



Minutes of Meeting
Board of County Commissioners
St. Johns County, Florida
Regular Meeting
County Administration Building
500 San Sebastian View
St. Augustine, Florida 32084
September 5, 2023 - 9:00 a.m.

CALL TO ORDER

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

Present: Christian Whitehurst, District 1, Chair
Roy Alaimo, District 3
Krista Joseph, District 4
Henry Dean, District 5

Absent: Sarah S. Arnold, District 2, Vice Chair [arrived later and participated remotely]

Staff Present: Joy Andrews, Interim County Administrator
David Migut, County Attorney
Brad Bradley, Deputy County Administrator Chief of Staff
Sarah Taylor, Assistant County Administrator
Colin Groff, Interim Assistant County Administrator
Lex Taylor, Deputy County Attorney
Artricia K. Allen, Deputy Clerk

ROLL CALL

The clerk called the roll. Commissioners Whitehurst, Alaimo, Dean, and Joseph were present. Commissioner Arnold was absent during the roll call.

*Migut requested Board consensus to authorize Commissioner Arnold to participate remotely in today's Board of County Commissioner Regular Meeting. **Consensus was given.***

INVOCATION

Pastor Bob Appleby, Colonial Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Roy Jones, Petty Officer Second Class, United States Navy, led the Pledge of Allegiance.

PROCLAMATION RECOGNIZING SEPTEMBER 15 – OCTOBER 15, 2023, AS HISPANIC HERITAGE MONTH

Whitehurst presented the proclamation to Monica Hernandez, First Coast Hispanic Chamber of Commerce, who spoke on the importance of Hispanic Heritage Month. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

PROCLAMATION RECOGNIZING SEPTEMBER 17-23, 2023, AS CONSTITUTION WEEK

Alaimo presented the proclamation to Kay Burtin, Daughters of the American Revolution, who spoke on the importance of Constitution Week. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

PROCLAMATION RECOGNIZING SEPTEMBER 2023, AS LIBRARY CARD SIGN-UP MONTH

Joseph presented the proclamation to Debra Rhodes Gibson, St. Johns County Library Systems Director, who spoke on the importance of Library Card Sign-up Month. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

ACCEPTANCE OF PROCLAMATIONS

Motion by Dean, seconded by Alaimo, carried 4/0, via roll call vote, with Arnold absent, to accept the proclamations.

Yea: Whitehurst, Dean, Alaimo, Joseph

Nay: None

Absent: Arnold

PUBLIC SAFETY UPDATE

Jason Caban, Director of the Correction Division St. Johns County Sheriff's Office, provided an update on the traffic crash/fatality projections for 2023, jail renovations, and the upcoming K9 graduation ceremony.

Scott Bullard, St. Johns County Fire Rescue Chief, reported on the affects of Hurricane Idalia and the preparations involved.

CLERK OF COURT'S REPORT

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, highlighted September 17, 2023, as the 236th Anniversary of the founders signing the United States Constitution. He spoke on the Value Adjustment Board (VAB) petition filing process.

PUBLIC INFRASTRUCTURE UPDATE

Andrews introduced the Infrastructure Delivery Team members and Groff presented the public infrastructure update on the cohesive and innovative approach with upcoming projects, via PowerPoint. Discussion ensued on the number of projects under construction.

DELETIONS TO THE CONSENT AGENDA

Joseph requested that Consent Agenda Item 3, 4 and 6 be pulled and moved to Regular Agenda. Whitehurst recommended that Consent Agenda Item 6 be moved to the Regular Agenda as Item 14, Consent Agenda Item 3 be moved to the Regular Agenda as Item 1a, Consent Agenda Item 4 be moved to the Regular Agenda as Item 3a.

Public Comment: Beth Tate and Ellen Avery-Smith provided public comment.

APPROVAL OF CONSENT AGENDA

Motion by Dean, seconded by Alaimo, carried 5/0, via roll call vote, to approve the Consent Agenda, as amended.

Yea: Joseph, Alaimo, Dean, Whitehurst, Arnold

Nay: None

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2023-308**, approving the final plat for Cordova Palms, Phase Three
3. Motion to approve the Landings at Greenbriar School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-05)

Consent Agenda Item 3 was pulled and added to the Regular Agenda as Item 1a

4. Motion to approve PFS AGREE 2022-11, and authorize the county administrator to execute the Landings at Greenbriar Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code; contingent upon approval of PUD 2022-03 and CPA(SS) 2022-01

Consent Agenda Item 4 was pulled and added to the Regular Agenda as Item 3a

5. Motion to approve a Memorandum of Understanding between Bartram Park, Ltd., Bartram Park Associates, LLC, and St. Johns County for the construction of Race Track Road widening from Bartram Park Boulevard to Bartram Springs Parkway
6. Motion to adopt a Resolution approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement for the acquisition of approximately 30 acres of land located off County Road 13 South for conservation and approving a transfer of Land Acquisition and Management Program reserves up to \$735,000 for the purchase of the property

Consent Agenda Item 6 was pulled and added to the Regular Agenda as Item 14

7. Motion to adopt **Resolution No. 2023-309**, accepting Bill of Sale, Final Release of Lien, and Warranty associated with the water, sewer, and reuse systems to serve Silverleaf RAH, Parcel 29B-1 (Phase 3), located off Silverleaf Parkway
8. Motion to adopt **Resolution No. 2023-310**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Liberty Landscape Supply located off State Road 16
9. Motion to adopt **Resolution No. 2023-311**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve St. Augustine Business Park also referred to as Dobbs Business Park, located off Dobbs Road
10. Motion to adopt **Resolution No. 2023-312**, accepting Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water, sewer, and fire hydrant systems to serve Rolling Hills Industrial Park
11. Motion to adopt **Resolution No. 2023-313**, accepting an Easement for Utilities associated with the fire hydrant to serve Moultrie Apartments located at 2250 Old Moultrie Road
12. Motion to adopt **Resolution No. 2023-314**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water, sewer, and reuse systems to serve Holly Landing, Silverleaf Parcel 6, located off Silverlake Drive
13. Motion to adopt **Resolution No. 2023-315**, accepting an Easement for Utilities, Bill of Sale, Release of Lien, and Warranty associated with the water, sewer, and sewer force mains systems to serve Trailmark East Parcel, Phase 2, Unit A, located off Pacetti Road
14. Motion to adopt **Resolution No. 2023-316**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water, sewer, and sewer force mains to serve St. Augustine Lakes, Phase 1A, located off Holmes Boulevard
15. Motion to adopt **Resolution No. 2023-317**, accepting a Deed of Dedication from Chase Properties, Inc., to St. Johns County as required in the Mayberry Commercial/Opus South Commercial Impact Fee Credit Agreement, for Hilltop Road right-of-way
16. Motion to adopt **Resolution No. 2023-318**, accepting a Deed of Dedication Right-of-Way from Forestar (USA) Real Estate Group, Inc., to St. Johns County as required in the Impact Fee Credit Agreement for Bridgewater residential development for additional right-of-way of County Road 210
17. Motion to adopt **Resolution No. 2023-319**, authorizing the county administrator, or designee, to execute and issue a Franchise Agreement to Arwood Container Services, LLC, for the collection and transportation of construction and demolition debris in unincorporated St. Johns County, in substantially the same form as the Non-Exclusive Construction and Demolition Debris Franchise Agreement, attached hereto

18. Motion to adopt **Resolution No. 2023-320**, approving the 2023-2024 Solid Waste Cost, Assessment Rates, and Non-Ad Valorem Assessment Roll for the Solid Waste Municipal Service Benefit Units, and authorizing the chair to certify and deliver the 2023-2024 Assessment Roll to the St. Johns County Tax Collector
19. Motion to adopt **Resolution No. 2023-321**, approving the terms, provisions, conditions, and requirements of the first amendment to the amended and restated agreement between St. Johns County, Florida, and White Ford's Timber, LLC, for the provision of Utility Service and refund of water, wastewater, and reclaimed water unit connection fees, and authorizing the assistant county administrator to execute the agreement on behalf of St. Johns County; providing for an effective date
20. Motion to adopt **Resolution No. 2023-322**, authorizing the county administrator, or designee, to award Bid No. 23-74; Porpoise Point Drive Shore Protection to Construct Co. 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. 23-74, for a total not-to-exceed amount of \$637,007.81, which includes Bid Alternate No. 1
21. Motion to adopt **Resolution No. 2023-323**, authorizing the county administrator, or designee, to execute a contract with LifeScan for the performance of the specified services, in substantially the same form and format as attached, at the pricing provided in the agreement
22. Motion to declare the 2008 MT55 Freightliner Mobile Unit (CV No. 1209) as surplus, and authorize the county administrator, or designee, to donate the equipment to the Duval County Department of Health
23. Motion to declare the attachments as surplus and authorize the county administrator, or designee, to dispose of same in accordance with the Purchasing Policy 308 and Florida Statute 274
24. Motion to adopt **Resolution No. 2023-324**, approving the 2023-2024 Non-ad Valorem Assessment Roll for the Treasure Beach Canals Municipal Service Benefit Unit and to authorize the chair, or designee, to certify and deliver the 2022-2023 assessment roll to the St. Johns County Tax Collector
25. Motion to adopt **Resolution No. 2023-325**, approving the 2023-2024 Non-ad Valorem Assessment Roll for the Moultrie Crossing Lift Station Municipal Service Benefit Unit and to authorize the chair, or designee, to certify and deliver the 2022-2023 assessment roll to the St. Johns County Tax Collector
26. Motion to approve the updated cost estimate of \$9,135,806 for the Ponte Vedra Concert Hall within the St. Johns County Board of County Commissioners Capital Improvement Plan

27. Motion to adopt **Resolution No. 2023-326**, authorizing the county administrator, or designee, to execute the American Rescue Plan Act of 2021 Municipal Subrecipient Subaward Funding Agreement by and between St. Johns County and the City of St. Augustine
28. Motion to adopt **Resolution No. 2023-327**, issuing a Certificate of Public Convenience and Necessity to RG Ambulance Service, Inc., d/b/a/ Century Ambulance Service, and authorizing the chair to execute said Certificate, in substantially the same form as attached hereto
29. Motion to adopt **Resolution No. 2023-328**, appropriating \$180,744, representing \$164,312.72 in Assistance to Firefighters Grant funding from Federal Emergency Management Agency (FEMA) and \$16,431.28 in County matching funds, to the 2023-2024 St. Johns County Fire Rescue budget; and authorizing the county administrator, or designee, to accept and receive the federal funds through the FEMA Grants Outcome (FEMA GO) system subject to the Award Letter, Agreement Articles, and Obligor Document
30. Motion to adopt **Resolution No. 2023-329**, approving the terms and conditions of, and authorizing the chair to execute a modification to the Cooperation Agreement, in substantially the form attached, for the rehabilitation of the St. Johns County Coastal Storm Risk Management Project
31. Motion to adopt **Resolution No. 2023-330**, authorizing the county administrator, or designee, to execute agreements between St. Johns County Board of County Commissioners and the State of Florida Division of Emergency Management for Hurricane Nicole
32. Motion to adopt **Resolution No. 2023-331**, approving the terms, provisions, conditions, and requirements of the Florida State Aid to Libraries Grant Agreement and authorizing the chair of the Board of County Commissioners to execute the agreement, substantially in the same form as attached
33. Motion to approve minutes: August 15, 2023, BCC Regular
34. Proofs:
 - a. Proof: Notice of public hearing, prohibiting floating structures, published on July 20, 2023, in *The St. Augustine Record*.
 - b. Proof: Requisition of Bids, Bid No. 23-74, Porpoise Point Drive Shore Protection, published on July 12, 2023, and July 19, 2023, in *The St. Augustine Record*.
 - c. Proof: Requisition of Bids, Bid No. 23-77, Sheriff's Tactical Training Facility, published on July 24, 2023, and July 31, 2023, in *The St. Augustine Record*.
 - d. Proof: Requisition of Bids, Bid No. 23-78, Sale of Real Property Located at 1135 Harmony Drive South, St. Johns, Florida, 32259, published on July 21, 2023, and July 28, 2023, in *The St. Augustine Record*.
 - e. Proof: Requisition of Bids, Bid No. 23-79, County Road 2209 Force Main, and Reclaimed Water Main from International Golf Park Way (IGP) to State Road 16, published on July 14, 2023, and July 21, 2023, in *The St. Augustine Record*.

- f. Proof: Requisition of Bids, Bid No. 23-80, Weed and Pest Control Maintenance Services for St. Johns County Athletic Fields, published on July 19, 2023, and July 26, 2023, in *The St. Augustine Record*.

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 amended.

Yea: Whitehurst, Dean, Alaimo, Joseph, Arnold

Nay: None

TIME CERTAIN PUBLIC COMMENT

Public Comment: Judy Speigel, Diana Reglin, Keith Aclin, Richard Norwood, Sherry Badger (Exhibit A), Tom Sullivan, Ronda Brennan (Exhibit B), Elizabeth Potter (displayed a video), Jean Aclin, and William Hennesy (Exhibit C) provided public comment.

Whitehurst recessed the meeting at 12:20 p.m. and reconvened at 12:51 p.m. with Sandra Hutto, Deputy Clerk, present.

1. Public Hearing - CPA (SS) 2022-01, The Landings at Greenbriar. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation of approximately 31.8 acres of land, located south of Greenbriar Road, approximately one mile west of Longleaf Pine Parkway, from Rural/Silviculture (R/S) to Residential-B (Res-B), with site specific text amendment stating that in locations where the subject property is contiguous to The Landings at St. Johns site, no Development Edges will be required. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval, 5-1

Regular Agenda Items 1, 1a, 2, 3, 3a and 4 were presented together.

The Board disclosed ex parte communication on Regular Agenda Item 2 and 4.

Ellen Avery Smith, Esquire, Rogers Towers, P.A., and Casey Dendor, AICP, England-Thims and Miller, representing the applicant, presented the details of the request, via PowerPoint. Discussion ensued on the number of approved units, traffic and school impacts, the interconnectivity of the Bartram Ranch Community, lot sizes, waiver requirements, and the fire flow design. Additionally, Justin Dudley, developer, responded to the fire flow and wetland preservation.

Public Comment: Christine Mullis, representing 144 residents (Exhibit A), Ed Slavin, Rhonda Lovett (Exhibit B), Kerri Gustavson, Stanley Bates, Jordon Tindell, Mike Brown, Kevin White, Tom Sciandra (Exhibit C), Howard Mc Gaffney, Ann-Marie Evans, Anne Tressler, Nancy Tray, Jen Ghioto, Ross Koelbel, Nadine Hughey, and David Hensley provided public comment.

Avery Smith and Dendor provided rebuttal on the timeline, school concurrency agreement, compatibility map and comprehensive plan (Exhibit D). Discussion ensued on the compatibility, deficient roads, county's long-term plans, infrastructure, and the Public Education Capital Outlay (PECO). Additionally, Dick D'Souza, Assistant Director of Transportation, spoke about the county's long-term plans and the widening of Greenbriar Road.

Motion by Whitehurst, seconded by Dean, carried 4/1, via roll call vote, with Joseph dissenting, to enact Ordinance No. 2023-35, approving the adoption of CPA (SS) 2022-01, The Landings at Greenbriar, based upon four findings of fact, as provided in the staff report.

Yea: Arnold, Dean, Whitehurst, Alaimo

Nay: Joseph

- 1a. CONSCA 2023-05, Landings at Greenbiar School Concurrency Proportionate Share Mitigation Agreement

Formerly Consent Agenda Item 3.

Discussion occurred with Regular Agenda Item 1.

Motion by Whitehurst, seconded by Alaimo, carried 4/1, via roll call vote, with Joseph dissenting, to approve the Landing at Greenbriar School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2023-05)

Yea: Arnold, Dean, Whitehurst, Alaimo

Nay: Joseph

2. Public Hearing - PUD 2022-03, The Landings at Greenbriar. Request to rezone approximately 382 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum of 588 single family residential dwelling units. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval by a vote of 5-1

Discussion occurred with Regular Agenda Item 1.

Motion by Whitehurst, seconded by Dean, carried 4/1, via roll call vote, with Joseph dissenting, to enact Ordinance No. 2023-36, approving PUD 2022-03, The Landings at Greenbriar, based on nine findings of fact, as provided within the staff report.

Yea: Arnold, Dean, Alaimo, Whitehurst

Nay: Jospheh

3. Public Hearing - COMPAMD 2022-06, The Landings at St. Johns (Active Adult). Adoption hearing for a Large-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 581 acres of land, located south of Greenbriar Road and west of Longleaf Pine Parkway, from Rural/Silviculture (R/S) to Residential-B

(Res-B) with a site-specific text amendment stating that in locations where the subject property is contiguous to The Landings at Greenbriar site, no Development Edges will be required. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval, 5-1

Discussion occurred with Regular Agenda Item 1.

Motion by Whitehurst, seconded by Dean, carried 4/1, via roll call vote, with Joseph dissenting, to enact Ordinance No. 2023-37, approving the adoption of COMPAMD 2022-06, The Landings at St. Johns (Active Adult), based upon four findings of fact, as provided in the staff report.

Yea: Arnold, Dean, Whitehurst, Alaimo

Nay: Joseph

3a. PFS AGREE 2022-11, Landings at Greenbriar Proportionate Fair Share Agreement

Formerly Consent Agenda Item 4.

Discussion occurred with Regular Agenda Item 1.

Motion by Whitehurst, seconded by Dean, carried 4/1, via roll call vote, with Joseph dissenting, to approve PFS AGREE 2022-11, and authorize the county administrator, to execute The Landings at Greenbriar Proportionate Fair Share Agreement, finding that the proposed agreement is consistent with Section 11.09 of the Land Development Code; contingent upon approval of PUD 2022-03 and CPA (SS) 2022-01.

Yea: Arnold, Dean, Whitehurst, Alaimo

Nay: Joseph

4. Public Hearing - PUD 2022-20, The Landings at St. Johns (Active Adult). Request to rezone approximately 581 acres of land from Open Rural (OR) and Residential, Single Family (RS-2) to Planned Unit Development (PUD) to allow for a maximum 761 age-restricted single-family homes. This request is a companion application to COMPAMD 2022-06, The Landings at St. Johns. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval, 5 - 1

Discussion occurred with Regular Agenda Item 1.

Motion by Whitehurst, seconded by Dean, carried 4/1, via roll call vote, with Joseph dissenting, to enact Ordinance No. 2023-38, approving PUD 2022-20, The Landings at St. Johns, based on nine findings of fact, as provided within the staff report.

Yea: Arnold, Dean, Whitehurst, Alaimo

Nay: Joseph

5. Public Hearing - CPA(SS) 2023-03, Mensforth Family Community Commercial. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation for approximately 4.25 acres of land from Rural/Silviculture to Community Commercial. The subject property is located at County Road 210 West, north of County Road 16A. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval by a vote of 5-0

Regular Agenda Items 5 and 6 were presented together.

The Board disclosed ex parte communication.

James Whitehouse, Esquire, St. Johns Law Group, representing the applicant, presented the details of the request, via PowerPoint, and described the proposed use of the property.

Public Comment: There was none.

Motion by Arnold, seconded by Dean, carried 5/0, via roll call vote, to enact Ordinance No. 2023-39, approving the adoption of CPA(SS) 2023-03, Mensforth Family Community Commercial, based upon four findings of fact, as provided in the staff report.

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

6. Public Hearing - PUD 2023-08, Mensforth Family Community Commercial PUD. Request to rezone approximately 4.25 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum 25,000 square feet of Community Commercial uses. This request is a companion application to CPA(SS) 2023-03, Mensforth Family Community Commercial. The subject property is located at County Road 210 West, north of County Road 16A. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, August 3, 2023, and was recommended for approval by a vote of 5-0

Discussion occurred with Regular Agenda Item 5.

Motion by Arnold, seconded by Dean, carried 5/0, via roll call vote, to enact Ordinance No. 2023-40, approving PUD 2023-08, Mensforth Family Community Commercial PUD, based on nine findings of fact, as listed in the staff report.

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

7. Public Hearing - COMPAMD 2023-02, State Road 16 Rogero Self-Storage (FAR) (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 90 percent in lieu of the required maximum of 50 percent in the Residential-A Future Land Use Map designation to accommodate construction of a Self-Storage Facility, specifically located at 6101 State Road 16. This request was heard by the Planning and Zoning Agency at its

regularly scheduled public hearing on Thursday, July 20, 2023, and was recommended for transmittal by a vote of 5-0

Douglas N. Burnett, St. Johns Law Group, representing the applicant, presented the details of the request, via PowerPoint. He answered questions regarding the buffers, height of the building, and surrounding storage facilities.

Public Comment: There was none.

Motion by Arnold, seconded by Whitehurst, carried 4/1, via roll call vote, with Joseph dissenting, to deny transmittal of COMPAMD 2023-02, State Road 16 Rogero Self-Storage (FAR), based upon four findings of fact, as provided in the staff report.

Yea: Arnold, Whitehurst, Alaimo, Dean

Nay: Joseph

8. Public Hearing - REZ 2023-07, Airport One Parcel 2. Request to rezone approximately 1.15 acres of land from Commercial General (CG) to Commercial Intensive (CI). This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, July 20, 2023, and was recommended for approval, 5-0

Michael Antonopoulos, owner, presented the details of the request, via PowerPoint.

Public Comment: There was none.

Motion by Dean, seconded by Alaimo, carried 5/0, via roll call vote, to enact Ordinance No. 2023-41, approving REZ 2023-07, Airport One Parcel 2, based on four findings of fact, as provided in the staff report, to include the conditional zoning.

Yea: Dean, Alaimo, Whitehurst, Joseph, Arnold

Nay: None

9. Special Magistrate Recommendation in Day Late Enterprises, Inc., v. St. Johns County. On June 9, 2022, the Board of County Commissioners ("Board") rendered an order denying a non-zoning variance application by Day Late Enterprises, Inc., ("Day Late"), for a proposed alternative bald eagle management plan for certain property along State Road 16, the majority of which is undeveloped, but a portion of which is within the Grand Oaks Planned Unit Development. Day Late filed a request for relief from the denial under the Florida Land Use and Environmental Dispute Resolution Act ("FLUEDRA"), section 70.51 Florida Statutes, which provides means to potentially resolve disputes pre-suit through a special magistrate mediation and hearing process. After the conclusion of the hearing, the special magistrate is required to issue a written recommendation, which the governmental entity must accept, modify, or reject within 45 days after receipt. Failure to act within 45 days is deemed a rejection. Thirty days after any rejection, the government entity must issue a written decision of the uses available to the subject property. The special magistrate in this matter issued a written recommendation on August 8, 2023, which is attached here for the Board's review and consideration for possible action

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

Public Comment: Rhonda Lovett (Exhibit A), Nicole Crosby, and Ed Slavin provided public comment.

Bulthuis provided clarification on what's needed from the Board for approval or denial.

Arnold requested *Board consensus to take no further action on this agenda item. Consensus was given.*

10. Discussion and request for direction regarding funding options in connection with the Ponte Vedra Beach Restoration project. The County has been working towards the restoration of the beach and dunes in Ponte Vedra Beach. There has been a \$25 million grant from the state legislature, allowing for a path to initial construction. Staff would like to provide an update on the project, and discuss potential options, including Municipal Service Taxing Unit (MSTU) levies, to address any remaining shortfalls in project funding

Joseph Giammanco, PhD, Emergency Management Director, presented the details of the request, via PowerPoint. He also provided a possible scenario if there were construction shortfall, proper planning for federal funding, and the required taxes for residents.

The Board expressed their position on the restoration project. Discussion ensued on filing for federal grants, completing the project, and everyone starting at an equal opportunity.

Public Comment: Beth Angelo (Exhibit A), Mark Angelo, Susan Walchok, Kevin Mc Auliffe, John Clegg, David Delaney, Lori Moffett, Ed Slavin, Elaine Ashourian, and David Moffett provided public comment.

Discussion ensued on the possibility of the project being under budget, separating Ponte Vedra from north to south, and the timeline of the project.

Motion by Dean, seconded by Alaimo, as amended, carried 4/1, via roll call vote, with Joseph dissenting, in support of using the Coastal Management Easements for all County initiated sand placement projects and coastal management activities, set the MSTU levy for the northern section at a 0.39 millage rate and the southern section at a 0.75 millage rate, and direct staff to send out the surveys to the residents concerning millage changes.

Yea: Dean, Alaimo, Whitehurst, Arnold

Nay: Joseph

Andrews clarified that the *proposed millage levy tax would be set for the 2025-2026 budget year.*

Motion by Joseph to levy the millage tax at one rate for the entire nine miles of Ponte Vedra Beach. Failed for lack of second.

11. Discussion on Local Preference in St. Johns County Purchasing Policy. Discussion to determine whether or not to remove the application of Local Preference as included in the St. Johns County Purchasing Policy.

Jaime Locklear, Assistant Director Purchasing and Contracts Division, presented the details of the request, via PowerPoint. She provided additional details on the bidding policy and having strategy conversations with the Chamber of Commerce.

Public Comment: Ed Slavin, Doris Taylor, and Benjamin Griggs provided public comment.

Discussion ensued on bringing back recommendations or potential options after consulting with the Chamber of Commerce, an amended or revised policy.

12. Consider appointment to the Tourist Development Council. There is currently one vacancy on the Tourist Development Council (TDC) due to the resignation of Joe Finnegan, who served as an owner /operator member. Based on the TDC membership requirements laid out in F.S. 125.0104, the vacant seat may be held by either an accommodations representative or a non-accommodations representative. A vacancy ad was placed and ran for approximately three months. Please see attached for your review and consideration, a recommendation from the TDC and 14 applications: Brian Clark, Dist. 1; Bonnie Hayflick, Dist. 2; Charles Cox, Dist. 3; Jeanetta Cebollero, Dist. 3; Heather Harley-Davidson, Dist. 3; Eli Gillmore, Dist. 3; Beth Strautz, Dist. 4; Constance Fontaine, Dist. 5; Dr. Arthur Field, Dist. 5; Garrett Colton, Dist. 5; Benjamin Brandao, Dist. 5; Nicholas Primrose, Dist. 5; Jan Marie Chesterton, Dist. 5; and Matthew Ohlson, Dist. 5

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

Public Comment: There was none.

Motion by Alaimo, seconded by Joseph, carried 5/0, via roll call vote, to appoint Charles Cox to the Tourist Development Council for a partial term, scheduled to expire February 2, 2025.

Yea: Alaimo, Joseph, Arnold, Dean, Whitehurst

Nay: None

13. Project Krew Updated Economic Development Incentive Request. The St. Johns County Economic Development Agency has received a revised application from Project Krew for economic development incentives to operate an advanced manufacturing facility in a large-scale industrial building located in St. Johns County. The revised application shows a significant increase in commitment and investment in St. Johns County. The incentive request has been recalculated to align with the significant increase in investment. Project Krew is also considering other locations and has requested confidentiality during this process. In addition to offering career opportunities with substantial benefits, Project Krew would add to the County's manufacturing and health and life sciences profile. The project would also significantly increase the County's stock of high-tech capital (i.e. robotics equipment) and high-skilled labor. The project is anticipated to begin operations by the second quarter of 2026. With this schedule, the first annual grant payment would be

anticipated during Fiscal Year 2028. The updated total estimated value of the incentive, over a multi-year period, is \$5,821,779. In accordance with the Program, the Agency is required to review the application and make a written report to the Board of County Commissioners. Staff recommends support of this revised incentive application

Jennifer Zuberer, Manager of Tourism Promotional Programs, presented the details of the request, via PowerPoint.

Public Comment: Nicole Crosby, Ed Slavin, Doris Taylor, and Scott Maynard provided public comment.

The Board expressed their position on the request.

Motion by Dean, seconded by Arnold, carried 5/0, via roll call vote, to instruct the County Attorney to draft an Economic Development Grant Agreement for Project Krew and place the proposed Grant Agreement, for consideration by the Board at a later regularly scheduled meeting.

Yea: Dean, Arnold, Joseph, Alaimo, Whitehurst

Nay: None

14. Land Acquisition Management Programs (LAMP) Purchase and Sale Agreement

Formerly Consent Agenda Item 6.

Corey Bowens, Director of Land Management, along with Jan Brewer, Environmental Manager, provided an explanation of the contiguous property and referenced a map (Exhibit A). Discussion ensued on the LAMP Board using matrix scoring and the property being fourth on their list, wetlands, and whether the decision to acquire the property was made before the LAMP was approved for \$2 million.

Public Comment: Nicole Crosby, Ed Slavin, and Judy Speigel provided public comment.

Motion by Dean, seconded by Whitehurst, carried 4/1, via roll call vote, with Joseph dissenting, to adopt Resolution No. 2023-332, approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement for the acquisition of approximately 30 acres of land, located off County Road 13 South for conservation and approving a transfer of Land Acquisition and Management Program reserves up to \$735,000 for the purchase of the property.

Yea: Dean, Whitehurst, Alaimo, Arnold

Nay: Joseph

PUBLIC COMMENT

Nicole Crosby, Doris Taylor, Ed Slavin, and Judy Speigel provided public comment.

COMMISSIONERS' REPORTS

Commissioner Arnold

No report.

Commissioner Dean

Dean expressed his condolences to Jimmy Buffet.

Commissioner Joseph

Joseph reported on the support of the Emergency Operations Center during Hurricane Idalia. She also reported on a pond near Dolphin Cove, via PowerPoint, and requested *Board consensus to locate the owner of the pond and having it cleaned due to environmental problems. Consensus was given.*

Commissioner Alaimo

Alaimo reported on the support of the Emergency Operations Center during Hurricane Idalia. He also reported on attending the Florida Housing Coalition Annual Affordable Housing Conference and requested staff provide information under the Live Local Act to enact an ordinance providing property tax exemptions to certain affordable housing developments.

Commissioner Whitehurst

Whitehurst recognized the work performed by Wayne Larson, Director of Public Affairs, and his staff.

COUNTY ADMINISTRATOR'S REPORT

Andrews reported on Tera Meeks, Tourism and Cultural Development Director, and Gabe Pellicer, General Manager of the St. Augustine Amphitheatre, working with The World Golf Foundation on the transition of the IMAX Theater and having an extension of operations for 30 days. She also requested authorization to enter into negotiations to acquire the PGA Production Building and 36.7 acres of the South Legacy Trail, which would include the parking lot, right-of-way, pond, irrigation, and submerged lands, and to bring back a draft purchase and sale agreement at a later time.

Public Comment: Ed Slavin provided public comment.

Motion by Arnold, seconded by Dean, carried 5/0, via roll call vote, to authorize the county administrator, or designee, to enter into negotiations to acquire the PGA Production and Entertainment Building located at 21 World Golf Place and the South Legacy Trail.

Yea: Arnold, Dean, Alaimo, Whitehurst, Joseph

Nay: None

COUNTY ATTORNEY'S REPORT

Migut reported on the Property Assessed Clean Energy (PACE) program. He also explained that the Florida Association of Counties (FAC) has requested Florida counties provide feedback on the PACE program. Migut requested *Board consensus to send an email to FAC saying that St. Johns County is on board with FAC in requesting the state to clarify the Florida Statute. Consensus was given.*

With there being no further business to come before the Board, the meeting adjourned at 3:49 p.m.

REPORTS:

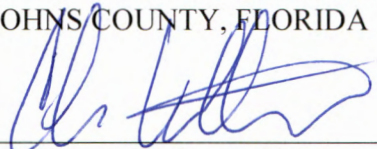
1. St. Johns County Board of County Commissioners Check Register, Check No. 614920, totaling \$1,028.55 (08/15/2023)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 614921-614988, totaling \$39,456.72 and Voucher Register, Voucher No. 74656-74867, totaling \$162,167.18 (08/16/2023)
3. St. Johns County Board of County Commissioners Check Register, Check No. 614989, totaling \$621.77 (08/17/2023)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 614990-615170, totaling \$4,293,462.19 and Voucher Register, Voucher No. 74868-74956, totaling \$4,047,618.25 (08/21/2023)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 615171-615172, totaling \$11,542.34 (08/21/2023)
6. St. Johns County Board of County Commissioners Check Register, Check Nos 615173-615184, totaling \$63,232.15 and Voucher Register, Voucher No. 74957, totaling \$455.11 (08/24/2023)
7. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 74958-74959, totaling \$8,540.03 (08/24/2023)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 615185-61586, totaling \$176.85 (08/25/2023)
9. St. Johns County Board of County Commissioners Check Register, Check Nos 615187-615423, totaling \$2,501,355.59 and Voucher Register, Voucher Nos. 74960-75066, totaling \$3,599,836.65 (08/28/2023)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 615424-615442, totaling \$592,124.10 (08/28/2023)
11. St. Johns County Board of County Commissioners Check Register, Check No. 615443, totaling \$275 (08/28/2023)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 615444-615445, totaling \$10,027.37 (09/01/2023)

CORRESPONDENCE:

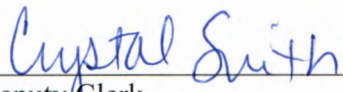
There was none.

Approved September 19, 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

