



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 17, 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
Lex Taylor, Deputy County Attorney
Kealey West, Senior Assistant County Attorney
Artricia Allen, Deputy Clerk

ROLL CALL

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

INVOCATION

Pastor Matt McCloghry, Colonial Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Jerry Dedge, Chief Warrant Officer 5, United States Army Retired, led the Pledge of Allegiance.

CERTIFICATE OF RECOGNITION FOR JOE SHOMO, CELEBRATING HIS 101ST BIRTHDAY

Whitehurst presented a certificate of recognition to Joe Shomo for his 101st birthday. Bill Dudley, Veterans Council Chairman, expressed his gratitude for the recognition, Shomo's service to St.

Johns County, and he welcomed the Junior Reserve Officers Training Corps (JROTC). Shomo expressed his appreciation for the recognition.

PUBLIC SAFETY UPDATE

Scott Beaver, St. Johns County Sheriff's Office Director of Patrol, reported on school threats and efforts to ensure the safety of students in St. Johns County. He expressed the need for parents to monitor their children's social media activity and stated that they would continue to monitor safety throughout the year. Joseph questioned whether officers would take proactive measures and hold parents responsible for their involvement.

Sean McGee, St. Johns County Fire Rescue Chief, read an email regarding an incident the Fire Rescue Team responded to over the weekend, emphasizing the high-level of service provided. He also expressed gratitude to the leadership team and thanked the City of St. Augustine's fire apparatus for responding to the call.

CLERK OF COURT'S REPORT

John Rundgren, Clerk Designee/Chief Information Officer, reported that today was Constitution Day and that pocket-size copies of the constitution were available at the courthouse. He reported that the Clerk and Comptroller's Minutes & Records Team processed 872 value adjustment board petitions, assisting residents in resolving their property value disputes.

PUBLIC INFRASTRUCTURE UPDATE

Dr. Brennan Asplen, Deputy Superintendent, St. Johns County School System, provided an update on new school construction, costs, openings, and capacity.

LEGISLATIVE AFFAIRS UPDATE

Adam Teclar, Legislative Affairs Director, reported on September's grant awards of over \$11 million, including a SAFER grant for 21 additional firefighters, and grants for a TECO pipeline fire training simulator and the Hastings Library and Community Center.

DELETIONS TO THE CONSENT AGENDA

Joseph requested that Consent Agenda Items 5, 12, 17, 18, and 25 be pulled and moved to the Regular Agenda. They were added as Regular Items 14, 15, 16, 17, and 18, respectively.

APPROVAL OF CONSENT AGENDA

Public Comment: There was none.

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

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

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2024-372**, approving the final plat for Trailmark, East Parcel, Phase 3
3. Motion to adopt **Resolution No. 2024-373**, approving the final plat for Howdy's Lot
4. Motion to adopt **Resolution No. 2024-374**, approving the final plat for Silverleaf, Parcel 12W, Phase 1
5. Motion to adopt a resolution approving the 2020 Federal Highway Administration adjusted urban area boundary for St. Johns County, Florida, and functional classifications for St. Johns County, Florida, prepared by the Florida Department of Transportation

Consent Agenda Item 5 was pulled and moved to the Regular Agenda as Item 14.

6. Motion to adopt **Resolution No. 2024-375**, authorizing the county administrator, or designee, to execute the Impact Fee Credit Agreement with St. Marks Industrial, LLC, (IFA 2024-05), establishing a total road impact fee credit of \$210,000
7. Motion to adopt **Resolution No. 2024-376**, accepting a Deed of Dedication from St. Marks Industrial Park, LLC, to St. Johns County, as required in the St. Marks Industrial Park Impact Fee Credit Agreement for right-of-way along International Golf Parkway
8. Motion to adopt **Resolution No. 2024-377**, accepting a Deed of Dedication, and approving the terms of and authorizing the chair, or designee, to execute a Drainage and Access Easement Agreement and Maintenance and Hold Harmless Agreement, on behalf of the County, as required in the Durbin Creek National, LLC, agreement, for East Peyton Parkway
9. Motion to adopt **Resolution No. 2024-378**, authorizing the county administrator, or designee, to award RFP No. 1468R, Weed and Pest Control Services for St. Johns County Athletic Fields, to Southeast Turf Grass Supply, Inc., as the top ranked proposer, and to execute a five year contract, in substantially the same form and format as attached, at a not-to-exceed amount of \$1,467,633, to perform the required services in accordance with RFP No. 1468R
10. Motion to adopt **Resolution No. 2024-379**, authorizing the county administrator, or designee, to award IFB No. 1901, Construction of Hastings Community Center and Library – Community Development Block Grant (CDBG) project to Kingdom Construction Services, Inc., as the lowest, responsive, and responsible bidder, at a total bid price of \$6,276,523, for the completion of the specified project, which includes Bid Alternate #1

11. Motion to declare the attachments as surplus and authorize the county administrator, or designee, to dispose of same in accordance with Purchasing Policy 308 and Florida Statute 274
12. Motion to adopt a resolution authorizing the county administrator, or designee, to execute Contract Amendment No. 01 under GSA No. 23-GSA-MER-18029, with Merrell Bros, Inc., (23-48; Utility System Biosolids Hauling) for collection, transportation, and disposal of wastewater sludge at the Players Club WWTP, in accordance with the scope of services provided in IFB No. 1953

Consent Agenda Item 12 was pulled and moved to the Regular Agenda as Item 15.

13. Motion to adopt **Resolution No. 2024-380**, authorizing the county administrator, or designee, to execute Change Order No. 05 to Master Contract No. 22-MCA-SGS-16335, with SGS Contracting Services, Inc., under Bid No. 22-82, construction of Hastings water treatment plant improvements, for a lump sum amount of \$232,769.65, to complete the project
14. Motion to adopt **Resolution No. 2024-381**, authorizing the county administrator, or designee, to award IFB No. 1896, State Road 16 and Outlet Mall Boulevard, reclaimed water main to S.E. Cline Construction, Inc., as the lowest, responsive, and responsible bidder, for the total not-to-exceed bid price of \$690,155.11, for completion of the project as specified
15. Motion to adopt **Resolution No. 2024-382**, authorizing the county administrator, or designee, to execute Consent to Assignment Agreements, in substantially the same form and format as attached hereto, assigning the four identified contracts to Foth Infrastructure and Environment, LLC, at the same terms and conditions
16. Motion to adopt **Resolution No. 2024-383**, amending the St. Johns County Fee Schedule for services provided by St. Johns County Departments for Fiscal Year 2025
17. Motion to approve the write-off of the following delinquent accounts receivable accounts, effective September 30, 2024: 5,588 Emergency Medical Service (EMS) accounts totaling \$2,401,875.41; 402 Utility Service accounts totaling \$100,194.88; and the Clerk of the Circuit Court and Comptroller's accounts providing a net total of \$17,996.76

Consent Agenda Item 17 was pulled and moved to the Regular Agenda as Item 16.

18. Motion to adopt a resolution approving the St. Johns County Energy Management Policy for fiscal year Fiscal Year 2025 (October 1, 2024 - September 30, 2025)

Consent Agenda Item 18 was pulled and moved to the Regular Agenda as Item 17.

19. Motion to adopt **Resolution No. 2024-384**, accepting the terms, conditions, provisions, and requirements of Grant Agreement BB216 with the Florida Department of Commerce in the amount of \$4,000,000, for the construction of the Hastings Library and Community Center; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County
20. Motion to adopt **Resolution No. 2024-385**, approving and authorizing the county administrator, or designee, to execute and deliver, on behalf of the County, the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Agreement (EMW-2023-FF-00115), between the County and U.S. Department of Homeland Security, accepting a \$7,060,872 grant award to fund the hiring of 21 firefighters, in substantially the same form as attached hereto
21. Motion to adopt **Resolution No. 2024-386**, approving and authorizing the county administrator, or designee, to execute and deliver on behalf of the County, a Memorandum of Understanding between St. Johns County Fire Rescue and First Coast Technical College, to establish and implement an Emergency Medical Service (EMS) Field Internship training program, in substantially the same form as attached hereto
22. Motion to adopt **Resolution No. 2024-387**, authorizing the submission of a suggested long range budget plan to the Florida Department of Environmental Protection (FDEP) in connection with the Federal Emergency Management Agency (FEMA) Dune Enhancement Project, and authorizing the county administrator, or designee, to execute any necessary agreements with FDEP concerning the FEMA Dune Enhancement Project
23. Motion to adopt **Resolution No. 2024-388**, authorizing the submission of a suggested long range budget plan to the Florida Department of Environmental Protection (FDEP) in connection with the Ponte Vedra-South Ponte Vedra Coastal Storm Risk Management Project, and authorizing the county administrator, or designee, to execute any necessary agreements with FDEP concerning the Ponte Vedra-South Ponte Vedra Coastal Storm Risk Management Project
24. Motion to adopt **Resolution No. 2024-389**, approving and ratifying the Program Letter Agreement between the University of Florida College of Medicine and St. Johns County, setting forth the responsibilities of the parties for providing clinical training opportunities to physician residents and fellows from the University's Department of Pathology, Immunology, and Laboratory Medicine
25. Motion to adopt a resolution authorizing the county administrator, or designee, to execute an amendment to the existing Economic Development Incentive Agreement, substantially in the same form as the attached, amendment with Rulon International, Inc., on behalf of St. Johns County

Consent Agenda Item 25 was pulled and moved to the Regular Agenda as Item 18.

26. Motion to adopt **Resolution No. 2024-390**, approving the terms, provisions, conditions, and requirements of the Florida State Aid to libraries grant application, and authorizing the chair of the Board of County Commissioners, or designee, to execute the agreement, substantially in the same form as attached
27. Motion to adopt **Resolution No. 2024-391**, authorizing the county administrator, or designee, to execute an agreement with the City of St. Augustine, in substantially the same form and format as attached hereto, providing funding to operate the Downtown St. Augustine Visitor Information Center and conduct tourist-related programming
28. Motion to re-appoint Maureen Long to the Mid-Anastasia Design Review Board for a full four-year term, scheduled to expire September 17, 2028
29. Motion to approve minutes:
 - September 3, 2024, BCC Regular
 - September 3, 2024, BCC Special

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Joseph requested that Regular Agenda Item 13 be pulled and heard at the next Board meeting; discussion ensued.

Motion by Joseph to table Regular Agenda Item 13 or move it to the next Board of County Commissioners' meeting. The motion failed for lack of a second.

APPROVAL OF REGULAR AGENDA

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

Yea: Whitehurst, Dean, Arnold, Alaimo

Nay: Joseph

PUBLIC COMMENT TIME CERTAIN

Public Comment: Vicki Pepper, B.J. Kalaidi (Exhibit A), Michael McDonald, Nicole Crosby (Exhibit B), Ed Slavin, Richard Norwood (Exhibit C), William Henessy (Exhibit D), Kim Schwermer (Exhibit E), Joyce McClain, and Bob Wildes provided public comment.

1. Appointment of Two Special Magistrates, Award of Contracts under Misc. No. 1864; Code Enforcement Special Magistrate and approval of compensation rate. County Ordinance No. 2007-21, provides for the appointment of a Special Magistrate to hold hearings and assess fines against violators of certain County codes and ordinances. Appointments are for a two-year term and are made at the sole discretion of the Board of County Commissioners on the basis of experience and interest in the subject matter. A Special Magistrate must be a member in good standing of the Florida Bar. The term of the current contract for Special Magistrate expired on September 5, 2024. On May 9, 2024, the

Purchasing Department solicited proposals from interested firms to perform services as the appointed Special Magistrate under Misc No. 1864, Code Enforcement Special Magistrate. The solicitation closed on June 14, 2024, with receipt of three responsive proposals. One proposal was later withdrawn by the law firm that submitted the proposal. The remaining proposals, submitted by the Law Offices of James E. Bedsole and The Lassiter Law Firm, P.A., meet the requirements of the ordinance and the solicitation. Attorneys James E. Bedsole and Derri Kay Lassiter Young were subsequently interviewed by County staff. County Ordinance No. 2007-21, initially set compensation at \$140 per hour; however, compensation is determined by the Board and may be amended by resolution of the Board. The submitted proposals included hourly rates ranging from \$250-\$290/hour. Staff negotiated with firms and reached agreement on an hourly rate of \$270. In light of market increases since 2007, it has been determined that the rate of \$270 per hour is reasonable and appropriate. Staff recommends Board appointment of the two qualified attorneys as Special Magistrate: James E. Bedsole of Law Offices of James E. Bedsole, and Derri Kay Lassiter Young of The Lassiter Law Firm, P.A. Additionally, Staff recommends Board approval to execute contracts with the two law firms, in substantially the same form and format as attached, and for the performance of the Special Magistrate services, at an hourly rate of \$270. Each Special Magistrate is intended to serve for six months during each year of the two-year contract term. However, the County may, at its discretion, utilize both Special Magistrates for periods other than six months in order to appropriately address cases and ensure coverage for services throughout the duration of the contracts

Jaime Locklear, Purchasing Director, presented the details of the appointments. Lassiter Young and Bedsole spoke on their reasons for pursuing the position and their experience.

Public Comment: Ed Slavin, Charlie Hunt, Michael McDonald, and Steve Stewart provided public comment.

Dean responded to the public's concerns regarding an email from Sandy Flowers. He requested that Bedsole address the concerns, after he read the letter. The Board tabled the item to allow Bedsole time read the letter.

Motion by Dean, seconded by Joseph, carried 5/0 to table this item to be heard after Regular Agenda Item 4, allowing Mr. Bedsole the opportunity to read the letter.

Yea: Dean, Joseph, Arnold, Alaimo, Whitehurst

Nay: None

Dean suggested giving Mr. Bedsole a chance to respond to the letter that had been sent in. Bedsole responded to the letter with the history of the Flowers case.

Motion by Alaimo, seconded by Whitehurst, carried 5/0, to adopt Resolution No. 2024-393, appointing James E. Bedsole and Derri Kay Lassiter Young as Special Magistrates for a two-year term; setting the hourly rate for performance of services at \$270 per hour; and authorizing the execution of contracts with the Law Offices of James E. Bedsole, and The Lassiter Law Firm, P.A., for performance of the services.

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

2. St. Johns County Special Obligation Revenue Bonds Series 2024A to fund regional parks, community centers, and public safety infrastructure. On April 2, 2024, the St. Johns County Commission authorized 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. On April 16, 2024, the St. Johns County Commission authorized the county administrator to move forward with the public safety plan and assemble a County financing team to present a financing package to the Commission. The September 17, 2024, agenda item provides consideration of a resolution of the Board of County Commissioners, authorizing the issuance of St. Johns County, Special Obligation Revenue Bonds, Series 2024A, in an amount not to exceed \$120,000,000, in order to finance costs of regional parks, community centers, and public safety infrastructure. In sum, the resolution authorizes the issuance of the 2024A Bonds, and pledges to budget Non-Ad Valorem Revenues to secure payment of the debt service. The resolution provides for a competitive sale of the bonds and approves the forms of various financing documents including the Preliminary Official Statement, the Official Notice of Sale, and the Continuing Disclosure Certificate. Here, the finance team seeks the Board's approval of this resolution, which includes the required supplemental documents (attached hereto and incorporated herein as Exhibits A-E), to move forward in issuing the 2024A Bonds. For the Board's convenience in reviewing, each of the exhibits are titled/described below: 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: General Description of the project

Jesse Dunn, Director of the Office of Management and Budget, presented the details of the bond issuance request. Ryan Kane, Parks and Recreation Director, discussed the Four Park Master Plan, the community's wants and needs, and the design/construction, location, and features of the parks. Deborah Rhodes Gibson, Director of Library Services, addressed library access and said that she was thrilled with the proposal to combine library and park locations. Dunn reviewed planned renovations at certain fire stations and Sheriff Office facilities.

Daniel Whitcraft, Facilities Management Director, provided information on delivery methods, particularly CMAR, timelines, procurement, and construction costs. Discussion ensued on revenue sources and not using property taxes to pay the debt service. Jay Glover, PFM Financial Advisors, reviewed the financing scheme, current market conditions, the County's credit rating, and the refinancing timeline; discussion ensued on budget adjustments.

Public Comment: George Vancore, Ed Slavin, Doug Ramsey, Michael McDonald, Richard Norwood, Eric Smith, Charlie Hunt (Exhibit A), and Chuck Labanowski provided public comment.

Discussion followed regarding the public benefits of bonding projects, public safety, meeting the demands of the County, finding the best solutions for youth sports leagues, and an Americans with Disabilities Act (ADA)-complaint portable restroom.

Motion by Whitehurst, seconded by Dean, carried 5/0, to adopt Resolution No. 2024-392, authorizing the issuance of the St. Johns County Special Obligation Revenue Bonds, Series 2024A, in an aggregate principal amount not exceeding \$120,000,000 to fund regional parks, community centers, and public safety infrastructure; and authorizing all necessary budget appropriations to reflect the issuance.

Yea: Whitehurst, Dean, Arnold, Alaimo, Joseph

Nay: None

Motion by Whitehurst, seconded by Dean, carried 5/0, to authorize the county administrator to assemble a County financing team to present a financing package toward the acquisition of fire rescue apparatus.

Yea: Whitehurst, Dean, Arnold, Alaimo, Joseph

Nay: None

3. Presentation of the Draft County Strategic Plan. At the February 7, 2023, Board of County Commissioners meeting, county administration received approval from the Board to procure a consultant for the development of a countywide strategic plan. The County issued a competitive Request for Proposal (RFP) in March 2023, and subsequently entered into a contract with BerryDunn, the top-ranked respondent. Following extensive community and stakeholder engagement, representatives from BerryDunn will present the draft strategic plan for Board discussion and consideration

Michelle Kennedy, BerryDunn Consultant, discussed best practices, how the draft strategic plan was developed, and presented the details and objectives of the draft plan. Discussion ensued on certain aspects of the draft plan, the shorter timeline (three to five years) of the plan, and conversion versus conservation of agricultural lands.

The Board moved to time certain public comment.

Public Comment: Vicki Pepper, Nicole Crosby, Ed Slavin, Richard Forbrich, Judy Spiegel, Sherry Badger, and Suzanne Clulow provided public comment.

Kennedy addressed the public's concerns regarding housing objectives related to the local government's economic preferences and community input. The Board members expressed their positions on the plan and were in favor of tabling the item for discussion at a future meeting. Whitehurst asked Andrews and Sarah Taylor, Chief Performance Officer, whether St. Johns County had ever completed a Strategic Plan; it had not. Dean suggested that commissioners-elect Clay Murphy and Ann Taylor be involved in future discussions.

Motion by Arnold, seconded by Whitehurst, carried 5/0, to bring the item back at the second meeting in October [October 15, 2024].

Yea: Arnold, Whitehurst, Alaimo, Dean, Joseph

Nay: None

Arnold recessed the meeting at 12:47 p.m. and reconvened at 1:15 p.m. with Deputy Clerk Sandra Hutto present.

4. Confirmation of Economic Development Director. After conducting a nationwide recruitment, Sara Maxfield was selected as the Economic Development (ED) Director. Ms. Maxfield has over 15 years of extensive economic and business development experience. The county administrator is seeking Board confirmation of Ms. Maxfield as the ED Director

Joy Andrews, County Administrator, presented the details of the confirmation.

Public Comment: Clay Murphy provided public comment.

Motion by Whitehurst, seconded by Dean, carried 5/0, to confirm Sara Maxfield as the Economic Development Director.

Yea: Whitehurst, Dean, Arnold, Alaimo, Joseph

Nay: None

5. Public Hearing - PUD 2023-14, The Preserve at St. Augustine Lakes. Request to rezone approximately 247.26 acres of land from Open Rural (OR) and Planned Unit Development (PUD) to Planned Unit Development (PUD) to allow for a maximum 376 single family residential dwelling units. This request was heard by the Planning and Zoning Agency at its regularly scheduled public hearing on Thursday, May 16, 2024, and was recommended for approval, 4-3

The Board disclosed ex parte communication.

Douglas N. Burnett, St. Johns Law Group, representing the applicant, presented the details of the request, and referenced Ordinance Nos. 2006-91 and 2006-129 (Exhibit A). Burnett introduced Rajesh Chindalur, P.E., PTOE Senior Traffic/Transportation Engineer, who spoke on traffic impacts and referenced supporting documents (Exhibit B); and he also introduced William “Bill” Shaeffer, Dominion Engineering President, who spoke on the stormwater design, drainage, and the flood zone map. Discussion ensued on traffic flow heading towards State Road 16, the roadway segments anticipated to be adversely impacted, the draining process with the 100-year storm event and water discharge, the developer’s plans to build out the project, and the interconnectivity of St. Augustine Lakes to the project.

Public Comment: Ezekiel “Zeke” Williams (PowerPoint), Steve Stewart, Jeanne Prickett, Nancy Carpenter, Silke Royer, Judy Spiegel, Suzanne Clulow, Charlie Hunt (Exhibit C), Ed Slavin, Michael McDonald, Mary Robinson (Exhibit D), Sabrina Robinson (Exhibit E), and John McGuire provided public comment.

Komando stated that Mr. Williams PowerPoint presentation was given to Burnett by email and not to staff. Burnett questioned the timing of the email, due to not receiving it and responded on the timeline of meeting with Mr. Willams.

Discussion ensued on the adversely impacted road segment percentages, having a community meeting with the neighborhood, roadway improvements, housing cost, the draining direction of the project, potential interconnectivity, and compatibility. Additionally, Tara Floyd, owner, provided the history of the land.

Dean requested to have Shaeffer and County staff follow up with Ms. Royer on the culvert draining and provide a follow up report.

Mr. Williams responded to Whitehurst's concerns on having a legal right to fire weapons on his property, the quality of life for neighbors and wildlife, and issue related to adverse draining. Whitehurst then requested that County staff check the current ponds at St. Augustine Lakes to ensure they were complying with drainage laws. Andrews agreed.

Motion by Arnold, seconded by Whitehurst, carried 5/0, to deny PUD 2023-14, The Preserve at St. Augustine Lakes, based on ten findings of fact, as provided in the staff report.

Yea: Arnold, Whitehurst, Dean, Alaimo, Joseph

Nay: None

6. Public Hearing - CPA(SS) 2023-12, ALSOP Race Track Road Commercial Planned Unit Development (PUD). Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 10.64 acres of land from Residential-A and Rural/Silviculture to Mixed Use District, specifically located at 4280 and 4286 Race Track Road. This is a companion application to PUD 2023-27. The Planning and Zoning Agency failed to recommend approval by a vote of 3-3 at its regularly scheduled meeting on June 6, 2024. Concerns raised included clear public benefit, urban sprawl, potential future land uses, traffic, noise, compatibility, and views from the adjacent residential neighborhood

Regular Agenda Items 6 and 7 were presented together.

The Board disclosed ex parte communication.

Zach Miller, Esquire, representing the applicant, presented the details of the request.

Public Comment: There was none.

Motion by Whitehurst, seconded by Alaimo, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2024-43, approving CPA (SS) 2023-12, ALSOP Race Track Road, based upon four findings of fact, as provided in the staff report.

Yea: Whitehurst, Alaimo, Arnold, Dean

Nay: Joseph

7. Public Hearing - PUD 2023-27, ALSOP Race Track Road Commercial PUD. Request to rezone approximately 10.64 acres of land from Open Rural (OR) to Planned Unit Development (PUD), to allow for a maximum 28,500 square feet of general business and commercial, and 120,000 square feet of light industrial uses, specifically located at 4280 and 4286 Race Track Road. This request is a companion application to CPA(SS) 2023-12, ALSOP Race Track Road Commercial with the address of 4280 and 4286 Race Track Road. The Planning and Zoning Agency (PZA) failed to recommend approval by a vote of 3-3 at its regularly scheduled meeting on June 6, 2024. Concerns raised included traffic, noise, compatibility, and views from the adjacent residential neighborhood. The PZA also acknowledged the Developer's concessions made to date based on community input. The Applicant agreed to waive any right to develop the property pursuant to the Live Local Act, Chapter 2023-17, Laws of Florida, and any subsequent amendments

Discussion occurred with Regular Agenda Item 6.

Motion by Whitehurst, seconded by Alaimo, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2024-44, approving PUD 2023-27, ALSOP Race Track Road PUD, based on ten findings of fact, as provided within the staff report.

Yea: Whitehurst, Alaimo, Arnold, Dean

Nay: Joseph

8. Public Hearing - MAJMOD 2023-03, Marsh Landing Golf Course Lot. Request for a Major Modification to the Marsh Landing Planned Unit Development (PUD) (ORD. NO. 1975-15, as amended) to convert approximately 1.9 acres of golf course to one single-family lot along Kingfisher Drive. This item was heard at the regularly scheduled February 1, 2024, Planning and Zoning Hearing and was continued with a vote of 7-0. The original request was for four single-family homes but has since been reduced to one single-family home on the Kingfisher parcel. The item was heard at the regularly scheduled August 1, 2024, Planning and Zoning Hearing and was approved with a vote of 4-2. Agency members discussed a variety of issues including compatibility, viewsheds, drainage, and site design

The Board disclosed ex parte communication.

Zach Miller, Esquire, representing the applicant, presented the details of the request and referenced an email (Exhibit A). He responded to Joseph's concerns regarding flooding, referencing photos, and introduced David Taylor, P.E., Dunn and Associates, Inc., Vice President, who addressed drainage concerns.

West briefed the Board on the proposed public hearing template.

Doug Burnett, St. Johns Law Group, representing Eugene Peek, presented the details of the request in opposition.

James Whitehouse, St. Johns Law Group, representing the Marsh Landing PUD Homeowner's Association VII, presented the details of the request in opposition and referenced survey results (Exhibit B).

West stated that there would be no public comment from anyone represented by the opposing parties.

Public Comment: Ed Slavin, Michael McDonald, and Edward Pike (Exhibit C) provided public comment.

Burnett provided additional rebuttal information in opposition, regarding the loss of a lot, platting concerns, compliance with the Land Development Code, and the implications of purchasing lots on the golf course.

Miller provided additional rebuttal information on the clarification of the multi-use owners authorization for representation (Exhibit D), lot resubdivision, the active recreation waiver, and there would be no negative impacts on the land value and referenced lot sales data (Exhibit D). He also responded to Dean's concerns of the golf course being sold and the new owner's consent to the development.

Board members expressed their positions on the request. Discussion ensued on drainage and the configuration of the golf course.

Motion by Whitehurst, seconded by Dean, carried 4/1, with Joseph dissenting, to enact Ordinance No. 2024-45, approving MAJMOD 2023-03, Marsh Landing Golf Course Lot, based upon six findings of fact, as provided in the staff report.

Yea: Whitehurst, Dean, Arnold, Alaimo

Nay: Joseph

Arnold recessed the meeting at 4:50 p.m. and reconvened at 5:23 p.m., with Deputy Clerk Artricia Allen present.

9. Public Hearing - CPA(SS) 2024-02, Arnold Family Legacy. Request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation of approximately 11.29 acres of land from Rural/Silviculture (R/S) to Residential-A (RES-A) with a text amendment limiting the property to a maximum of seven residential parcels; property is located on unaddressed parcels located on the east end of Pine Island Road. The Planning and Zoning Agency (PZA) heard this request at its regularly scheduled public hearing on August 16, 2024, and recommended approval with a vote of 6 to 0. Agency members discussed the history of the area along Pine Island Road, along with environmental aspects of the subject property. This request has a companion application (NZVAR 2024-09)

Regular Agenda Items 9 and 10 were presented together.

The Board disclosed ex parte communication.

Karen M. Taylor, Land Planner, representing the applicant, presented the details of the request.

Public Comment: Ed Slavin provided public comment.

Motion by Joseph, seconded by Alaimo, carried 5/0, to enact Ordinance No. 2024-46, approving CPA(SS) 2024-02, Arnold Family Legacy, based upon four findings of fact, as provided in the staff report.

Yea: Joseph, Alaimo, Arnold, Whitehurst, Dean

Nay: None

10. Public Hearing - NZVAR 2024-09, Arnold Family Legacy. Request for a Non-Zoning Variance to Section 5.01.01.C.1 regarding subdivision platting requirements, section 6.02.00 Subdivision Regulations, and 6.04.07 Roadway Design to allow for the division of two existing parcels into seven parcels. This request is a companion application to CPA(SS) 2024-02, Arnold Family Legacy

Discussion occurred with Regular Agenda Item 9.

Motion by Joseph, seconded by Alaimo, carried 5/0, to approve NZVAR 2024-09, Arnold Family Legacy, request to the Land Development Code for relief from platting, subdivision, and roadway design requirements to allow for the division of two existing parcels into seven parcels, based upon six findings of fact and five conditions, as provided in the staff report.

Yea: Joseph, Alaimo, Arnold, Whitehurst, Dean

Nay: None

11. Public Hearing - MAJMOD 2024-03, 4560 Race Track Road PUD. Request for a Major Modification to the 4560 Race Track Road PUD (Ordinance 2017-02, as amended) to add approximately 0.1 acres to the project boundary and update the Master Development Plan Map by adding an interconnectivity access point to the adjoining Parkway Place PUD to provide access to County Road 2209 (Saint Johns Parkway). This request was heard by the Planning and Zoning Agency at its regularly scheduled public hearing on Thursday, August 15, 2024, and was recommended for approval, 6-0

There was no ex parte communication.

Ellen Avery-Smith, Esquire, Rogers Towers, P.A., representing the applicant, presented the details of the request.

Public Comment: There was none.

Motion by Dean, seconded by Whitehurst, carried 5/0, to enact Ordinance No. 2024-47, approving MAJMOD 2024-03, 4560 Race Track Road PUD, based upon six findings of fact, as provided in the staff report.

Yea: Dean, Whitehurst, Arnold, Alaimo, Joseph

Nay: None

12. Funding request to address safety concerns at the St. Johns County Ocean Pier. St. Johns County Facilities Maintenance identified decay in the pier's support pillars during an inspection. A structural engineering firm was consulted, and, as a precaution, the easternmost 100 feet of the pier was closed on August 27. Staff requests up to \$3 million from Tourist Development Tax, Category Five, for engineering and construction to retrofit the pylons, extending the pier's life by an estimated 20 years

Daniel Whitcraft, Facilities Management Director, presented the details of the funding request.

Arnold stated that this item had been discussed at the Tourist Development Council (TDC) meeting, where a unanimous consensus was reached to use Category 5 Beach Access Funds for the project.

Public Comment: Ed Slavin provided public comment.

Discussion ensued on the TDC's discussions regarding modifying and/or extending the pier, and possibly updating the splash park, with the main priority being repairing and reopening the pier. Whitcraft explained that with the repair, the structural life of the pier was anticipated to be 20 years.

Motion by Dean, seconded by Whitehurst, to direct staff to go forward with the structural analysis or investigation and report back to the Board of County Commissioners with, 1. An assessment of the damages; 2. Staff recommendations for the correction or restoration of the pier; and 3. A cost estimate not to exceed a specified amount for the Board's consideration.

Whitcraft stated they had discussions with the structural engineer regarding a scope to perform the necessary repairs, including an opinion of cost, and the final request was to fund the repairs from Category 5 TDT funds.

Commissioner Dean modified his motion to direct staff to go forward with Whitcraft's request, including the funding from Category 5. Whitehurst, as second, accepted the modification and the amended motion carried 5/0.

Yea: Dean, Whitehurst, Arnold, Alaimo, Joseph

Nay: None

13. Public Hearing - St. Johns County Administrator Ordinance Amendment. First Reading to reinstate and amend Ordinance 2010-47 to require a majority plus one vote of the Board of County Commissioners to further change any of the provisions of this St. Johns County Administrator Ordinance. The purpose of this Ordinance is to provide for a form of County administration that best assures the adequate and efficient provision of services to the citizens of St. Johns County, Florida; provide for coordinated administration of County departments to better protect the health, welfare, safety and quality of life of the residents of St. Johns County, Florida; and place in the hands of a county administrator the multitude of details which must necessarily arise from the operation of the County as a unit of local government and thus, enable the Board of County Commissioners to perform, without unnecessary interruption, its fundamental intended purpose of making policies and

providing direction to the county administrator pertaining to administration within the framework of law applicable to County government in this state. Further, the purpose of this Ordinance is to provide a structure for the economic and efficient conduct of County affairs by making the county administrator responsible for handling all matters necessary to accomplish and bring to fruition the policies and directives established by the Board of County Commissioners

Rich Komando, Interim County Attorney, presented the details of the amendment. Discussion ensued on the process with previous county attorneys, the agenda setting process, how the current Board of County Commissioners could pass an ordinance that would bind a future Board, the Board's responsibilities when entering into contracts, and the creation of ordinances that are more restrictive than required by statute. West read the ordinance short title into the record.

14. Approving the 2020 Federal Highway Administration adjusted urban area boundary for St. Johns County

Formerly Consent Agenda Item 5.

Dick D'Souza, Transportation Director, presented the details of the request and responded to Joseph's questions about the reason for the change in the urban area. Whitehurst expressed the need to approve the request, as the Transportation Planning Organization Board had voted the previous week, and delaying approval would significantly hinder the ability to secure funding from United States Department of Transportation (USDOT).

Public Comment: Ed Slavin provided public comment.

Motion by Whitehurst, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-396, approving the 2020 Federal Highway Administration adjusted urban area boundary for St. Johns County, Florida, and functional classifications for St. Johns County, Florida, prepared by the Florida Department of Transportation.

Yea: Whitehurst, Alaimo, Dean, Arnold, Joseph

Nay: None

15. Execute Contract Amendment No. 01 under GSA No. 23-GSA-MER-18029, with Merrell Bros, Inc., (23-48; Utility System Biosolids Hauling) for collection, transportation, and disposal of wastewater sludge at the Players Club WWTP

Formerly Consent Agenda Item 12.

Jamie Locklear, Director of Purchasing, presented the details of the contract amendment.

Neal Shinkre, Utility Director, explained that the waste was collected, transported, and disposed of at the Indian Head bio facility.

Public Comment: Ed Slavin provided public comment.

Discussion ensued on the contractors, landowners, and Department of Environmental Protection (DEP) working with Indian Head to address complaints while continuing to maintain an active business.

Motion by Joseph, seconded by Alaimo, carried 5/0, to adopt Resolution No. 2024-397, authorizing the county administrator, or designee, to execute Contract Amendment No. 01 under GSA No. 23-GSA-MER-18029, with Merrell Bros, Inc., (23-48; Utility System Biosolids Hauling) for collection, transportation, and disposal of wastewater sludge at the Players Club WWTP, in accordance with the scope of services provided in IFB No. 1953.

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

16. Motion to approve the write-off of the selected delinquent, receivable accounts in Emergency Medical Service (EMS), Utility Service, and Clerk of the Circuit Court and Comptroller

Formerly Consent Agenda Item 17.

Wade Schroeder, Assistant Director of the Office of Management and Budget, presented the details of the accounts. He also responded to Joseph's questions regarding accounts that were written off, that are more than 12 months past due. He noted that both Utilities and EMS used collection agency vendors in addition to staff efforts to collect funds.

Public Comment: There was none.

Motion by Alaimo, seconded by Whitehurst, carried 5/0, to approve the write-off of the following delinquent accounts receivable accounts, effective September 30, 2024: 5,588 Emergency Medical Service (EMS) accounts totaling \$2,401,875.41; 402 Utility Service accounts totaling \$100,194.88; and the Clerk of the Circuit Court and Comptroller's accounts providing a net total of \$17,996.76.

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

17. Approving the St. Johns County Energy Management Policy for Fiscal Year 2025

Formerly Consent Agenda Item 18.

Daniel Whitcraft, Facilities Management Director, presented the details of the policy. Discussion ensued on managing temperature to save energy, using existing infrastructure, and checkpoint measures that would drastically reduce energy consumption.

Public Comment: Ed Slavin provided public comment.

Motion by Alaimo, seconded by Dean, carried 5/0, to adopt Resolution No. 2024-398, approving the St. Johns County Energy Management Policy for Fiscal Year 2025 (October 1, 2024-September 30, 2025).

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

18. Execute an amendment to the existing Economic Development Incentive Agreement, substantially in the same form as the attached amendment with Rulon International, Inc., on behalf of St. Johns County

Formerly Consent Agenda Item 25.

Sam Camp, Economic Development, presented the details of the amendment. Joseph requested more background information on the Rulon company, regarding the number of employees, the duration of their employment, how many years the company had been in operation, and the average salaries. Additionally, Dean provided further information about the owner and his business, encouraging residents to tour the facility.

Public Comment: There was none.

Motion by Alaimo, seconded by Dean, carried 5/0, to adopt Resolution No. 2024-399, authorizing the county administrator, or designee, to execute an amendment to the existing Economic Development Incentive Agreement, substantially in the same form as the attached amendment with Rulon International, Inc., on behalf of St. Johns County

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

PUBLIC COMMENT

Public Comment: Judy Spiegel and Suzanne Clulow provided public comment.

COMMISSIONERS' REPORTS

Commissioner Joseph

Joseph invited everyone to a Town Hall meeting at the Ponte Vedra Library on September 24, 2024, at 5:30 p.m. She asked Andrews about the status of the Black History Museum. Andrews responded that the Department of State was responsible for coordinating with the task force, which made a recommendation that included a feasibility study. She noted that the governor would need all recommendations completed before making his decision.

Commissioner Alaimo

Alaimo expressed gratitude to staff for their work and the budget presentation. He suggested that the Board consider the current timing of public comments, noting that it disrupted momentum in the middle of agenda items, and recommended exploring future opportunities for improvement.

Commissioner Whitehurst

No report.

Commissioner Dean

Dean announced two events happening on September 24, 2024, at 2:30 p.m.: 1) Jimmy Patronis, State's Chief Financial Officer, would be hosting a press conference at Fire Station 11 to announce funding for fire equipment protection, and 2) the District Conference Board would hold its annual meeting at Art 'n Motion. Additionally, he spoke about the recent trial against Grand Oaks developers, who committed to cover the costs of widening three miles of road regardless of the expense and mentioned that the Federal United States District Court ruled in St. Johns County's favor.

Commissioner Arnold

Arnold requested *Board consensus to send a letter of support to Hastings Main Street as they prepare to go to Tallahassee the following week for \$1.5 million in economic development grants. Consensus was given.*

COUNTY ADMINISTRATOR'S REPORT

No report.

COUNTY ATTORNEY'S REPORT

Komando provided additional information on the Grand Oaks Development litigation, stating that the Federal United States District Court ruled in St. Johns County favor on two competing motions for summary judgement, including the counter suit. He mentioned that both aspects of the litigation prevailed, and there was a 30-day window for the appeal process. He noted if they don't appeal, the County would return to its previous position, allowing them to enforce the development agreement or halt future progress until Grand Oaks came into compliance. Additionally, he thanked the legal staff for representing the County in the lawsuit.

With there being no further business to come before the Board, the meeting adjourned at 6:37 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 625579-625596, totaling \$23,836.59 and Voucher Register, Voucher Nos. 82045-82072, totaling \$65,631.10 (09/04/2024)
2. St. Johns County Board of County Commissioners Check Register, Check No. 625597, totaling \$570.36 (09/04/2024)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 625598-625602, totaling \$1,766.53 and Voucher Register, Voucher Nos. 82073-82075, totaling \$13,828.24 (09/05/2024)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 82076-82077, totaling \$7,837.17 (09/05/2024)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 625603-625713, totaling \$2,737,248.61 and Voucher Register, Voucher Nos. 82078-82167, totaling \$11,513,361.79 (09/09/2024)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 625714-625725, totaling \$6,152 and Voucher Register, Voucher Nos. 82168-82172, totaling \$7,639 (09/11/2024)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 625726-625858, totaling \$1,296,975.89 and Voucher Register, Voucher Nos. 82173-82260, totaling \$4,170,352.19 (09/16/2024)
8. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 82261, totaling \$48,975 (09/16/2024)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 625859-625927, totaling \$42,507.58 and Voucher Register, Voucher Nos. 82262-82461, totaling \$170,266.90 (09/18/2024)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 625928-625938, totaling \$68,724.05 and Voucher Register, Voucher Nos. 82462-82464, totaling \$13,898.32 (09/19/2024)

CORRESPONDENCE:

1. Letter dated September 5, 2024, regarding Heritage Landing Community Development District Final Adopted Fiscal Year 2024/2025 budget
2. Letter dated September 5, 2024, regarding Southaven Community Development District Final Adopted Fiscal Year 2024/2025 budget
3. Letter dated September 5, 2024, regarding Turnbull Creek Community Development District Final Adopted Fiscal Year 2024/2025 budget
4. Letter dated September 5, 2024, regarding Trout Creek Community Development District Final Adopted Fiscal Year 2024/2025 budget
5. Letter dated September 9, 2024, regarding Southaven Community Development District Fiscal Year 2024/2025 meeting schedule
6. Letter dated September 9, 2024, regarding Madeira Community Development District Final Adopted Fiscal Year 2024/2025 budget
7. Letter dated September 9, 2024, regarding Bridgewater North Community Development District Fiscal Year 2024/2025 meeting schedule

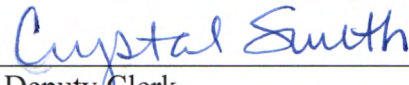
- 8. Letter dated September 9, 2024, regarding Bridgewater North Community Development District Final Adopted Fiscal Year 2024/2025 budget

Approved October 1, 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: 
Deputy Clerk

