



Minutes of Meeting
Board of County Commissioners
St. Johns County, Florida
Regular Meeting
County Administration Building
500 San Sebastian View
St. Augustine, Florida 32084
April 2, 2024 - 9:00 a.m.

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
Rich Komando, Interim County Attorney
Brad Bradley, Deputy County Administrator Chief of Staff
Colin Groff, Deputy County Administrator
Lex Taylor, Deputy County Attorney
Artricia K. Allen, Deputy Clerk

ROLL CALL

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

INVOCATION

Commissioner Christian Whitehurst, gave the invocation.

PLEDGE OF ALLEGIANCE

Patrick McCormick, Captain United States Navy Retired, led the Pledge of Allegiance.

PROCLAMATION RECOGNIZING CHILD ABUSE PREVENTION MONTH

Alaimo presented the proclamation to Christy Gillis, Department of Childrens and Families Community Development Administrator, who spoke on the importance of child abuse prevention. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

PROCLAMATION RECOGNIZING SEXUAL ASSAULT AWARENESS MONTH

Arnold presented the proclamation to Kelly Franklin, Executive Director, and the Betty Griffin Center group. Franklin and Jackie Meredith, Sexual Assault Program Directors, spoke on the importance of sexual assault awareness. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

PROCLAMATION RECOGNIZING NATIONAL LIBRARY WEEK

Joseph presented the proclamation to Debra Rhodes Gibson, St. Johns County Library Director. Gibson spoke on the importance of the National Library. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

ACCEPTANCE OF PROCLAMATIONS

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

Yea: Dean, Whitehurst, Arnold, Alaimo, Joseph

Nay: None

PUBLIC SAFETY UPDATE

Tara Wildes, St. Johns County Sheriff's Office General Services Division Director, spoke about traffic impacts and provided tips to contribute to a safer county. Additionally, she responded to Whitehurst's questions regarding the percentage of traffic crashes consistent with the Sheriff's Office compared to the Florida Department of Transportation (FDOT) data.

Jeremy Robshaw, St. Johns County Fire Rescue Communication Director, spoke about the overcrowded beaches. He advised attendees to call 911 if emergency assistance was needed and emphasized the importance of being aware of the daily beach warning flags.

CLERK OF COURT'S REPORT

Brandon J. Patty, St. Johns County Clerk of the Circuit Court and Comptroller, reported on the Criminal and Family Division and its role in providing direct support to residents, law enforcement, Florida Department of Children and Families, and the Judicial System's efforts to prevent and stop child abuse.

PUBLIC INFRASTRUCTURE UPDATE

Greg Caldwell, Public Works Director, spoke on partnerships; and introduced Jamie Driggers, Planning and Environmental Management for the Florida Department of Transportation. Driggers provided an overview of the State Road 16 (IGP to I-95) project and on the Vilano Beach restoration project.

Discussion ensued on the expected State Road 16 (IGP to I-95) project completion date, federal funding received for contribution, and the factors contributing to the increased costs. Additionally, Joseph spoke on the residents' concerns about the need for a crosswalk along A1A and reducing the speed limit from Mickler's south to Guana.

DELETIONS TO THE CONSENT AGENDA

Joseph requested that Consent Agenda Item 21 be pulled and moved to the Regular Agenda as Item 1a.

Public Comment: Michele McDonnell, Nicole Crosby, and Ed Slavin provided public comment.

APPROVAL OF CONSENT AGENDA

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

Yea: Whitehurst, Alaimo, Arnold, Dean, Joseph

Nay: None

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2024-127**, approving the final plat for St. Augustine Lakes, Phase 3B
3. Motion to adopt **Resolution No. 2024-128**, approving the final plat for Silverleaf, River Reach Parkway
4. Motion to adopt **Resolution No. 2024-129**, approving the final plat for Volusia Woods
5. Motion to adopt **Resolution No. 2024-130**, approving the final plat for Varella Avenue Subdivision
6. Motion to adopt **Resolution No. 2024-131**, accepting two easements to St. Johns County to serve construction of a portion of County Road 2209, located between International Golf Parkway and Silverleaf Parkway
7. Motion to adopt **Resolution No. 2024-132**, approving the terms of and authorizing the chair to execute a temporary license for construction and other access on behalf of the County
8. Motion to adopt **Resolution No. 2024-133**, authorizing the Chair of the Board, on behalf of the County, to execute an easement to Florida Power and Light Company, to install electrical service for Fire Station No. 11 at Cypress Lakes
9. Motion to adopt **Resolution No. 2024-134**, approving the terms of and authorizing the county administrator, or designee, to execute a Purchase and Sale Agreement for a

Temporary Construction Easement, in the amount of \$10,100, to serve construction of right-of-way and drainage improvements for the Kings Estate Road corridor improvements project

10. Motion to adopt **Resolution No. 2024-135**, accepting an Easement for Utilities for a new water transmission main, to be located along North Dancy Avenue in Hastings
11. Motion to approve a transfer, in the amount of \$50,000, from Transportation Trust Fund Reserves to the Land Management Consulting Services account for professional services related to title searches, appraisals of property, and other land management services
12. Motion to adopt **Resolution No. 2024-136**, accepting an Easement for Utilities, Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve Paseo Reyes Office Condominium North, Phase 1, located off Paseo Reyes Drive
13. Motion to adopt **Resolution No. 2024-137**, approving the terms, conditions, provisions, and requirements of the amended and restated Road Maintenance Cost Share Agreement with the River's Edge Plantation Association, Inc., regarding the milling and resurfacing of the roads within the River's Edge subdivision; and authorizing the county administrator, or designee, to execute the amended and restated agreement on behalf of the County
14. Motion to adopt **Resolution No. 2024-138**, approving the terms, conditions, provisions, and requirements of the State-Funded Grant Agreement, with the Florida Department of Transportation, to receive \$640,000 for construction, and construction engineering inspection for improvements at the State Road 16 and Stratton Boulevard / Industry Center Road intersections; and authorizing the county administrator to execute the agreement on behalf of the County
15. Motion to adopt **Resolution No. 2024-139**, approving and authorizing the county administrator, or designee, to execute and deliver, on behalf of the County, the Interlocal Agreement between St. Johns County, Florida, and Putnam County, Florida, in substantially the same form as attached hereto
16. Motion to adopt **Resolution No. 2024-140**, approving an increase in the refund period of one year, up to and including May 27, 2025, for the Water Unit Connection Fee Refund Agreement between Lennar Homes, LLC, and St. Johns County for the Windward Ranch offsite water transmission main
17. Motion to adopt **Resolution No. 2024-141**, authorizing the county administrator, or designee, to award RFQ No. 1646, Design-Build Services for State Road 16 water reclamation facility ground storage tank to Precon Corporation, as a qualified design-build firm with the lowest, technically acceptable cost proposal, and to execute a contract in substantially same form and format as attached hereto, for completion of the specified services for a total cost of \$2,552,600, which included Alternate No. 1 Tank Dome Railing, in accordance with RFQ No. 1646

18. 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
19. Motion to adopt **Resolution No. 2024-142**, authorizing the county administrator, or designee, to award IFB No. 1701, Plantation Park Renovations, Phase 1, to Astroturf Corporation, DBA, APT Acquisition Construction Corp, as the lowest, most responsive, and responsible bidder, at a total lump sum bid price of \$1,856,650, for the completion of the specified project
20. Motion to adopt **Resolution No. 2024-143**, approving the Letter of Commitment for the Environmental Protection Agency Climate Pollution Control Grant for the sunshine state energy resilience coalition project, and ratifying the county administrator's execution of the letter on behalf of the County; and authorizing the county administrator, or designee, to execute any necessary documents concerning the grant application
21. Motion approving the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Finance Authority of St. Johns County, Florida, of multi-family housing revenue debt obligations, in one or more series, to finance or refinance all or a portion of the costs of the rehabilitation, construction, and development of a multi-family housing project known as Summerset Village and Summer Breeze Apartments; and establishing an effective date

Consent Agenda Item 21 was pulled and moved to the Regular Agenda as Item 1a.

22. Motion to adopt **Resolution No. 2024-144**, approving the three applications for major impact special events to take place at Vilano Beach on May 19, 2024, July 28, 2024, and October 13, 2024
23. Approval of minutes: March 19, 2024, BCC Regular
24. Proofs:
 - a. Proof: Special Care Housing. Land Development Code, Ordinance No. 1999-51, published on February 29, 2024, in *The St. Augustine Record*
 - b. Proof: Invitation for Bids, Bid No, 1724, Permit Center Addition, published on February 1, 2024, and February 8, 2024, in *The St. Augustine Record*
 - c. Proof: Invitation for Bids, Bid No. 1734, SJC Jail Chiller No. 1 Replacement, published on February 7, 2024, and February 14, 2024, in *The St. Augustine Record*
 - d. Proof: Invitation for Bids, Bid No. 1687, State Attorney Office Remodel, published on February 12, 2024, and February 19, 2024, in *The St. Augustine Record*
 - e. Proof: Request for Proposals, RFQ No. 1374R, Design-Build Services for Wells, published on February 13, 2024, and February 20, 2024, in *The St. Augustine Record*

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Alaimo requested to add an item for discussion on the regular agenda concerning veterans in the community and the services they would provide at Veterans Village. Arnold suggested that this item be added to a future Board of County Commissioners meeting agenda.

APPROVAL OF REGULAR AGENDA

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

Yea: Whitehurst, Alaimo, Arnold, Dean, Joseph

Nay: None

TIME CERTAIN PUBLIC COMMENT

Public Comment: Bill Dudley, Elizabeth Potter, B.J. Kalaidi (Exhibit A), Richard Norwood (Exhibit B), Audrey Forbes (Exhibit C), Charlie Hunt, and Michele McDonnell provided public comment.

1. Regional Park and Community Service Center Plan. Review of plan to construct up to four full-service regional parks co-located with other services, including library services and various community service centers. The plan will include Library and Parks and Recreation statistical information, concepts for each campus, and a financing plan that does not necessitate new County revenues

Ryan Kane, St. Johns County Parks and Recreation Director; Greg Caldwell, Public Works Director; and Jesse Dunn, Office of Management and Budget Director, presented the details of the plan.

Discussion ensued on whether the operating cost would include library staff and if the total cost would be covered by bonds or if additional impact fees needed to be leveraged.

Public Comment: Anna Ryan, Charlie Hunt, Ryan Myer, Lauren Watkins, Harold Dockins, Chuck Forcier, Eugene Wilson (Exhibit A), Landry Wilson, Felipe Munoz, Eric Henkle, Lisa Karvonen, Chris Greco, Michele McDonnell, Frank Murphy, Justin Palesotti, Nicole Crosby, Brian Durr, Bud Laudenslager, Linda Harris, Stefan Salzbrunn, Danfer Vera (Exhibit B), Matthew Weiss, Chuck Labanowski, Ed Slavin, and B.J. Kalaidi provided public comment.

Discussion ensued on the funding mechanism and assembling a finance team. Board members expressed their positions on the request. Additionally, Arnold clarified that the facilities would be used for voting locations. Whitehurst *requested Board consensus to direct staff to evaluate a full branch library at Nocatee and The Meadows. Consensus was given.*

Motion by Whitehurst, seconded by Dean, carried 5/0, to authorize the county administrator, to move forward with the plan to construct regional parks and community centers and

assemble a county financing team to present a financing package to the Commission under a subsequent agenda item.

Yea: Whitehurst, Dean, Arnold, Joseph, Alaimo

Nay: None

*Arnold requested Board consensus to create a presentation item detailing the breakdown of all county investments for fiscal years 2021-2024. **Consensus was given.** Andrews clarified that “all county investments” would include roads, parks, and beaches.*

- 1a. Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Finance Authority of St. Johns County, Florida, of multi-family housing revenue debt obligations

Formerly Consent Agenda Item 21.

Kealey West, Senior Assistant County Attorney, presented the details of the request. Discussion ensued between Joseph and Rich Komando, Interim County Attorney, on ownership, ensuring no additional development, and a possible land purchase.

Public Comment: Chuck Labanowski, Suzanne Clulow, Ed Slavin, and Michele McDonnell provided public comment.

Motion by Dean, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-145, approving for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the issuance by the Housing Finance Authority of St. Johns County, Florida, of multi-family housing revenue debt obligations, in one or more series, to finance or refinance all or a portion of the costs of the rehabilitation, construction, and development of a multi-family housing project known as Summerset Village and Summer Breeze Apartments; and establishing an effective date.

Yea: Dean, Alaimo, Arnold, Whitehurst, Joseph

Nay: None

2. State Funded Florida Shared-Used Nonmotorized (SUN) Trail Network Program Agreements. The Florida Legislature allocated \$26,277,505, in Florida Department of Transportation (FDOT) Sun Trail Grant Funds to St Johns County, for various activities associated with five segments of the SUN Trail network (the "Project"). \$730,000 of this funding supports design only for the trail along Beach Boulevard from Pope Road to State Road A1A. The remaining \$25,547,505 supports design, construction, construction engineering, and inspection for four segments of the trail initiating at the existing trail on Allen Nease Road finishing at US 1 and County Road 214 (King Street). As a condition of the funding, the County is required to maintain the project for the useful life of the Project. This item requests approval and authorization for the chair to execute the required Agreements and associated Maintenance Memorandum of Agreements between St. Johns County, and the FDOT and to recognize the grant revenue and appropriate the funds for expenditure. No match is required by St. Johns County

Ryan Kane, Parks and Recreation Director; Adam Teclar, Grants and Legislative Affairs Manager, and Greg Caldwell, Public Works Director, presented the details of the agreements.

Public Comment: Michele McDonnell, Charlie Hunt, and Dylan Rumrell provided public comment.

Kane clarified that the \$26 million was from grant funds provided by the Florida SUN Trail Grant Program. Discussion ensued on the community wanting additional trails.

Motion by Dean, seconded by Whitehurst, carried 5/0, to adopt Resolution No. 2024-146, recognizing and appropriating \$26,277,505 in grant funds from the Florida Shared-Use Nonmotorized (SUN) Trail Program for various activities associated with five segments of the SUN Trail network in St. Johns County as unanticipated revenue into the Transportation Trust Fund; and authorizing its expenditure by the Engineering Capital Projects Department; approving and authorizing the chair to execute and deliver, on behalf of the County, the required agreements and associated Maintenance Memorandum of Agreements, in substantially the form and format as attached.

Yea: Dean, Whitehurst, Arnold, Alaimo, Josphe

Nay: None

Motion by Dean, seconded by Whitehurst, carried 5/0, to approve the transfer of \$55,000 from the Transportation Trust Fund Reserves, for the salaries and benefits, for one Full-Time Equivalent (FTE) for the management and oversight of these grant projects.

Yea: Dean, Whitehurst, Arnold, Alaimo, Joseph

Nay: None

3. Capital Improvement Revenue Refunding Bonds, Series 2024. On February 06, 2024, the Board of County Commissioners directed staff to assemble the County's finance team to facilitate the refunding of the County's Capital Improvement Revenue Refunding Bonds, Series 2014 (the "Refunded Bonds") in order to achieve debt service savings for the County. The Resolution authorizes the issuance of St. Johns County, Florida, Special Obligation Refunding Revenue Bonds, Series 2024 (the "2024 Bonds"), in the aggregate principal amount of not exceeding \$11,000,000, to refund the Refunded Bonds in order to achieve debt service savings. The 2024 Bonds will not be issued unless the present value savings with respect to the refunding of the Refunded Bonds is no less than three percent of the aggregate par amount of the Refunded Bonds. The 2024 Bonds will be secured by a covenant of the County to budget and appropriate sufficient non-ad valorem revenues each year to pay the scheduled debt service on the 2024 Bonds. No ad valorem taxes will be used as security for or to pay the 2024 Bonds, nor will the ad valorem taxing power of the County be pledged as security for the 2024 Bonds. The resolution authorizes and directs the county administrator, with the advice of the county's financial advisor and bond counsel, to determine the aggregate principal amount of 2024 Bonds to be issued, provided, however, the aggregate principal amount of the Bonds shall not exceed \$11,000,000. The 2024 Bonds will be sold pursuant to competitive bid to the investment firm that provides the lowest true interest cost to the County. The resolution authorizes the county

administrator, upon the advice of the county's financial advisor, to publish the notice of sale of the 2024 Bonds and to determine the sale date for the 2024 Bonds. The resolution appoints the paying agent and registrar for the 2024 Bonds; appoints the escrow agent for the refunding of the Refunded Bonds and approves the execution and delivery of an escrow agreement; authorizes the distribution of a preliminary official statement and the execution and delivery of a final official statement; authorizes the execution and delivery of a continuing disclosure certificate and the appointment of a dissemination agent; provides for all of the other terms and provisions of the 2024 Bonds; and provides an effective date. The Finance Team seeks the Board's approval of this resolution, which includes the forms of the related principal financing documents (attached to the resolution and incorporated therein as Exhibits A-D), to move forward with the pricing and issuance of the 2024 Bonds. For the Board's convenience in reviewing, each of the exhibits are titled/described as: Exhibit A - Form of Official Notice of Sale; Exhibit B - Form of Preliminary Official Statement; Exhibit C - Form of Continuing Disclosure Certificate; and Exhibit D - Form of Escrow Deposit Agreement

Jesse D. Dunn, Director, Office of Management and Budget, and Jay Glover, PFM Financial Advisor, presented the details of the request. Discussion ensued on current market rates regarding its effect on the project.

Public Comment: There was none.

Motion by Dean, seconded by Alaimo, carried 5/0, to adopt Resolution No 2024-147, authorizing the issuance of the St. Johns County, Florida, Special Obligation Refunding Revenue Bonds, Series 2024 in an aggregate principal amount not exceeding \$11,000,000; authorizing a competitive sale of the Bonds and delegating authority to the county administrator to award the Bonds to the bidder that provides the lowest true interest cost to the County; approving the forms of various related documents and the execution thereof; appointing a paying agent, registrar, escrow agent and dissemination agent; providing the security for the Bonds and the terms and provisions thereof; providing severability and an effective date.

Yea: Dean, Alaimo, Arnold, Whitehurst, Joseph

Nay: None

Arnold recessed the meeting at 12:26 p.m. and reconvened the meeting at 1:03 p.m. with Deputy Clerk Sandra Hutto present.

4. St. Johns County (SJC) ordinance amending SJC Ordinance No. 2022-22, 1st Reading. In September 2023, staff brought a discussion item to the Board for consideration of the County's Local Preference Policy. The Board's direction at that meeting was to get input from the Chamber of Commerce, and to bring back recommendations. This item includes the recommended edits to the SJC Purchasing Policy relative to the Local Preference Policy, and other edits necessary due to organizational changes and administrative needs. This is the 1st reading. The final version, based upon Board direction, will be brought back to the Board for adoption

Jaime Locklear, Director of Purchasing, presented the details of the proposed ordinance.

5. Public Hearing - PUD 2023-21, Bella Terra. A request to rezone approximately 37.73 acres of land from Open Rural (OR), Commercial General (CG) and Commercial Intensive (CI), with conditions to Planned Unit Development (PUD), to allow for a maximum of 155 single family dwelling units; specifically located at 150 Bella Terra Drive, 4855 Winton Circle, 4565 US Highway 1 South, and two unaddressed parcels on US Highway 1 South. The Planning and Zoning Agency heard this request at their regularly scheduled public hearing on March 7, 2024, and recommended approval, with a vote of 5 to 2. Agency members and the public discussed the area, traffic, wetlands, flooding in the area, and improved project type from the previous request

The Board disclosed ex parte communication.

Doug Burnett, St. Johns Law Group, representing the applicant, presented the details of the request. Additionally, Ryan Carter, Carter Environmental Services, spoke on the St. Johns Water Management District permit regarding wetlands; and Glenn Wieger, Civil Engineer with Dunn and Associates, Inc., spoke on drainage.

Joseph questioned the number of houses that could be built if there was no zoning change. Burnett responded on the uses of the land and the number of houses. Additionally, Mike Roberson, Growth Management Director, provided information on the number of units per acre under the current zoning.

Public Comment: Judy Spiegel, Michele McDonnell, Charlie Hunt (Exhibit A), Ed Slavin, Suzanne Clulow, and Wayne Fralix provided public comment.

Burnett responded to both the support for the project and the public's concerns about the property's development prior to its commercialization. Discussion ensued on the requirements and funding of the Proportionate Fair Share Agreement, drainage improvements in the area, and measures that staff could take to ensure that the developer complied with the master development plan text and map.

The Board members expressed their positions on the request.

Motion by Alaimo, seconded by Dean, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2024-14, approving PUD 2023-21, Bella Terra, based upon nine findings of fact, as provided in the staff report.

Yea: Alaimo, Dean, Whitehurst, Arnold

Nay: Joseph

6. Public Hearing - REZ 2023-26, Fidus Warehouse and RV/Boat Storage. Request to rezone approximately 4.7 acres of land from Open Rural (OR) to Industrial Warehousing (IW), with conditions to waive any right to develop the property pursuant to the Live Local Act, Chapter 2023-17, Laws of Florida, and any subsequent amendments, specifically located south of State Road 16 west of Race Track Road at address 1955 State Road 16. The

Planning and Zoning Agency heard this item at their regularly scheduled meeting on February 15, 2024. The item was recommended for approval, with a vote of 6-0. One agency member asked general questions about the Live Local Act waiver and the conceptual site plan submitted with the application. There was no public comment

There was no ex parte communication.

Autumn Martinage, Matthews Design Group Senior Planner, representing the applicant, presented the details of the request. Discussion ensued on the natural buffers and the Live Local Act waiver.

Public Comment: Elizabeth Potter provided public comment.

Motion by Arnold, seconded by Whitehurst, carried 5/0, to enact Ordinance No. 2024-15, approving REZ 2023-26, Fidus Warehouse and RV/Boat Storage, with conditions based upon four findings of fact, as provided in the staff report.

Yea: Arnold, Whitehurst, Dean, Alaimo, Joseph

Nay: None

7. Public Hearing - PLNAPPL 2024-01, ABC Fine Wine and Spirits. Request to appeal the Planning and Zoning Agency (PZA) denial of Minor Modification (MINMOD 2023-15) to Six Mile Creek Planned Unit Development (PUD) (ORD. 1991-37, as amended) to allow ABC Fine Wine and Spirits, which is classified as a package store, to be established within 1,000 feet of an existing church and school, specifically located on the west side of Pacetti Road between Registry Boulevard and State Road 16. Under project MINMOD 2023-15, ABC Fine Wine and Spirits, the proposed Minor Modification was heard and denied by the Planning and Zoning Agency (PZA) on December 21, 2023, with a vote of 3 to 3 constituting a denial. (Matovina, Green, Peter approving; and Pierre, Spiegel, Hilsenbeck dissenting with Perkins absent)

The Board disclosed ex parte communication.

James G. Whitehouse, St. Johns Law Group, representing the applicant, presented the details of the request. Discussion ensued on the sale of non-alcoholic beverages to underage individuals, as well as the *request to prohibit the sale of vaping or Cannabidiol (CBD) products*.

Public Comment: Charlie Hunt (Exhibit A), Ed Slavin, Chuck Labanowski (Exhibit B), and Judy Spiegel provided public comment.

Whitehouse responded to the public's concerns of compatibility.

The Board members expressed their positions on the request.

Motion by Arnold, seconded by Whitehurst, carried 5/0, to adopt Resolution No. 2024-148, overturning the denial by the Planning and Zoning Agency and approving a request for a Minor Modification to Six Mile Creek PUD (ORD. 1991-37, as amended) to allow for a 10,000 square feet ABC Fine Wine and Spirits, which is classified as a package store to be

established within 1,000 feet of an existing church and school, as amended, to include the request to prohibit the sale of vaping and cannabidiol (CBD) products.

Yea: Arnold, Whitehurst, Alaimo, Dean, Alaimo

Nay: None

8. Public Hearing - REZ 2023-25, Steely Residence. Request to rezone approximately 56 acres of land from Planned Rural Development (PRD) to Open Rural (OR), located on County Road 13 North. This request was heard by the Planning and Zoning Agency at their regularly scheduled public hearing on Thursday, February 15, 2024, and was recommended for approval, 6-0

There was no ex parte communication.

Jolynn Steely, owner, presented the details of the request.

Public Comment: There was none.

Motion by Arnold, seconded by Whitehurst, carried 5/0, to enact Ordinance No. 2024- 16, approving REZ 2023-25, Steely Residence, based upon four findings of fact, as provided in the staff report.

Yea: Arnold, Whitehurst, Alaimo, Dean, Joseph

Nay: None

9. Public Hearing - NZVAR 2023-23, Tampa Road. Request for a Non-Zoning Variance to Section 6.04.07.M.2 of the Land Development Code for the use of an existing non-paved private roadway to access residential development

The Board disclosed ex parte communication.

Doug Burnett, representing the applicant, presented the details of the request.

Public Comment: There was none.

Motion by Arnold, seconded by Alaimo, carried 5/0, to approve NZVAR 2023-23, Tampa Road, request to the Land Development Code for the use of an existing non-paved private roadway to access residential development, based upon six findings of fact, and five conditions, as provided in the staff report.

Yea: Arnold, Alaimo, Dean, Whitehurst, Joseph

Nay: None

10. Public Hearing - Community Development District (CDD) 2023-03, petition to establish the Orange Branch CDD. A petition to establish the Orange Branch CDD, comprised of approximately 963.43 acres of land, generally located south of Greenbriar Road, north and east of State Road 13, and north and west of the River Edge CDD. The proposed CDD

will serve residential portions of the Landings at St. Johns Planned Unit Development (PUD) and the Landings at Greenbriar PUD

There was no ex parte communication.

Laurn Gentry, Kilinski|Van Wyk, representing the applicant, presented the details of the petition. Discussion ensued on road maintenance and clarifying that the Live Local Act did not apply to the CDD.

Public Comment: Ed Slavin provided public comment.

Motion by Whitehurst, seconded by Dean, carried 5/0, to enact Ordinance No. 2024-17, approving CDD 2023-01, establishing the Greenbriar Community Development District (CDD), based upon three findings of fact.

Yea: Whitehurst, Dean, Alaimo, Arnold, Joseph

Nay: None

11. Presentation of 2024 Live Local Act Glitch Bill. The Live Local Act (Senate Bill (SB) 102) was enacted in 2023. The law preempts local government authority on the zoning, density, and height for certain multi-family developments in commercial, industrial, or mixed-use lands as long as 40 percent of the units are reserved for affordable housing for a minimum of 30 years. The Act also includes certain property tax exemptions and other incentives for affordable housing. A glitch bill was approved in the 2024 legislative session, along with an amendment in the tax package to create a new affordable housing property tax exemption. The approved bills are pending consideration by the governor (Senate Bill 328/House Bill 7073). At the March 5, 2024, regular meeting, the Board requested a presentation regarding the details of the approved bills

Christine Valliere, Senior Assistant County Attorney, and Kealy West, Senior Assistant County Attorney, presented the details of the Live Local Act Glitch Bill. Discussion ensued on the properties that have already applied, the property tax exemption process, and options for the Board to consider if the Bill is signed. Additionally, Alaimo questioned the legal ramifications of imposing a moratorium regarding the Live Local Act, and Valliere responded on the moratorium process.

The Board members expressed their positions on the presentation, a moratorium option, and the Bal Harbour lawsuit in Pasco County. Additionally, Dean questioned the timeline of the Bal Harbour case, and Valliere responded that it is undetermined at this time.

Public Comment: Elizabeth Potter and Ed Slavin provided public comment.

Valliere responded to the public's concerns on building heights.

PUBLIC COMMENT

Public Comment: Ed Slavin, Elizabeth Potter, and Suzanne Clulow provided public comment.

COMMISSIONERS' REPORTS

Commissioner Joseph

Joseph reported on the new garbage trucks acquired for St. Johns County.

Commissioner Alaimo

Alaimo reported on Veteran's Village and requested for it to be on the April 16, 2024, Board of County Commissioners meeting agenda, Andrews responded yes. He also expressed his support for Parks and Recreation regarding the upcoming improvements and new parks being built.

Commissioner Whitehurst

Whitehurst clarified that the Pasco County lawsuit was centered around the tax exemption and was not being opposed by a moratorium for the Live Local Act.

Commissioner Dean

Dean reported on the efforts of the St. Johns River Water Management in acquiring 60,000 acres in St. Johns County for preservation over the past years.

Commissioner Arnold

Arnold expressed support for the county staff.

COUNTY ADMINISTRATOR'S REPORT

Andrews reported on the next steps for moving forward with the Strategic and Comprehensive plan.

COUNTY ATTORNEY'S REPORT

Taylor provided additional information regarding the Bal Harbour litigation, indicating that it was not scheduled for trial until mid-next year. Dean requested to have the Attorney General's opinion discussed at the next Board of County Commissioners meeting, and Taylor confirmed with a response of yes.

With there being no further business to come before the Board, the meeting adjourned at 3:44 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 621093-621156, totaling \$38,630.37 and Voucher Register, Voucher Nos. 78523-78730, totaling \$173,233.97 (03/20/2024)

2. St. Johns County Board of County Commissioners Check Register, Check Nos. 621157-621168, totaling \$67,515.83 and Voucher Register, Voucher No. 78731, totaling \$455.11 (03/21/2024)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 78732-78733, totaling \$8,751.78 (03/21/2024)
4. St. Johns County Board of County Commissioners Check Register, Check No. 621169, totaling \$2,900 (03/22/2024)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 621170-621324, totaling \$5,170,743.44 and Voucher Register, Voucher No. 78734-78806, totaling \$3,677,236.87 (03/25/2024)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 621325-621343, totaling \$547,127.15 (03/26/2024)
7. St. Johns County Board of County Commissioners Check Register, Check No. 621344, totaling \$2,371.44 (03/26/2024)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 621345-621348, totaling \$1,350 (03/28/2024)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 621349-621516, totaling \$2,790,355.08 and Voucher Register, Voucher Nos. 78807-78869, totaling \$2,040,057.03 (04/01/2024)

CORRESPONDENCE:

1. Letter dated March 28, 2024, regarding the 2023 St. Johns County Community Redevelopment Agency Annual Report.

Approved _____ April 16 _____, 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

