. This information is placed on Department of Revenue DR-420 forms and forwarded to the Property Appraiser. Those forms provide the basis for the “TRIM” notice mailed by the Property Appraiser to property owners in St. Johns County. For practical purposes, once the tentative millage rates are set, they can still be decreased but not increased

Joy Andrews, Interim County Administrator, presented the details of the County Administration’s Fiscal Year 2024 budget, via PowerPoint. A brief discussion ensued regarding the budget.

Jesse Dunn, Director, Office of Management and Budget, explained the budget process, via PowerPoint.

Public Comment: Ed Slavin, Tom Reynolds, Nicole Crosby, Lisa McGlynn, Chuck Labanowski, Judy Spiegel, and B.J. Kalaidi provided public comment.

Discussion ensued on the history and expanding the Land Acquisition and Management Program (LAMP) with increased funding to \$2 million annually, increasing the employee inflation rate to seven percent, additional full-time employment (FTE) positions for fire rescue, extending the library hours, having in-house consultants for services, and coming back before the board on the recommendations at the August 1, 2023, meeting. Whitehurst suggested to vote on the items separately.

*It was consensus of the Board to increase employee inflation rate by 2.5 percent from 4.5 percent to 7 percent. **Consensus was given.***

*It was consensus of the Board to expand the LAMP funding to \$2 million annually. **Consensus was given.***

*It was consensus of the Board to have additional 18 FTE’s for St. Johns County Fire Rescue. **Consensus was given.***

*It was consensus of the Board to increase FTEs for the library, to and allowing them to be open seven days a week. **Consensus was given; Alaimo and Joseph were not in agreement.***

The Board moved to Regular Agenda Item 2.

8. Proposed Settlement of Carr, Riggs and Ingram, LLC, Litigation. St. Johns County ("County") has brought suit against Carr, Riggs and Ingram, LLC, ("CRI") in Case No. CA20-1331, in the Circuit Court in and for St. Johns County, relating to the auditing services provided by CRI. Pursuant to court order, representatives of the County and CRI participated in mediation on June 22, 2023, and produced a tentative mediation settlement agreement, subject to approval of the Board of County Commissioners. A copy of the mediation settlement agreement is attached to this agenda item for review and consideration

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

Public Comment: Tom Reynolds and Ed Slavin provided public comment.

**Motion by Dean, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2023-259, approving, accepting, and ratifying the Mediation Settlement Agreement between St. Johns County and Carr, Riggs and Ingram, LLC, and recognizing unanticipated revenue.**

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

**Nay: None**

The Board moved to Regular Agenda Item 6.

West left the meeting.

9. Consider appointments to the North Coastal Design Review Board (NCDRB). Currently, there are three vacancies on the North Coastal Design Review Board (NCDRB) due to an expired term, a resignation, and an alternate member (Jean Miller) being appointed as a regular member. A vacancy ad was placed and ran for seven weeks. Members are required to be a St. Johns County resident who have shown an interest in the history and design of the North Coastal and Vilano Community, residing within the North Coastal Overlay District; or within the Vilano Town Center Mixed Used Overlay District. Attached for your review and consideration are two qualifying applications and a recommendation letter from the NCDRB; Mary Sullivan, Dist. 5 and Jane Norton, Dist. 5.

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

Public Comment: There was none.

**Motion by Joseph, seconded by Alaimo, carried 5/0, to re-appoint Jane Norton to the North Coastal Design Review Board for a full four-year term, scheduled to expire July 18, 2027.**

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

**Motion by Jospheh, seconded by Alaimo, carried 5/0, to appoint Mary Sullivan to the North Coastal Design Review Board as an alternate member, for a full four-year term, scheduled to expire July 18, 2027.**

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

**Motion by Joseph, seconded by Alaimo, carried 5/0, to appoint Kathleen Floryan, current Alternate Member, to Regular Member status, for a partial term, set to expire March 7, 2025.**

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

10. Consider an appointment to the Ponte Vedra Zoning and Adjustment Board. Currently, there is one vacancy on the Ponte Vedra Zoning and Adjustment Board (PVZAB). This vacancy is due to Cynthia Ware declining her March 7, 2023, appointment. A vacancy ad was placed and ran for six weeks. Please find for your review and consideration a recommendation letter and one application: Anthony Peduto, Dist. 4

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

Public Comment: There was none.

**Motion by Joseph, seconded by Alaimo, carried 5/0, to appoint Anthony Peduto to the Ponte Vedra Zoning and Adjustment Board for a full four-year term, scheduled to expire July 18, 2027.**

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

11. Project Shamrock Unsolicited Proposal. The County received an unsolicited proposal from Project Shamrock sharing their vision of developing a recreational and sporting facility in St. Johns County. Project Shamrock will present this proposal to the Board

Steve Livingstone, President/CEO of JAXUSL, presented the details of the proposal (Exhibit A), via PowerPoint.

Public Comment: Tom Reynolds, Ed Slavin, and Scott Maynard provided public comment.

Discussion ensued on funding, sending a letter to the Florida Department of Transportation (FDOT) to explore the viability of a land swap, traffic impacts, the benefit and cost to taxpayers, and hiring a consultant to negotiate on behalf of the County.

**Motion by Whitehurst, seconded by Joseph, carried 5/0, to send a letter to the Florida Department of Transportation exploring the viability of doing a land swap with that parcel to see if it's even possible; and have staff come back with something to see if it's a net benefit to the children and residents of St. Johns County.**

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

**Nay: None**

12. Review and consideration of the resignation of the County Administrator and the proposed separation agreement and general release; appointment of an Interim County Administrator; to provide direction to draft a contract for an Interim County Administrator; and to provide direction for the process of identifying a permanent County Administrator. For the Board's review and consideration is the Resignation Letter of Hunter S. Conrad, as County Administrator for St. Johns County, submitted on June 29, 2023. A copy of Hunter S. Conrad's resignation letter and proposed Separation Agreement and General Release are attached. Additionally, the Office of the County Attorney and the Human Resources Department seek Board direction regarding the appointment of an Interim County Administrator to perform the functions and duties specified in section 125.74, Florida Statutes and St. Johns County Ordinance No. 2010-47 (each as amended); and to further perform other duties as the Board may assign from time to time. The Office of the County Attorney will seek direction to draft an employment contract for the new Interim County Administrator. The Human Resources Department also seeks Board direction regarding filling the full-time position of County Administrator on a permanent basis.

Lex Taylor, Deputy County Attorney, presented the details of the request, via PowerPoint.

Discussion ensued on the resignation of the former County Administrator, Hunter S. Conrad.

Public Comment: Tom Reynolds, B.J. Kalaidi, Ed Slavin, Doris Taylor, Jaqueline Leblanc, and Chuck Labanowski provided public comment.

Discussion followed regarding the non-disparagement agreement.

**Motion by Dean, seconded by Alaimo, carried 4/1, with Joseph dissenting, to adopt Resolution No. 2023-260, to accept the resignation of Hunter S. Conrad, as County Administrator, and to authorize the Chair to execute the Separation Agreement and General Release, and to appoint Joy Andrews as Interim County Administrator for St. Johns County, Florida.**

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

**Nay: Joseph**

**Motion by Dean, seconded by Arnold, carried 5/0, to direct the County Attorney to draft an employment agreement for the Interim County Administrator.**

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

**Nay: None**

Lilian Hutchinson, Director of Human Resources, asked the Board for direction on the timeline for the national search and hiring an executive recruiter to expedite the process. Whitehurst suggested that the search be conducted within three months.

**Motion by Whitehurst, seconded by Dean, carried 5/0, to direct the Human Resources Department to perform an expedited national search for a permanent county administrator for St. Johns County, Florida, and assemble a search committee, to include: Lilian Hutchinson, Director of Human Resources; Commissioner Henry Dean; Brandon J. Patty, Clerk of the Circuit Court and Comptroller; Eddie Creamer, Property Appraiser; and Jerry Wilson, former vice president of Coca Cola.**

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

**Nay: None**

13. Construction of Mill Creek Park, Bid No. 2023-63 (Formerly Consent Agenda Item 22.)

Jamie Locklear, Assistant Director of Purchasing, provided the details of the request.

Public Comment: There was none.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2023-261, authorizing the interim county administrator, or her designee, to award Bid No. 23-63, Construction of Mill Creek Park to Burke Construction Group, Inc., 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 provided in Bid No. 23-63, for a total lump sum bid price of \$11,917,792, which includes Phases 1 and 2 and Alternates No. 1-4, with Alternates No. 3 and No. 4 being deferred until Fiscal Year 2024 budget appropriation, and to appropriate, as unanticipated revenue, \$950,000, for payments from Murabella Owner, LLC, in accordance with the Impact Fee Credit Agreement.**

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

**Nay: None**

14. Florida Department of Law Enforcement Office of Criminal Justice Grants (Formerly Consent Agenda Item 31.)

Tara Wildes, St. Johns County Sheriff's Office, Director of General Services Division, presented the details of the grant request.

Public Comment: There was none.

**Motion by Alaimo, seconded by Joseph, carried 5/0, to adopt Resolution No. 2023-262, authorizing the Sheriff of St. Johns County, Florida, or designee, to submit an application seeking funding assistance through the Office of Criminal Justice Grants – Florida Department of Law Enforcement - Edward Byrne Memorial Justice Assistance Grant - Countywide (JAG-C) Program Fiscal Year 2022, on behalf of the County.**



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

15. Closure of Rock Springs Park

*Formerly Consent Agenda Item 30.*

Lex Taylor, County Attorney, spoke on the closure of the park and has requested an amendment to allow the walking trail remain open; then, referenced a map and red-lined resolution (Exhibit A).

Public Comment: Juliet Mandler provided public comment.

**Motion by Alaimo, seconded by Dean, carried 5/0, to adopt Resolution No. 2023-263, authorizing the county administrator, or designee, to close Rock Springs Farm Park until Rock Springs Farms Homeowners Association Major Modification is heard by the Board or until November 1, 2023, whichever comes first; and to close only the main active recreation area along US 1 and public trail parking, which would leave the public trail around the pond area.**

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

The Board moved to Regular Agenda Item 17.

16. IFT 2023-10, Park Impact Fee Credit Transfer – Marshall Creek Planned Unit Development (Palencia) to Stokes Landing

*Formerly Consent Agenda Item 4.*

Mike Roberson, Growth Management Director, provided the history and explanation of the impact fee credit account transfer, how the process is handled, and what the County's position is on the transfer.

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

**Motion by Joseph, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2023-258, approving the transfer of \$371,530, in park impact fee credits from the Marshall Creek Planned Unit Development to the Stokes Landing Workforce Housing Development finding the request consistent with Florida Statute.**

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

Whitehurst recessed the meeting at 12:09 p.m. and reconvened at 12:51p.m. with Artricia Allen, Deputy Clerk, present. The Board moved to Regular Agenda Item 3.

17. Consideration of Tourist Development Council (TDC) recommendation to allocate \$399,485 of Category 1 Tourist Development Tax (TDT) Reserves for marketing

Tera Meeks, Director of Tourism and Cultural Development, presented the details of the request; then, spoke on allocating around \$400,000 from Category 1 TDT Revenue from reserves up to contractual services to be expended by the Visitors Convention Bureau (VCB) to spend approximately \$300,000 on general tourism and utilize \$100,000 for general promotions for the Sing Out Loud event.

Public Comment: There was none.

**Motion by Alaimo, seconded by Arnold, carried 4/1, with Joseph dissenting, to accept the recommendation from the Tourist Development Council to allocate \$399,485 of Category 1 Reserve (1144 – 59920) funds to Contractual Services (1144 – 53120) to be expended by the Visitors and Convention Bureau for enhanced promotion of the overall destination and Sing Out Loud event in August and September.**

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

**Nay: Joseph**

## **PUBLIC COMMENT**

Ed Slavin, Carolina Morrow, and Chuck Labanowski provided public comment.

## **COMMISSIONERS' REPORTS**

### Commissioner Joseph

Joseph responded to the public comment concerns of having a sign language interpreter and *requested Board consensus to direct staff to look into having someone perform sign language at the Board of County Commissioners meetings. Consensus was given.* She also requested that Consent Agenda Item 40, regarding the Comprehensive Plan, be attached to the County's website.

### Commissioner Arnold

*Arnold requested Board consensus to direct staff to come back with an analysis of a comprehensive economic development plan for Hastings. Consensus was given.*

Arnold requested consensus of the Board to have the rental fee of \$318 waived for a non-profit organization "Shoes of Hope" for use of the Solomon Calhoun Center for a back-to-school event.

Migut provided legal advice on the Shoes of Hope fee waiver request.

Public Comment: There was none.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to waive the rental fee of \$318 for the Shoes of Hope non-profit event at the Solomon Calhoun Center.**

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

Arnold reported on a famous author, Zora Neale Hurston, whose house was up for sale in the amount of \$239,000 and proposed that the County investigate purchasing the house to possibly be turned into a museum or community center. She suggested using the Tourist Development Council Reserve Funding for the purchase of the home. Discussion ensued on funding.

Public Comment: Ed Slavin provided public comment.

**Motion by Arnold, seconded by Alaimo, carried 5/0, to draft a Letter of Intent to purchase the Zora Neale Hurston house in West Augustine.**

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

Commissioner Dean

Dean congratulated Andrews on becoming the Interim County Administrator.

Commissioner Alaimo

Alaimo reported on attending his first Florida Association of Counties meeting.

Commissioner Whitehurst

No report.

## **COUNTY ADMINISTRATOR'S REPORT**

Andrews reported on the partial reimbursement of grant funds, just over \$ 1 million, to be received from the Florida Inland Navigation District (FIND) for the purchase of the Genovar Property.

## **COUNTY ATTORNEY'S REPORT**

No report.

With there being no further business to come before the Board, the meeting adjourned at 5:33 p.m.

## REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 613316-613333, totaling \$558,846.66 (06/22/2023)
2. St. Johns County Board of County Commissioners Check Register, Check No. 613334, totaling \$325 (06/23/2023)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 613335-613510, totaling \$3,720,862.07 and Voucher Register, Voucher Nos. 73604-73696, totaling \$2,418,861.91 (06/26/2023)

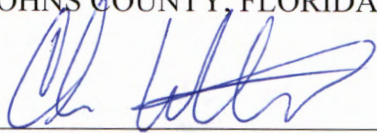
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 613511-613512, totaling \$106,733 (06/27/2023)
5. St. Johns County Board of County Commissioners Check Register, Check No. 613513, totaling \$1,900 (06/27/2023)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 613514-613525, totaling \$8,479.62 and Voucher Register, Voucher Nos. 73697-73708, totaling \$3,848.39 (06/28/2023)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 613526-613532, totaling \$2,336.74 and Voucher Register, Voucher No. 73709, totaling \$455.11 (06/29/2023)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 73710-73711, totaling \$8,316.15 (06/29/2023)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 613533-613713, totaling \$1,731,783.68 and Voucher Register, Voucher Nos. 73712-73804, totaling \$3,016,136.04 (07/03/2023)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 613714-613742, totaling \$47,707.19 and Voucher Register, Voucher Nos. 73805-73834, totaling \$55,412.86 (07/05/2023)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 613743-613902, totaling \$1,628,859.21 and Voucher Register, Voucher Nos. 73835-73942, totaling \$2,186,849.08 (07/10/2023)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 613903-613911, totaling \$6,723 and Voucher Register, Voucher Nos. 73943-73947, totaling \$8,600 (07/12/2023)
13. St. Johns County Board of County Commissioners Check Register, Check Nos. 613912-613916, totaling \$1,729.96 and Voucher Register, Voucher No. 73948, totaling \$455.11 (07/13/2023)
14. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 73949-73950, totaling \$8,212.95 (07/13/2023)
15. St. Johns County Board of County Commissioners Check Register, Check Nos. 613917-614102, totaling \$3,510,195.30 and Voucher Register, Voucher Nos. 73951-74050, totaling \$3,723,208.60 (07/17/2023)

CORRESPONDENCE:

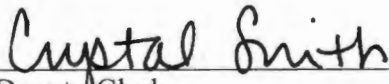
1. Letter dated July 7, 2023, from Grau and Associates, certified public accountants, regarding the World Commerce Development District.

Approved August 1, 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

