



Minutes of Meeting
Board of County Commissioners
St. Johns County, Florida
Regular Meeting
County Administration Building
500 San Sebastian View
St. Augustine, Florida 32084
October 1, 2024 - 9:00 a.m.

CALL TO ORDER

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

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

Absent: Sarah Arnold, District 2, Chair

Staff Present: Joy Andrews, County Administrator
Rich Komando, Interim County Attorney
Brad Bradley, Deputy County Administrator
Kealy West, Senior Assistant County Attorney
Lex Taylor, Deputy County Attorney
Saundra Hutto, Deputy Clerk

ROLL CALL

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

INVOCATION

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

PLEDGE OF ALLEGIANCE

Whitehurst led the Pledge of Allegiance.

Alaimo recognized the Youth Leadership of St. Johns County and expressed his appreciation for their attendance at the meeting.

PROCLAMATION RECOGNIZING OCTOBER 2024 AS DOMESTIC VIOLENCE AWARENESS MONTH

Joseph presented the proclamation to Sheryll Sharp. Sharp spoke on the importance of domestic violence awareness. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

PROCLAMATION RECOGNIZING OCTOBER 6-12, 2024, AS NATIONAL 4-H WEEK

Whitehurst presented the proclamation to the 4-H Youth Development Program. Helena Peterson spoke on the importance of the 4-H program. Shayna Keller, Assistant to the Board of County Commissioners, read the proclamation.

Motion by Dean, seconded by Joseph, carried 4/0, with Arnold absent, to accept the proclamations.

Yea: Dean, Joseph, Whitehurst, Alaimo

Nay: None

Absent: Arnold

RETIREMENT RECOGNITION OF ABRAHAM NELSON

Greg Caldwell, Public Works Director, presented a certificate of recognition to Abraham Nelson on his retirement and years of service, expressing his gratitude for the contributions he made to St. Johns County.

RETIREMENT RECOGNITION OF DEBBIE TAYLOR

Corey Bowens, Land Management Director, presented a certificate of recognition to Debbie Taylor on her retirement and years of service, expressing gratitude for the services she provided. Taylor expressed her gratitude to her fellow associates.

CLERK OF COURT'S REPORT

Julio Cruz, Chief Operations Officer, reported on the services provided by the Family Law Division for domestic violence victims.

DELETIONS TO THE CONSENT AGENDA

Joseph requested that Consent Agenda 26 be pulled and moved to the Regular Agenda as Regular Agenda Item 9.

Public Comment: Julie Mandler provided public comment.

APPROVAL OF CONSENT AGENDA

Motion by Whitehurst, seconded by Dean, carried 4/0, with Arnold absent, to approve the Consent Agenda, as amended.

Yea: Whitehurst, Dean, Alaimo, Joseph

Nay: None

Absent: Arnold

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2024-400**, approving the final plat for Entrada, Phase 3, Unit 6B
3. Motion to adopt **Resolution No. 2024-401**, approving the final plat for Rock Springs Farms, Replat
4. Motion to adopt **Resolution No. 2024-402**, accepting a Grant of Easement for the maintenance of drainage facilities, along Moon Bay Parkway
5. Motion to adopt **Resolution No. 2024-403**, accepting a Grant of Easement for future maintenance of a sidewalk, along a portion of County Road 16A
6. Motion to adopt **Resolution No. 2024-404**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and reuse systems to serve Texas Roadhouse
7. Motion to adopt **Resolution No. 2024-405**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water system to serve Silverleaf 23 access driveways
8. Motion to adopt **Resolution No. 2024-406**, accepting a Bill of Sale, Final Release of Lien, and Warranty associated with the water and sewer systems to serve 2nd Street Extension, City of St. Augustine Beach (COSAB)
9. Motion to adopt **Resolution No. 2024-407**, accepting a Deed of Dedication from Memorial Healthcare Group, Inc., to St. Johns County, donating property for right-of-way along Woodlawn Road, for the roadway widening project
10. Motion to adopt **Resolution No. 2024-408**, approving the terms of and authorizing the county administrator, or designee, to execute a Fourth Lease Modification and Assignment Agreement with Mickler's Landing, LLC, for lease space for a St. Johns County Sheriff's Office substation, in Ponte Vedra
11. Motion to adopt **Resolution No. 2024-409**, approving the terms of and authorizing the county administrator, or designee, to execute a Memorandum of Understanding with the St. Johns County Sheriff's Office for the use of a Parks and Recreation pavilion, located in Ponte Vedra

12. Motion to adopt **Resolution No. 2024-410**, approving the Assignment of Lease, terms, and conditions of three Commercial and Industrial Lease Agreements between St. Johns County Sheriff's Office and Meadow Commercial Properties, Inc., and authorizing the county administrator, or designee, to execute the Assignments of Lease on behalf of the County
13. Motion to adopt **Resolution No. 2024-411**, approving the terms of and authorizing the county administrator, or designee, to execute a Commercial Lease Agreement with YY and G, LLC, for lease space for a St. Johns County Sheriff's Office substation in Hastings
14. Motion to adopt **Resolution No. 2024-412**, approving the terms, conditions, provisions, and requirements of the Construction Agreement between St. Johns County and Florida Department of Transportation, and authorizing the county administrator, or designee, to execute the agreement on behalf of the County, in substantially the same form and format as attached hereto
15. Motion to adopt **Resolution No. 2024-413**, approving the terms, conditions, provisions, and requirements of the State-Funded Grant Agreement with the Florida Department of Transportation to receive \$6,500,000 for design, permitting, construction, post design, and construction engineering and inspection (CEI) services for County Road 2209; authorizing the county administrator, or designee, to execute the agreement on behalf of the County
16. Motion to adopt **Resolution No. 2024-414**, approving the terms, conditions, provisions, and requirements of the State-Funded Grant Agreement with the Florida Department of Transportation to receive \$7,500,000 for design, permitting, construction, post design services, and construction engineering and inspection (CEI) for the widening of State Road 16; authorizing the county administrator, or designee, to execute the agreement, on behalf of the County, and amending the Fiscal Year 2025 budget to recognize and appropriate grant revenue (1111-33440) in the amount not to exceed \$7,500,000, within the Fiscal Year 2025 Transportation Trust Fund Budget (State Grant 1114-55305)
17. Motion to adopt **Resolution No. 2024-415**, approving and authorizing the county administrator, or designee, to execute and deliver, on behalf of the County, the light-emitting diode (LED) Lighting Agreement between St. Johns County and Florida Power and Light Company, for the installation of street lighting on State Road A1A and Surfside, in substantially the same form as attached hereto
18. Motion to adopt **Resolution No. 2024-416**, authorizing the county administrator, or designee, to award IFB No. 1923, Hastings Water Transmission Main Project - American Rescue Plan Act (ARPA) Funded to G and H Underground Construction, Inc., as the most responsive and responsible bidder, at a total not-to-exceed bid price of \$2,271,056.33, for the completion of the specified project, which includes Bid Alternate No. 1 and Bid Alternate No. 2
19. Motion to adopt **Resolution No. 2024-417**, authorizing the county administrator, or designee, to award RFQ No. 1900, Design of New Library at Northeast Community Park to Harvard Jolly, Inc., as the top ranked proposer, and to execute a contract, in substantially

the same form and format as attached, at a not-to-exceed amount of \$729,760, to perform the required services in accordance with RFQ No. 1900, Design of New Library at Northeast Community Park

20. Motion to adopt **Resolution No. 2024-418**, authorizing the county administrator, or designee, to award Bid No. 1874; CDBG-CV Construction of the Emergency Operations Center (EOC) Annex Building to Atlantic Coast Sales and Service, Inc., d.b.a. Atlantic Coast Construction Group, as the lowest, responsive, and responsible bidder, and to execute a contract, in substantially same form and format as attached hereto, at a total lump sum bid price of \$1,220,000, for completion of the specified project
21. Motion to adopt **Resolution No. 2024-419**, authorizing the county administrator, or designee, to award IFB No. 1910, Marsh Landing Wastewater Treatment Facility (WWTF) Electrical Improvements funded to SGS Contracting Services, Inc., as the most responsive and responsible bidder, at a total lump sum bid price of \$1,841,700, for the completion of the specified project
22. Motion to adopt **Resolution No. 2024-420**, authorizing the county administrator, or designee, to execute Contract Amendment No. 02 under Master Contract 22-PSA-ELB-17084 with Elbow Tree Cooperative, LLC. (Misc. No. 2023-03; Mental Health Services for Fire Rescue), which exercises a 1-year renewal of the contract, and increases the annual amount to \$545,485, for performance of the services as provided in the amendment; and to transfer \$69,119 from Fire District Fund Reserve to the Fire Rescue Department
23. Motion to adopt **Resolution No. 2024-421**, authorizing the county administrator, or designee, to award IFB No. 1954, Las Calinas Boulevard Force Main to Ferreira Construction Company, Inc., as the lowest, responsive, responsible bidder, for the not-to-exceed bid price of \$714,138.12, for completion of the project as specified
24. Motion to authorize the Reappropriation of American Rescue Plan Act (ARPA) Funding from Completed Categories to BCC-Approved Categories in Order to Maximize Spending of the Program
25. Motion to appropriate, into the Fiscal Year 2025 Budget, previously Board-approved actions, including the use of \$3,000,000 of Tourist Development Tax (TDT) Category V Reserves to fund repair costs for the St. Johns County Pier; and to adopt **Resolution No. 2024-422**, amending the Fiscal Year 2025 Fire District Fund and General Fund Budgets to incorporate the awarded Staffing for Adequate Fire and Emergency Response (SAFER) Grant Revenue
26. A resolution approving the issuance by the St. Johns County Industrial Development Authority of its Senior Living Revenue Bonds (Vicar's Landing Project), Series 2024 in an aggregate principal amount not to exceed \$66,000,000

Consent Agenda Item 26 was pulled and moved to the Regular Agenda as Item 9.

27. Motion to adopt **Resolution No. 2024-423**, authorizing the county administrator, or designee, to execute and submit an application to amend the Florida Department of Environmental Protection's Florida Forever Northeast Florida Blueway project boundary, on behalf of the County
28. Motion to adopt **Resolution No. 2024-424**, authorizing the county administrator, or designee to submit an application to the U.S. Department of Housing and Urban Development, for the Pathways to Removing Obstacles (PRO) Housing grant program, on behalf of the County, to support the West Augustine affordable housing project
29. Motion to adopt **Resolution No. 2024-425**, authorizing the county administrator, or designee, to execute a funding assistance agreement by and between St. Johns County and West Augustine for a capital distribution of a sub-award of \$5,000,000, from the American Rescue Plan Revenue Fund Budget
30. Motion to adopt **Resolution No. 2024-426**, approving the terms, conditions, and requirements of the Funding Agreement, in substantially the same form as the template attached hereto, and authorizes the county administrator, or designee, to execute and deliver Funding Agreements between the County and the nonprofit agencies identified on attached Exhibit 2, and any subsequent amendments or extensions to the Funding Agreements, without further Board action, that do not propose to amend, modify, or otherwise change the funding, material terms, conditions, provisions, or requirements of the Funding Agreement
31. Motion to adopt **Resolution No. 2024-427**, approving and authorizing the chair, or designee, to execute the contract for Behavioral Health Services between the County and SMA Healthcare, Inc., in a not to exceed the amount of \$230,000, in substantially the same form as attached hereto
32. Motion to adopt **Resolution No. 2024-428**, approving and authorizing the county administrator, or designee, to execute and deliver Amendment Five to Contract P021-STJBCC between St. Johns County Board of County Commissioners and ElderSource for the Emergency Home Energy Assistance Program to renew the contract term for an additional year and recognize and appropriate unanticipated funds in the County's Fiscal Year 2025 budget
33. Motion to adopt **Resolution No. 2024-429**, approving and authorizing the chair, or designee, to execute the contract between the St. Johns County Board of County Commissioners and Florida Department of Health for the operation of the St. Johns County Health Department for the contract year 2024-2025, in an amount not to exceed \$842,712, in sustainably the same form as attached hereto
34. Motion to adopt **Resolution No. 2024-430**, approving the terms and conditions of Florida Department of Environmental Protection (FDEP) Agreement 25SJ2, for the cost share of the post-construction monitoring of the South Ponte Vedra and Vilano Beach Restoration Coastal Storm Risk Management Project, and authorizing the county administrator, or designee, to execute the agreement, along with any supplemental documentation, on behalf

of the County; and to recognize and appropriate FDEP Agreement 25SJ2 in the amount of \$61,215 within the Fiscal Year 2025 Budget

35. Motion to adopt **Resolution No. 2024-431**, approving the terms and conditions of Florida Department of Environmental Protection (FDEP) Agreement 25SJ1, for the cost share of the post-construction monitoring of the St. Johns County Shore Protection Project, and authorizing the county administrator, or designee, to execute the agreement, along with any supplemental documentation, on behalf of the County; and to recognize and appropriate FDEP Agreement 25SJ1 in the amount of \$76,230 within the Fiscal Year 2025 Budget
36. Motion to adopt **Resolution No. 2024-432**, approving the terms and conditions of Amendment No. 3, to Florida Department of Environmental Protection (FDEP) Agreement 22SJ2, the State cost share of the post-construction monitoring South Ponte Vedra Dune Restoration project, and authorizing the county administrator, or designee, to execute the agreement, along with any supplemental documentation, on behalf of the County; and to recognize and appropriate an additional \$45,630 for FDEP Agreement 22SJ2 within the Fiscal Year 2025 budget year to bring the total agreement amount to \$180,765
37. Motion to re-appoint Samuel Crozier to the Ponte Vedra Zoning and Adjustment Board, to a full four-year term scheduled to expire on October 1, 2028
38. Motion to approve minutes:
 - September 17, 2024, BCC Regular
 - September 17, 2024, BCC Special
39. Proofs:
 - a. Proof: Notice of Special Meeting, Public hearing to consider and adopt the tentative millage rates and budget for Fiscal Year 2025, held on September 3, 2024, published on August 19, 2024, in *The St. Augustine Record*
 - b. Proof: Notice of Public Hearing, public hearing held to consider adoption of an ordinance amending Ordinance No. 2011-31, held on September 3, 2024, published on August 19, 2024, in *The St. Augustine Record*
 - c. Proof: Notice of a Proposed Resolution electing to not exempt certain property, held on September 3, 2024, published on August 29, 2024, in *The St. Augustine Record*
 - d. Proof: Notice given for soliciting qualifications for RFQ No. 1893; County-wide Bridge and Box Culvert Safety Maintenance and Repair Services, published on July 30, 2024, and August 8, 2024, in *The St. Augustine Record*
 - e. Proof: Request for Bids, Bid No. 1956; Butler Park West Improvements - Phase 1, published on August 1, 2024, and August 8, 2024, in *The St. Augustine Record*
 - f. Proof: Request for Bids, Bid No. 1954; Las Calinas Boulevard Force Main, published on August 5, 2024, and August 12, 2024, in *The St. Augustine Record*
 - g. Proof: Request for Bids, Bid No. 1973; Hastings Water Treatment Plant Expansion Project - ARPA funded, published on August 14, 2024, and August 21, 2024, in *The St. Augustine Record*

- h. Proof: Request for Bids, Bid No. 1972; Design-Build Services for Hastings Ground Storage Tank - APRA funded, published on August 15, 2024, and August 22, 2024, in *The St. Augustine Record*
- i. Proof: Request for Bids, Bid No. 1959; Repair of Scale Damage and Removal of Channel Debris on County Road 13 Six Mile Creek Bridge (No. 784026), published on August 19, 2024, and August 26, 2024, in *The St. Augustine Record*

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

There were none.

APPROVAL OF REGULAR AGENDA

Motion by Whitehurst, seconded by Dean, carried 4/0, with Arnold absent, to approve the Regular Agenda, as amended.

Yea: Whitehurst, Dean, Alaimo, Joseph

Nay: None

Absent: Arnold

1. Public Hearing - CPA(SS) 2023-10, County Road 208 Multifamily. Request for a Small-Scale Comprehensive Plan Amendment to change the future land use map designation of approximately 23.17 acres of land from Rural/Silviculture to Residential-D, with a site specific text amendment stating that the subject property shall be entitled to a maximum density of fifteen dwelling units per net acre, pursuant to Policy A.1.11.1(m)(7) of the 2025 Comprehensive Plan regarding the Affordable Housing Density Bonus, provided that at the time of initial development, until the date that is fifteen years from the issuance of the first certificate of occupancy, and forty percent of the residential units on the property shall be income-restricted for affordable housing. This request was heard by the Board of County Commissioners at its regularly scheduled public hearing on Tuesday, April 16, 2024, and was continued to a date uncertain by a vote of 4-1, pending the applicant's participation in the Comprehensive Plan update process

Regular Agenda Items 1 and 2 were heard together.

The Board disclosed ex parte communication.

Thomas Ingram | Sodl and Ingram, PLLC, representing the applicant, requested to withdraw the application.

Motion by Whitehurst, seconded by Dean, carried 4/0, via roll call vote, with Arnold absent, to withdraw the applications for Regular Agenda Items 1 and 2 at the applicant's request.

Yea: Whitehurst, Dean, Joseph, Alaimo

Nay: None

Absent: Arnold

2. Public Hearing - PUD 2023-19, County Road 208 Multifamily. Request to rezone approximately 23.17 acres of land from Open Rural (OR) to Planned Unit Development (PUD) to allow for a maximum of 180 multifamily residential dwelling units. This request is a companion application to CPA (SS) 2023-10. This request was heard by the Board of County Commissioners at its regularly scheduled public hearing on Tuesday, April 16, 2024, and was continued to a date uncertain by a vote of 4-1, pending the applicant's participation in the Comprehensive Plan update process

Discussion occurred with Regular Agenda Item 2.

3. Public Hearing - PUD 2023-26, 301 North Roscoe Restaurant. Request to rezone approximately 1.34 acres of land from Commercial Highway and Tourist (CHT) to Planned Unit Development (PUD) to allow for a maximum of 10,000 square feet of restaurant space, consistent with the allowed neighborhood commercial uses within the Residential-A (RES-A) Comprehensive Plan Future Land Use Map designation, specifically located at 301 North Roscoe Boulevard. 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 5 to 1. Agency Member Jack Peter made a motion to recommend approval of the project, seconded by Agency Member Judy Spiegel, Agency Member Elvis Pierre dissenting, and Agency Member Henry Green was absent

The Board disclosed ex parte communication.

West stated that there had been a red folder containing an amendment to the Master Development Plan text.

Brad Wester, Driver McAfee Hawthorne and Diebenow, representing the applicant, presented the details of the request.

James Whitehouse, St. Johns Law Group, representing the opposing party, presented the details in opposition of the request (Exhibit A) and introduced Eric and Carolyn Eggenberger, the adjacent neighbors. The Eggenberger's expressed their concerns on the request.

Public Comment: Sherry Badger, Judy Spiegel, Casey Stamps, Bradley Waddell, Justin Ryan, and Charlie Hunt provided public comment.

Wester provided rebuttal information on the request and referenced an updated red line Master Development Plan Text (Exhibit B). Discussion ensued on the *outside patio area closing an hour after food service*, the amplified noise, and *restrictions on drum sets being allowed only in the enclosed area*.

West stated that while Mr. Whitehouse was an expert in legal matters and Board certified, he was not a fact expert, and advised the Board to base their decisions on competent and substantial evidence.

Motion by Joseph, seconded by Dean, carried 4/0, via roll call vote, with Arnold absent, to enact Ordinance No. 2024-48, approving PUD 2023-26, 301 North Roscoe Restaurant, based

on nine findings of fact, as provided within the staff report, with the language incorporated as stated above.

Yea: Joseph, Dean, Whitehurst, Alaimo

Nay: None

Absent: Arnold

4. Public Hearing - DEVAGRMOD 2024-01, First Amendment to Greenbriar Helow HBIS Development Agreement. Greenbriar Property Holdings, LLC, (Developer), has proposed a modification to the Greenbriar Helow HBIS Development Agreement (Agreement) to: 1) allow the County to utilize mitigation funds for the County Road 210/Greenbriar Road/Veterans Parkway intersection improvements in addition to the widening of Longleaf Pine Parkway, as originally contemplated in the agreement; 2) to allow the developer additional time to complete the Greenbriar Road widening; and 3) to provide for wetland mitigation credits for Greenbriar Road widening in the County's Regional Offsite Mitigation Area (ROMA), if needed. There are no changes proposed to the approved development or limits on platting based on completion of mitigation. This is the first of two required public hearings to modify a development agreement. The second public hearing is scheduled before the Board of County Commissioners on November 5, 2024

Ellen Avery-Smith, Rogers Towers, representing the applicant, presented the details of the amendment.

Public Comment: There was none.

Whitehurst expressed his position on the amendment.

The second hearing was scheduled for November 5, 2024.

5. Public Hearing - NZVAR 2023-24, Silverleaf Non-Zoning Variance, 6277 County Road 16A. Request for a Non-Zoning Variance pursuant to Section 6.06.02.G and H of the Land Development Code to allow for a 20-foot Scenic Edge in lieu of the required 30 feet, meeting requirements for enhanced landscaping performance standards, and to eliminate the required 35-foot Development Edge for Parcel 39B, located within the Silverleaf Planned Unit Development

The Board disclosed ex parte communication.

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

Public Comment: Joe McAnarney and Chuck Labanowski provided public comment.

Discussion ensued on the development of parcel 40, located south of County Road 16A, with additional comments from Casey Dendore, England-Thims and Miller, Inc., on drainage concerns.

Motion by Whitehurst, seconded by Dean, carried 3/1, via roll call vote, with Arnold absent and Joseph dissenting, to approve NZVAR 2023-24, Silverleaf - 6277 County Road 16A, based on seven findings of fact and subject to five conditions of approval, as provided in the staff report.

Yea: Whitehurst, Dean, Alaimo

Nay: Joseph

Absent: Arnold

6. Public Hearing - REZ 2024-08, U-Haul of Palencia. Request to rezone approximately 1.85 acres of land, located at the northeast corner of the US 1 North and Stokes Landing Road intersection, from Commercial General (CG) to Commercial Warehouse (CW) with conditions to allow for a Self-Storage and Rental Vehicle facility. This request was heard by the Planning and Zoning Agency at its regularly scheduled public hearing on Thursday, September 5, 2024, and was recommended for approval, 6-0

The Board disclosed ex parte communication.

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

Discussion ensued on buffering and traffic concerns, with additional comments from Jim Drotos, P.E. Shah Drotos and Associates Engineering, on a decelerating lane.

Public Comment: Sherry Badger provided public comment.

Motion by Dean, seconded by Whitehurst, carried 4/0, via roll call vote, with Arnold absent, to enact Ordinance No. 2024-49, approving REZ 2024-08, U-Haul of Palencia, based on four findings of fact, as provided in the staff report.

Yea: Dean, Whitehurst, Joseph, Alaimo

Nay: None

Absent: Arnold

7. Consider appointments to the Industrial Development Authority. Currently, there are two vacancies on the Industrial Development Authority (IDA) due to the expired terms of Viv Helwig and Kevin Kennedy. A vacancy ad was posted and ran for three months. Please see attached for your review and consideration, a recommendation letter from the IDA and four applications: Kevin Kennedy, Dist. 1; Heather Harley-Davidson, Dist. 3; Paul Morris, Dist. 3; and Robert Will, Dist. 4

Joanne Spencer, Senior Assistant to the Board of County Commissioners, presented the details of the vacancies, with additional information provided by Whitehurst.

Public Comment: There was none.

Motion by Whitehurst, seconded by Dean, carried 4/0, via roll call vote, with Arnold absent, to re-appoint Kevin Kennedy to the Industrial Development Authority for a full four-year term, set to expire on October 1, 2028.

Yea: Whitehurst, Dean, Joseph, Alaimo

Nay: None

Absent: Arnold

8. Resolution declaring the public purpose and reasonable necessity to acquire certain real property situated along Vilano Beach for the United States Army Corps of Engineers (USACE) to complete future USACE beach nourishment, and authorizing the county attorney to initiate condemnation proceedings to acquire the property as needed. On March 19, 2019, the St. Johns County Commission approved the St. Johns County and USACE Project Partnership Agreement (Agreement) that would allow the USACE to construct a beach nourishment project on portions of the South Ponte Vedra and Vilano Beaches, and perform subsequent beach nourishments as needed (estimated nourishment interval of twelve years) over the next 50 years, along with emergency repairs under the USACE Flood Control and Coastal Emergencies program (FCCE). The Commission further authorized the execution of an amendment to the PPA on February 7, 2023. The USACE approved the initial construction of the project in 2020 with five missing easements, out of 136 properties, and the USACE subsequently completed an FCCE repair project in 2023 with two missing easements, to restore the storm damaged beach. Prior to the authorization of the FCCE repair, the USACE notified the County that they had received clarification from USACE Headquarters that their policy requires 100 percent easement participation for the USACE to provide any further work on the project. In accordance with the terms, conditions, and requirements of the agreements with the Army Corps of Engineers, the County is responsible for acquiring the two remaining easements necessary to continue nourishing portions of the beach in the South Ponte Vedra - Vilano Beach Coastal Storm Risk Management project area. As authorized by Chapter 127, Florida Statutes, and as contemplated by the agreement, the County may exercise the right and power of eminent domain for certain public uses and purposes. In this instance, the owners of the two remaining properties have not reached an agreement with the County for the purchase of the easements required to continue the project, and therefore, the County may need to exercise the power of eminent domain to acquire those easements. In accordance with section 127.02, Florida Statutes, the Board may not exercise its power of eminent domain unless it adopts a resolution authorizing the acquisition of real property for the use or purpose designated in such resolution. Attached for the Board's consideration is a proposed resolution, declaring the public purpose and reasonable necessity for exercising the right and power of eminent domain to acquire certain easements along Vilano Beach to continue the periodic nourishments and repairs, and authorizing the county attorney to initiate condemnation proceedings as needed to acquire the easements. The County will be responsible for 100 percent of the total acquisition costs, including obtaining surveys, appraisals, title insurance, and any costs incurred by proceeding in eminent domain. However, the USACE can credit the County for up to 22.3 percent of reasonable expenses towards future nourishment cost-shares

Lex Taylor, Deputy County Attorney, presented the details of the resolution (Exhibit A).

Public Comment: Suzanne Clulow provided public comment.

Discussion ensued on the incurred cost and the process with one of the owners passing.

Dean expressed his position on the project and provided the history on beach renourishments. Additionally, Joseph Giammanco, PhD, Director of Emergency Management, provided information on the beach renourishment.

Motion by Dean, seconded by Whitehurst, carried 4/0, via roll call vote, with Arnold absent, to adopt Resolution No. 2024-433, declaring public purpose and reasonable necessity for the acquisition of certain easements along Vilano Beach for re-nourishment of the beach, authorizing such acquisition through negotiated conveyance or the exercise of the right and power of eminent domain, and authorizing the county attorney, or designee, to initiate and pursue condemnation proceedings as necessary.

Yea: Dean, Whitehurst, Joseph, Alaimo

Nay: None

Absent: Arnold

9. A resolution of the Board of County Commissioners of St. Johns County, Florida, approving the issuance by the St. Johns County Industrial Development Authority of its not-to-exceed \$66,000,000 Senior Living Revenue Bonds (Vicar's Landing Project), series 2024 for the purposes described herein pursuant to chapters 125 and 159, Florida Statutes, as amended, and section 147(f) of the internal revenue code of 1986, as amended; and providing an effective date

Formerly Consent Agenda Item 26.

Komando provided the details of the request. Discussion ensued on not re-bonding the County's debt.

Public Comment: There was none.

Motion by Alaimo, seconded by Joseph, carried 4/0, via roll call vote, with Arnold absent, to adopt Resolution No. 2024-434, approving the issuance by the St. Johns County Industrial Development Authority of its Senior Living Revenue Bonds (Vicar's Landing Project), Series 2024 in an aggregate principal amount not-to-exceed \$66,000,000.

Yea: Alaimo, Joseph, Whitehurst, Dean

Nay: None

Absent: Arnold

PUBLIC COMMENT

Public Comment: Kim Schwermer (Exhibit A), Ed Slavin, B.J. Kalaidi (Exhibit B), Joe McAnarney (Exhibit C), Sherry Badger, Charlie Hunt, Suzanne Clulow, and Judy Spiegel provided public comment.

COMMISSIONERS' REPORTS

Commissioner Joseph

Joseph requested an update on the County's yard waste. Andrews responded to Joseph's concerns. Joseph also expressed gratitude to the inmates who were wanting to change their lives through the work program.

Commissioner Whitehurst

Whitehurst reported on the County hosting a Florida Department of Transportation public meeting for standards regarding the U-Turn Movement on Race Track Road and Julington Creek Plantation. He stated that FCC Environmental had started trash collection in Clay County today, and requested for County staff to monitor our collections, and requested *Board consensus to have a staff briefing on ways to enhance the standards in the Land Development Code along the waterways for water quality projects. Consensus was given.* Additionally, Dean expressed his position on water quality.

Commissioner Dean

Dean reported that the Sing Out Loud Festival raised \$160,000 for land conservation.

Commissioner Alaimo

Alaimo requested an update on the Brinkhoff Road intersection signal. Dick D'Souza, Growth Management Assistant Director, responded to the concerns on the signal and the timeframe. Alaimo expressed his gratitude for the men and women working to clean up and assist citizens following Hurricane Helene. He then recognized Jimmy Patronis, Chief Financial Officer, Florida Department of Financial Services, who spoke on a grant for the expansion of decontamination funding for firefighters.

COUNTY ADMINISTRATOR'S REPORT

No report.

COUNTY ATTORNEY'S REPORT

West stated that they received a request for a Brownsfield designation, that will be heard at the Board of County Commissioners meeting on October 15, 2024, and November 5, 2024. She noted that per Florida Statute, it must be announced that they received the application.

With there being no further business to come before the Board, the meeting adjourned at 11:49 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 82465-82466, totaling \$7,942.87 (09/19/2024)
2. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 82467, totaling \$3,871.50 (09/20/2024)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 625939-626055, totaling \$756,116.51 and Voucher Register, Voucher Nos. 82468-82570, totaling \$7,016,210.42 (09/23/2024)
4. St. Johns County Board of County Commissioners Voucher Register, Voucher No. 82571, totaling \$8,877.39 (09/24/2024)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 626056-626075, totaling \$21,082.14 and Voucher Register, Voucher Nos. 82572-82597, totaling \$72,400.53 (09/27/2024)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 626076-626209, totaling \$1,072,485.97 and Voucher Register, Voucher Nos. 82598-82672, totaling \$3,595,581.02 (09/30/2024)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 626210-626227, totaling \$697,211.27 (09/30/2024)

CORRESPONDENCE:

1. Letter dated September 20, 2024, regarding Turnbull Creek Community Development District identifying the Fiscal Year 2024/2025 meeting schedule
2. Letter dated September 24, 2024, regarding Trout Creek Community Development District identifying the Fiscal Year 2024/2025 meeting schedule
3. Letter dated September 24, 2024, regarding Heritage Landing Community Development District identifying the Fiscal Year 2024/2025 meeting schedule

Approved October 15, 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

