



**Minutes of Meeting**  
**Board of County Commissioners**  
**St. Johns County, Florida**  
Regular Meeting  
County Administration Building  
500 San Sebastian View  
St. Augustine, Florida 32084  
January 16, 2024 - 9:00 a.m.

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**CALL TO ORDER**

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

Present: Sarah Arnold, District 2, Chair  
Roy Alaimo, District 3, Vice Chair  
Christian Whitehurst, District 1  
Krista Joseph, District 4  
Henry Dean, District 5

Staff Present: Joy Andrews, County Administrator  
David Migut, County Attorney  
Brad Bradley, Deputy County Administrator Chief of Staff  
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**

Pastor Bob Appleby, Colonial Church, gave the invocation.

**PLEDGE OF ALLEGIANCE**

Bill Dudley, Lieutenant Colonel United States Air Force Retired, led the Pledge of Allegiance.

**PROCLAMATION RECOGNIZING 100 YEARS OF THE ST. AUGUSTINE ART ASSOCIATION**

Whitehurst presented the proclamation to Diane Bradley. Bradley spoke on the art association. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

## **PROCLAMATION RECOGNIZING PATTI GREENOUGH DAY**

Arnold presented the proclamation to Patti Greenough. Greenough expressed her gratitude for having a day of recognition on her behalf. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

## **ACCEPTANCE OF PROCLAMATIONS**

**Motion by Whitehurst, seconded by Alaimo, carried 5/0, to accept the proclamations, as submitted.**

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

**Nay: None**

## **PUBLIC SAFETY UPDATE**

Scott Beaver, St. Johns County Sheriff's Office Patrol Director, provided 2023 crash data and announced the Sheriff's Office establishment of two full-time units for aggressive traffic and driving under the influence (DUI).

Sean McGee, St. Johns County Fire Rescue Chief, announced that 4 new engines would be added to the fleet. He also spoke about the Operation Sound the Alarm-Save a Life event on January 18, 2024.

## **CLERK OF COURT'S REPORT**

Brandon J. Patty, Clerk of the Circuit Court and Comptroller, reported that the Calendar Year 2023 interest earned on county investments was over 20 million dollars.

## **LEGISLATIVE AFFAIRS UPDATE**

Adam Tecler, Grants and Legislative Affairs Manager, highlighted the following bills: House Bill (HB) 1, Senate Bill (SB) 1648, SB 536, HB 1061, transportation legislation bills, mental health, and health care bills; and spoke on potential legislative vehicles to address the Board's priorities. He requested to draft a policy statement in opposition to SB 536 and HB 1061, with additional comments provided by Shawna Novak, Health and Human Services Director, regarding the opposition of both bills.

Public Comment: There were none.

**Motion by Whitehurst, seconded by Dean, carried 5/0, to direct the Office of Intergovernmental Affairs to draft a policy statement in opposition of Senate Bill 536 and House Bill 1061, and use the remaining three months of this upcoming legislative session to discuss with our County's legislative delegation the reasons that it is important that the two bills are not passed.**

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

## **DELETIONS TO THE CONSENT AGENDA**

There were none.

Public Comment: There were none.

## **APPROVAL OF CONSENT AGENDA**

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

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2024-1**, approving the final plat for Preserve at Bannon Lakes, Phase 2E
3. Motion to adopt **Resolution No. 2024-2**, approving the final plat for Silver Falls (Silverleaf Parcel 22A), Phase 3
4. Motion to adopt **Resolution No. 2024-3**, approving the final plat for Silver Falls (Silverleaf Parcel 22A), Phase 2
5. Motion to adopt **Resolution No. 2024-4**, authorizing the county administrator to execute the Impact Fee Credit Agreement with Phoenick Retail, LLC, establishing a total road impact fee credit of \$182,250
6. Motion to adopt **Resolution No. 2024-5**, accepting a Temporary Construction Easement and Grant of Easement to St. Johns County for the Summer Haven North Stormwater Drainage Project, along Old A1A
7. Motion to adopt **Resolution No. 2024-6**, approving the terms and conditions of a Purchase and Sale Agreement for the acquisition of a parcel, located at the corner of US 1 South and East Watson Road, and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
8. Motion to adopt **Resolution No. 2024-7**, accepting a Special Warranty Deed, Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water, sewer force mains and sewer system to serve Entrada, Phase 2, Unit 4, located off State Road 207

9. Motion to adopt **Resolution No. 2024-8**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve St. Augustine Lakes, Phase 1C, located off Deer Run Road
10. Motion to adopt **Resolution No. 2024-9**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water system to serve Marketplace, Lot 8, Commercial (Best Bet), located off State Road 207
11. Motion to adopt **Resolution No. 2024-10**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve The Yards - Solana Road Golf Maintenance Facility, located off Solana Road
12. Motion to adopt **Resolution No. 2024-11**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve St. Augustine Lakes, Phase 2B, located off Deer Run Road
13. Motion to adopt **Resolution No. 2024-12**, accepting an Amended Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water system to serve Outback Crab Shack, located off County Road 13 North
14. Motion to adopt **Resolution No. 2024-13**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Ocean Hammock Park, Phase 2, City of St. Augustine Beach (COSAB), located off A1A Beach Boulevard
15. Motion to adopt **Resolution No. 2024-14**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Sabal Estates, Phase 1, formerly known as San Antonio, Phase 1, located off Shores Boulevard
16. Motion to adopt **Resolution No. 2024-15**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the fire hydrant system to serve Entrada Amenity Center, located off State Road 207
17. Motion to adopt **Resolution No. 2024-16**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water and reuse systems to serve Bannon Lakes, Multifamily (Phase 1), located off International Golf Parkway
18. Motion to adopt **Resolution No. 2024-17**, approving the terms of and authorizing the county administrator, or designee, to execute a Non-Exclusive License Agreement authorizing Red Boat Tours, LLC, to use the Vilano Floating Dock for commercial water taxi service and/or commercial boat tours and recognizing and appropriating \$1,600 in unanticipated revenue, amending the Fiscal Year 2024 General Fund Budget
19. Motion to adopt **Resolution No. 2024-18**, approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement for an Easement for Utilities, for a reclaimed water transmission main, to be located near Law Enforcement Way

20. Motion to adopt **Resolution No. 2024-19**, approving the terms of and authorizing the county administrator, or designee, to execute a Non-Exclusive License Agreement authorizing Current Productions US, LLC, doing business as Adventure Boat Tours, to use the Vilano Floating Dock for commercial water taxi service and/or commercial boat tours and recognizing and appropriating \$1,600 in unanticipated revenue, amending the Fiscal Year 2024 General Fund Budget
21. Motion to adopt **Resolution No. 2024-20**, authorizing the county administrator, or designee, to piggyback the Florida Sheriff's Contract No. FSA23-EQU21.0, and to execute and issue a purchase order to Container Systems and Equipment Co., Inc., for one Combination Jet/Vacuum Sewer Cleaner, in the amount of \$519,794, subject to the terms and conditions of the stated contract
22. Motion to adopt **Resolution No. 2024-21**, authorizing the county administrator, or designee, to execute a Consent to Assignment Agreement, in substantially the same form and format as attached hereto, providing for an assignment of Master Contract No. 21-MCC-SES-13012, to SES Environmental Resource Solutions, LLC
23. Motion to adopt **Resolution No. 2024-22**, authorizing the county administrator, or designee, to award IFB No. 24-05, Treaty Park improvement, to Black Water Construction Services, LLC, as the lowest, responsive, responsible bidder, for the base bid and bid alternate no. 3, for a lump sum bid price of \$1,886,337, for completion of the project as specified; and to approve a transfer, in the amount of \$400,000, from IF-Parks, Zone C, Reserve Fund
24. 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
25. Motion to adopt **Resolution No. 2024-23**, authorizing the county administrator, or designee, to award IFB No. 1520, Surfwood Subdivision roadway and drainage improvements to DB Civil Construction, LLC, as the lowest, responsive, responsible bidder for the base bid, for a lump sum bid price of \$1,894,950, for completion of the project as specified
26. Motion to declare the 2015 Ford Escape (CV No. 1657) and a 2013 Ford E-250 Van (CV No. 1501) as surplus, and authorize the county administrator, or designee, to donate the Ford Escape to the Clerk of Circuit Court and County Comptroller and donate the E-250 Van to the St. Johns Library System
27. Motion to adopt **Resolution No. 2024-24**, authorizing the county administrator, or designee, to award Bid No. 24-04, Preservation Trail and Town Plaza Intersection Improvements to Chinchor Electric, Inc., as the responsive, and responsible bidder and to execute a contract in substantially same form and format as attached hereto, at a total negotiated not-to-exceed bid price of \$968,333.70, for completion of the specified project

28. Motion to adopt **Resolution No. 2024-25**, authorizing the county administrator, or designee, to award Bid No. 1538, Alpine Groves Park Shoreline Restoration – Florida Department of Environmental Protection 23FRP10 (Base Bid, Alternate) to S.E. Cline Construction, Inc., as the lowest, most responsive, and responsible bidder, and to execute a contract in substantially same form and format as attached hereto, at a total project not-to-exceed bid price of \$659,149.81, for completion of the specified project
29. Motion to approve the transfer of \$1,700,000 from the State Road 207 CIG Fund Reserves (3376-59927) to Improvements Other Than Building (3376-56301) to fund the traffic signal at Brinkhoff Road and State Road 207 project
30. Motion to adopt **Resolution No. 2024-26**, approving the terms, conditions, provisions, and requirements of a Cost-Share Agreement between the St. Johns River Water Management District and St. Johns County, Contract No. 38124, providing funding under the Fiscal Year 2022-2023, Cooperative Cost-Share Initiative Program for the State Road 16, and County Road 2209 Reclaimed Water Transmission Main Upsizing; authorizing the county administrator, or her designee, to execute the agreement on behalf of St. Johns County; and recognizing and appropriating \$2,858,900 in grant revenue amending Utility Services Fund Fiscal Year 2024 budget
31. Motion to adopt **Resolution No. 2024-27**, designating the deputy county administrator of infrastructure, as the designated public economic development agency for St. Johns County, pursuant to Florida Statute 288.075 and the St. Johns County Business Incentive Ordinance
32. Motion to ratify the list of membership designees of the St. Johns County Public Safety Coordinating Council, as provided in the attached packet
33. Motion to adopt **Resolution No. 2024-28**, recognizing and appropriating \$1,203,709, in Regional Opioid Settlement funds as unanticipated revenue in the fiscal year 2024 budget, and approving and authorizing the county administrator, or designee, to execute and deliver, on behalf of the County, the Purchase of Service Agreement between the County and Lutheran Services of Florida, d/b/a LSF Health Systems, in substantially in the same form as attached hereto
34. Motion to adopt **Resolution No. 2024-29**, approving Amendment No. 34 to Contract No. NJ206, between St. Johns County and Florida Department of Children, in substantially the same form as the attached hereto, and authorizing the county administrator, or designee, to execute and deliver the amendment on behalf of the County
35. Motion to adopt **Resolution No. 2024-30**, to authorize the county administrator, or designee, to submit a grant application to the Florida Communities Trust, on behalf of St. Johns County, in efforts to secure funding for San Sebastian waterfront property land acquisition; and further authorizing the county administrator, or designee, to execute all supplemental documents necessary to secure an award of grant funds

36. Motion to adopt **Resolution No. 2024-31**, authorizing either the county administrator, the Emergency Management Director, or designee, to execute agreements between St. Johns County Board of County Commissioners and the State of Florida Division of Emergency Management for Hurricane Idalia
37. Motion to execute and issue the Certificate of Public Convenience and Necessity for St. Johns County Fire Rescue effective until February 5, 2026
38. Motion to execute and issue a Certificate of Public Convenience and Necessity to Amerimed Emergency Medical Services and authorizing the chair to execute said certificate, in substantially the same form as attached hereto
39. Motion to approve the implementation of a firefighter recruitment program to competitively recruit new firefighters
40. Motion to approve minutes: December 19, 2023, BCC Regular
41. Proofs:
  - a. Proof: Notice of Special Meeting, the purpose of the special meeting is to hold the annual reorganization of the Board of County Commissioners, held on November 21, 2023, published on November 13, 2023, in *The St. Augustine Record*
  - b. Proof: Notice of Proposed Exchange of County Property, Board of County Commissioners of St. Johns County, will consider and may take action on a resolution approving an exchange of real property between St. Johns County and Sea Community Help Resource Center, Inc., held on December 5, 2023, published on November 14 and 21, 2023, in *The St. Augustine Record*
  - c. Proof: Notice of Proposed Exchange of Property, Board of County Commissioners of St. Johns County, will consider and may take action on a resolution approving an exchange of real property between St. Johns County and 210 East, LLC, a Florida limited liability company, held on December 5, 2023, published on November 14 and 21, 2023, in *The St. Augustine Record*
  - d. Proof: Notice of Proposed Exchange of Property, Board of County Commissioners of St. Johns County, will consider and may take action on a resolution approving an exchange of real property between St. Johns County and VF Fountains, LLC, a Florida limited liability company, held on December 5, 2023, published on November 14 and 21, 2023, in *The St. Augustine Record*
  - e. Proof: Notice of solicitation, St. Johns County, Florida, is soliciting qualifications for RFQ No. 23-92, Design-Build Services for Northwest Water Treatment Plant Ground Storage Tank, published on October 27, 2023, and November 3, 2023, in *The St. Augustine Record*
  - f. Proof: Notice of solicitation, St. Johns County, Florida, is soliciting qualifications for RFQ No. 1530, Construction Manager at RISK (CMAR) for Multiple Parks, published on November 7 and 14, 2023, in *The St. Augustine Record*
  - g. Proof: Notice of soliciting sealed bids under invitation, for Bid No. 1572, Tillman Ridge Transfer Station Tipping Floor Repairs, published on November 20 and 27, 2023, in *The St. Augustine Record*

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

Migut requested that Regular Agenda Item 15 be pulled due to litigation being filed.

## **APPROVAL OF REGULAR AGENDA**

**Motion by Dean, seconded by Whitehurst, carried 4/1, with Joseph dissenting, to approve the Regular Agenda, as amended.**

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

**Nay: Joseph**

## **TIME CERTAIN PUBLIC COMMENT**

Public Comment: Michel Pawlowski (Exhibit A), Sherry Badger, Joe McAnarney (Exhibit B), B.J. Kalaidi, Richard Norwood (Exhibit C), Francis Lundberg (Exhibit D), Eric Searcy, Susan Millerick, Ted Miller (Exhibit E), Judy Spiegel, and David Gangi (Exhibit F) provided public comment.

Arnold recessed the meeting at 12:05 p.m. and reconvened at 12:45 p.m. with Deputy Clerk Artricia Allen.

1. Vermeer Southeast Sales and Service, Inc., Economic Development Incentive Request. The St. Johns County Economic Development Agency has received an application from Vermeer Southeast Sales and Service, Inc., for economic development incentives to develop a total of 32,000 square feet of space, located near the intersection of US 1 and International Golf Parkway. The Applicant is a construction equipment merchant primarily selling machinery and parts required to conduct vital agricultural and manufacturing operations, as well as sales of associated parts and services. This project will serve as a regional headquarters for the business. After the Applicant submitted their application, they subsequently withdrew their request for confidentiality. The project scored 5.5 points under the new industry category of the County's Business Incentive Program, which makes it eligible for expedited permitting and an economic development grant of up to 50 percent of fees paid to the County by the Applicant (impact fees and water/sewer connection fees), two years ad valorem taxes paid by the Applicant (general County portion) on capital improvements, and two years tangible personal property taxes paid by the Applicant (general County portion). Completion of the project is anticipated by the third quarter of 2025. With this schedule, the first annual grant payment would be anticipated during Fiscal Year 2027. The total estimated value of the incentive is \$118,784. In accordance with Program requirements, the Agency is required to review the application and make a written report to the Board of County Commissioners. Staff recommends support of this incentive application

Savannah Rodgers, Project Manager, presented the details of the request.

Joseph expressed her concerns regarding the location, traffic impacts, and the timeline of the road improvements, with additional comments from Dick D'Souza, Assistant Director of Growth



Management, on the upcoming road improvements to International Golf Parkway and the timeline. Discussion ensued on the zoning uses, the project's progression despite the vote outcome, and seeking clarification on a potential no vote.

Public Comment: Ann Taylor, Ed Slavin, Doris Taylor (Exhibit A), Chuck Labanowski, Scott Maynard, and B.J. Kalaidi provided public comment.

**Motion by Dean, seconded by Whitehurst, carried 4/1, with Joseph dissenting, to instruct the county attorney to draft an Economic Development Grant Agreement for Vermeer Southeast Sales and Service, Inc., and place the proposed grant agreement for consideration by the Board at a later regularly scheduled meeting.**

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

**Nay: Joseph**

2. 2024 Roadway and Transportation Alternatives List of Priority Projects (LOPP). The Florida Department of Transportation (FDOT) and the North Florida Transportation Planning Organization (TPO) requests project priorities from local governments for potential funding of new transportation projects to be considered for inclusion in the new fiscal year of FDOT's Work Program. This is an annual recurring request sent to local governments. The St. Johns County Board of County Commissioners is charged with prioritizing all projects within the County, including those within municipal boundaries. The Transportation Advisory Group (TAG), consisting of County staff, representatives of the City of St. Augustine, St. Augustine Beach, St. Johns County School District, St. Johns County Sheriff's Office, and the St. Augustine-St. Johns County Airport Authority met on November 17, 2023, to review last year's priorities and recommend this year's priorities. The attached LOPP includes TAG's recommendations for both highway and alternatives projects

Dick D'Souza, Growth Management Assistant Director, Transportation, presented the details of the list of priority projects.

Whitehurst requested that the Orangedale to Mickler Trail be moved up on the priority list, with additional comments from Dean in support of moving the trail up on the priority list.

Public Comment: Lisa McGlynn, Ed Slavin, Chuck Labanowski, Doris Taylor, and Mark Cooper provided public comment.

**Motion by Whitehurst, seconded by Joseph, carried 5/0, to approve the 2024 St. Johns County Roadway, and Transportation Alternatives List of Priority Projects (LOPP), with the amendment that [the Board] move the Orangedale to Mickler Trail up to the top three of the trails list, for transmittal to the Florida Department of Transportation and the North Florida Transportation Planning Organization.**

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

**Nay: None**

3. Public Hearing - CDD 2023-01, Greenbriar CDD. Petition to establish the Greenbriar Community Development District (CDD), comprised of approximately 1,304.54 acres of land, generally located east of Longleaf Pine Parkway, north of Greenbriar Road, and west of Veterans Parkway. The proposed CDD will serve residential portions of the Greenbriar Helow Planned Unit Development (PUD)

The Board disclosed ex parte communication.

Michael C. Eckert, Kutack Rock, LLC, representing the applicant, presented the details of the request. He responded to questions regarding the funding of roadways within the CDD and the proposed infrastructure.

Public Comment: Mark Cooper and Ed Slavin provided public comment.

The Board members expressed their positions on the proposed CDD.

**Motion by Whitehurst, seconded by Dean, carried 5/0, to enact Ordinance No. 2024-1, approving CDD 2023-01, establishing the Greenbriar Community Development District (CDD), based upon three findings of fact.**

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

**Nay: None**

4. Public Hearing - MAJMOD 2022-12, Sandy Creek PUD. Request for a Major Modification to the Sandy Creek Planned Unit Development (PUD) (Ord. No. 2003-67, as amended) to add a secondary access to County Road 210, to remove all the currently allowed industrial entitlements, to add additional multi-family and single-family units, and to revise the Master Development Plan (MDP) text and map. The Sandy Creek PUD is located on the south side of County Road 210 at Sandy Creek Parkway and County Road 210. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on December 7, 2023, which resulted in a recommended technical denial, with a vote of 3 to 3

The Board disclosed ex parte communication.

Randy Martinuzzi, SEDA Construction, representing the applicant, presented the details of the request. He responded to questions regarding the trip per day reduction ~~being PM trips~~, the secondary access, the interstate expansion bordering the development, and PUD uses for light industrial (Exhibit A). Additional comments provided by Mike Roberson, Growth Management Director, on the uses allowed for light industrial (Exhibit B).

Public Comment: Joe McAnarney, Ed Slavin, Ann-Marie Evans, Harry Campbell, Mark Cooper, Doris Taylor, B.J. Kaladi, Judy Spiegel, and Norman Ganion provided public comment.

Arnold questioned whether it was the developer's responsibility for constructing the second access. Roberson provided a response regarding the obligation.

Martinuzzi responded to the public's concerns on changes made after December 7, 2023, the timeline and process for the second access, and funding. Discussion ensued on the involvement of the School District and the process related to the addition of new homes.

Whitehurst requested to delay the first Certificate of Occupancy for new units until the completion of the funded six lanes and activation of the second access. Martinuzzi responded and offered language suggestions for the motion in relation to the request.

**Motion by Dean, seconded by Whitehurst, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2024-2, approving MAJMOD 2022-12, Sandy Creek PUD based on six findings of fact, as provided within the staff report, [to include that the] development cannot go above 383 units until/or the earlier competition of the six-lane expansion of the County Road 210 segment from Trinity Way to Beachwalk Boulevard or 18 months from the date of Board approval, as amended.**

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

**Nay: Joseph**

5. Public Hearing - CPA(SS) 2023-04, 4400 South Francis. Request for a Small-Scale Comprehensive Plan Amendment to amend the Future Land Use Map designation from Rural/Silviculture (R/S) to Mixed Use District, with a text amendment limiting development to 100,000 square feet of Community Commercial uses, and/or the sales, rental, service, repair, and storage of vehicles, including new or used automobiles, recreational vehicles, boats and related watercraft, motorcycles and residentially scaled farm and garden equipment. Residential uses are not allowed. Proposed changes to allow residential uses or to increase the allowed development intensity are subject to the provisions of Chapter 163, Florida Statutes, regarding amendments to the Comprehensive Plan. The property is approximately 28.37 acres and located at 4400 South Francis Road. This application is a companion to PUD 2023-06. The Planning and Zoning Agency recommended approval with a 5-2 vote, with Hilsenbeck and Spiegel dissenting

Regular Agenda Items 5 and 6 were presented together.

The Board disclosed ex parte communication.

Tom Ingram, Sodl and Ingram, PLLC, representing the applicant, presented the details of the request. Additionally, Rajesh Chindalur, P.E. at Chindalur Traffic Solutions, Inc., provided information on traffic impacts and referenced traffic counts (Exhibit A); and Josh Benolkin, Dominion Engineering Group, Inc., provided information on drainage impacts and referenced a map (Exhibit B).

Public Comment: Zack Miller (PowerPoint), Chuck Labanowski, Joe McAnarney (Exhibit C), Alex Nunchuck (Exhibit D), Ed Slavin, Karen Cowart, Ellen Avery-Smith, B.J. Kalaidi, and Doris Taylor provided public comment.

Ingram provided a response to the public's concerns about floodplains, referencing FEMA floodplain maps (Exhibit E), and the intensity of land use. Discussion ensued on compatibility,

development boundaries, the future land use map, road standards, and the Live Local Act. Mike Roberson, Growth Management Director, provided the process on publishing Planning and Zoning meeting minutes, video, and transcripts.

**Motion by Arnold, seconded by Dean, carried 5/0, to deny CPA(SS) 2023-04, 4400 South Francis, based upon four findings of fact, as provided in the staff report.**

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

**Nay: None**

6. Public Hearing - PUD 2023-06, 4400 South Francis. Request to rezone approximately 28.37 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for approximately 100,000 square feet and allow for Community Commercial uses, which also include, the sales, rental, service, repair, and storage of vehicles including new or used automobiles, recreational vehicles, boats and related watercraft, motorcycles and residentially scaled farm and garden equipment. Residential uses are not allowed. The property is approximately 28.37 acres and located at 4400 South Francis Road. This application is companion to CPA(SS) 2023-04. The Planning and Zoning Agency recommended approval with a 5-2 vote at its regular December 7 meeting, with Dr. Hilsenbeck and Ms. Spiegel dissenting

Discussion occurred with Regular Agenda Item 5.

**Motion by Arnold, seconded by Whitehurst, carried 5/0, to deny PUD 2023-06, 4400 South Francis, based upon ten findings of fact, as provided in the staff report.**

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

**Nay: None**

7. Public Hearing - REZ 2023-11, Baker Property. Request to rezone approximately 3.07 acres of land from Open Rural (OR) and Commercial Intensive (CI) to Commercial Intensive (CI), located at 1020, 1040, and 1060 State Road 16. The Planning and Zoning Agency heard this request at its regularly scheduled public hearing on December 7, 2023, and recommended approval with a vote of 7 to 0

There was no ex parte communication.

Suzanne Baker, owner, and Amber Lundt, General Manager at SWI Fence, presented the details of the request.

Joseph questioned whether the owner was making changes and waiving their rights under the Florida Live Local Act. Valliere clarified the Live Local Act, and Baker expressed she would waive her rights to development under the Live Local Act.

Public Comment: There was none.

**Motion by Dean, seconded by Whitehurst, carried 5/0, to enact Ordinance No. 2024-3, approving REZ 2023-11, Baker Property, based on four findings of fact, as provided in the staff report, as amended, waiving any rights to develop under the Live Local Act.**

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

8. Public Hearing - REZ 2023-17, 4656 First Avenue. Request to rezone approximately .34 acres of land from Commercial General (CG) to Residential, Single Family (RS-3), located at 4656 First Avenue. The Planning and Zoning Agency heard this request at its regularly scheduled public hearing on December 7, 2023, and recommended approval with a vote of 7 to 0

There was no ex parte communication.

Blakely Hughes, applicant, presented the details of the request.

Public Comment: There was none.

**Motion by Dean, seconded by Alaimo, carried 5/0, to enact Ordinance No. 2024-4, approving REZ 2023-17, 4656 First Avenue, based upon four findings of fact, as provided in the staff report.**

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

9. Second Reading of Proposed Amendments to St. Johns County Ordinance No. 2007-19, St. Johns County Beach Code. At its regularly scheduled meeting on November 7, 2023, the Board of County Commissioners heard the first reading of the Parks and Recreation Department's proposed amendments to St. Johns County Ordinance No. 2007-19, the St. Johns County Beach Code. The proposed amendments to this ordinance include adding definitions, clarifying provisions in the ordinance, and incorporating an addition regarding use of electric motorized devices

Ryan Kane, Director, St. Johns County Parks and Recreation Department, presented the details of the request.

Public Comment: Doris Taylor (Exhibit A) provided public comment.

Jalisa Ferguson, Assistant County Attorney, provided clarification on the information presented from the traffic incident report that was provided by the Florida Department of Highway Patrol.

**Motion by Alaimo, seconded by Dean, carried 5/0, to enact Ordinance No. 2024-5, amending Ordinance No. 2007-19, the St. Johns County Beach Code Ordinance.**

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

10. Second Reading - Proposed Amendment to St. Johns County Ordinance No. 2008-29, regarding St. Johns County Affordable Housing Advisory Committee. At its September 19, 2023, meeting, the Board of County Commissioners authorized the Office of County Attorney to prepare a proposed amendment to Ordinance No. 2008-29, to conform to recent changes in state law regarding the composition of the Affordable Housing Advisory Committee. The proposed amendment requires that the committee must consist of one member from the Board of County Commissioners, and one representative from at least six of the categories identified in section 420.9076(2), Florida Statutes.

Kealey West, Senior Assistant County Attorney, presented the details of the proposed amendment.

Public Comment: There was none.

**Motion by Dean, seconded by Alaimo, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2024-6, amending Ordinance No. 2008-29, the St. Johns County Affordable Housing Advisory Committee Ordinance.**

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

**Nay: Joseph**

11. Second Reading of Proposed Amendment to St. Johns County Ordinance No. 2018-42, regulating the operation of golf carts, low speed vehicles, and mini trucks within St. Johns County. At its August 1, 2023, meeting, the Board of County Commissioners authorized the Office of County Attorney to prepare a proposed amendment to Ordinance No. 2018-42, to conform to recent changes in state law addressing the operation of golf carts on all public roads in Florida. The proposed amendment requires anyone 18 years or younger who operates a golf cart to possess a valid learners or driver license, and anyone 18 years or older to possess a valid form of identification.

Kealey West, Senior Assistant County Attorney, presented the details of the proposed amendment.

Public Comment: There was none.

**Motion by Alaimo, seconded by Dean, carried 5/0, to enact Ordinance No. 2024-7, amending Ordinance No. 2018-42, the St. Johns County Golf Cart, Low Speed Vehicles, and Mini Trucks Ordinance.**

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

**Nay: None**

12. Consider appointment of a St. Johns County representative to the Northeast Florida Regional Council. Currently there is a vacancy on the Northeast Florida Regional Council Board of Directors designated as a St. Johns County appointee due to the resignation of Commissioner Sarah Arnold. The Northeast Florida Regional Council (NEFRC) has requested St. Johns County appoint one of its Board members to fill the current vacant seat

Sarah Arnold, Chair, Board of County Commissioner, presented the details of the vacancy.

Public Comment: Joe McAnarney provided public comment.

**Motion by Dean, seconded by Arnold, carried 5/0, to appoint Commissioner Roy Alaimo to the Northeast Florida Regional Council Board of Directors.**

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

**Nay: None**

13. Consider appointments to the South Anastasia Design Review Board. Currently there are four vacancies on the South Anastasia Design Review Board (two regular and two alternate). All four vacancies are due to expired terms. Some of these vacancies have been advertised multiple times since their occurrence, with the latest vacancy advertisement being placed in January 2023. Please note due to lack of a quorum, the South Anastasia Design Review Board (SADRB) has been unable to meet. In light of not being able to obtain a quorum, staff is requesting a waiver from Board Policy Rule 2.202.C to make the appointments without recommendations from SADRB. Please find attached for review and consideration two applications: Mercer (Bud) Clarke, Dist. 3, and Arthur Field, Dist. 5

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

Public Comment: There was none.

**Motion by Alaimo, seconded by Dean, carried 5/0, to waive Board Policy Rule 2.202.C to re-appoint Mercer Clarke, as a regular member, to the South Anastasia Design Review Board for a second full four-year term, scheduled to expire January 16, 2028.**

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

**Nay: None**

**Motion by Alaimo, seconded by Dean, carried 5/0, to waive Board Policy Rule 2.202.C to appoint Arthur Field, as a regular member, to the South Anastasia Design Review Board for a full four-year term, scheduled to expire January 16, 2028.**

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

**Nay: None**

14. Consider an appointment to the Ponte Vedra Zoning and Adjustment Board. Currently, there are four vacancies on the Ponte Vedra Zoning and Adjustment Board (PVZAB). These vacancies are due to the expiring term of John Patton, and the resignations of Jane Rollinson, Richard Ensslen, and Megan McKinley. A vacancy ad was placed and ran for six weeks. Please find for your review and consideration a recommendation letter and two qualifying applications: John Patton, Dist. 4; and Anna Pirgousis, Dist. 4

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

Public Comment: Ann-Marie Evans, B.J. Kalaidi, and Ed Slavin provided public comment.

Whitehurst addressed the public's concerns regarding recommendations from the Ponte Vedra Zoning and Adjustment Board and other Boards.

**Motion by Joseph, seconded by Dean, carried 5/0, to appoint Anna Pirgousis to the Ponte Vedra Zoning and Adjustment Board for a full four-year term, scheduled to expire January 16, 2028.**

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

Discussion ensued on suspending Board policy, and John Patton completing his term until a replacement was found; with additional comments provided by Lex Taylor and Christine Valliere on the Board direction, current policy, and PVZAB voting requirements.

15. Outside Counsel Presentation. At the December 5, 2023, Board of County Commissioners meeting, the Board passed a motion that included retaining outside counsel to provide a legal analysis related to commissioner conduct. On December 7, 2023, the County entered into an agreement with Raymond Treadwell, Esquire, Shareholder with Lawson Huck Gonzalez, PLLC, for such services. Mr. Treadwell has provided a written legal opinion and will present his findings to the Board.

*Regular Agenda Item 15 was pulled.*

## **PUBLIC COMMENT**

Public Comment: Mark Cooper, Ann Taylor (Exhibit A), William Hennesy (Exhibit B), Ed Slavin, Ann-Marie Evans (Exhibit C), Nicole Crosby, and Doris Taylor provided public comment.

## **COMMISSIONERS' REPORTS**

### Commissioner Joseph

Joseph expressed gratitude to Ponte Vedra Fresh Market for providing lunch and thanked Joy Andrews and staff for addressing the flooded soccer fields. She spoke about hosting a town hall or community meeting in March, in Ponte Vedra, and conveyed sentiments for the two Navy Seals who were lost at sea.

### Commissioner Alaimo

Alaimo announced that he attended the St. Johns County Police Athletic League (PAL) ribbon cutting ceremony and requested an update from staff regarding future County parks. He thanked the chairman for appointing him as the representative to the Northeast Florida Regional Council



Board of Directors. Additionally, he congratulated Commissioner Whitehurst for becoming the President of the Northeast Florida Regional Council and Chairman of the North Florida Transportation Planning Organization (TPO).

Commissioner Whitehurst

Whitehurst asked Andrews if the golf cart changes could be incorporated into the intersection improvements that were already funded. Andrews responded they would need *Board consensus to direct staff to initiate a study and bring back options with potential avenues, to pursue the study. Consensus was given.* He spoke about “do not block the intersection” signs and *requested Board consensus to direct staff to look into placing the signs at County Road 210, east of 95. Consensus was given.* Additionally, he read a letter from Chairman Walkins of the Recreation Advisory Board to Chairman Arnold of the Board of County Commissioners, regarding park fees and recommended that the Board grant the Park Foundation’s request to waive fees; with additional information provided by Migut on the Board’s Rules and Policies.

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

Ryan Kane, Parks and Recreation Director, provided a response to the public’s concerns regarding the fees to be waived.

**Motion by Whitehurst, seconded by Arnold, carried 5/0, to waive the fees for the Park Foundation whenever they are using County facilities to raise money that would 100 percent go back into County Parks and Recreation.**

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

**Nay: None**

Commissioner Dean

Dean spoke on his 40th Anniversary in negotiating the acquisition of \$48 million for the Vilano River Preserves.

Commissioner Arnold

Arnold honored Dr. Patricia Laurencelle, who passed away at 100 years old, by speaking on her contributions to St. Johns County. She provided memorial information for those wanting to pay tribute. She then displayed a video on the overhead.

**COUNTY ADMINISTRATOR’S REPORT**

No report.

**COUNTY ATTORNEY’S REPORT**

Migut informed the Board that he requested advice concerning litigation regarding the case of *Krista Joseph vs. St. Johns County Board of County Commissioners and RJ Larizza*. He intends

to schedule a private executive meeting that would be publicly noticed, in accordance with Florida law. He responded to questions regarding Joseph attending.

With there being no further business to come before the Board, the meeting adjourned at 3:04 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 618784-61799, totaling \$472,286.36 (12/21/2023)
2. St. Johns County Board of County Commissioners Check Register, Check No. 618800, totaling \$17,985.16 (12/21/2023)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 618801-618913, totaling \$1,652,917.67 and Voucher Register, Voucher Nos. 77182-77223, totaling \$1,339,011.09 (12/22/2023)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 618914-618917, totaling \$3,482.89 and Voucher Register, Voucher No. 77224, totaling \$455.11 (12/28/2023)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 77225-77226, totaling \$8,819.01 (12/28/2023)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 618918-619058, totaling \$3,934,851.67 and Voucher Register, Voucher Nos. 77227-77290, totaling \$2,032,900.13 (12/29/2023)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 619059-619083, totaling \$48,702.30 and Voucher Register, Voucher Nos. 77291-77317, totaling \$61,827.55 (01/03/2024)
8. St. Johns County Board of County Commissioners Check Register, Check No. 619084, totaling \$1,666 (01/05/2024)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 619085-619200, totaling \$1,654,235.58 and Voucher Register, Voucher Nos. 77318-77367, totaling \$1,026,212.62 (01/08/2024)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 619201-619212, totaling \$10,798 and Voucher Register, Voucher Nos. 77368-77371, totaling \$6,880 (01/10/2024)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 619213-619217, totaling \$1,710.58 and Voucher Register, Voucher No. 77372, totaling \$455.11 (01/11/2024)
12. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 77373-77374, totaling \$8,819.14 (01/11/2024)
13. St. Johns County Board of County Commissioners Check Register, Check No. 619218, totaling \$20,902.51 (12/20/2023)
14. St. Johns County Board of County Commissioners Check Register, Check Nos. 619219-619378, totaling \$5,010,959.85 and Voucher Register, Voucher Nos. 77375-77435, totaling \$5,486,532.03 (01/16/2024)

CORRESPONDENCE:

There was none.

Approved February 6, 2024

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Sarah Arnold, Chair

ATTEST: BRANDON J. PATTY,  
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By: Crystal Smith  
Deputy Clerk

