



## BOARD OF COUNTY COMMISSIONERS MEETING MINUTES

December 13, 2022  
Administration Building,  
4th Floor, BCC Meeting Room,  
477 Houston Street,  
Green Cove Springs, FL 32043  
4:00 PM

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### **INVOCATION**

Commissioner Mike Cella, District 1, gave the Invocation.

### **PLEDGE**

U.S. Army PFC Jordan Brimlow led the Pledge of Allegiance.

Chairman Betsy Condon said that PFC Jordan Brimlow joined the army on November 22, 2010, and served two years, which included one tour out of Shindand in the Herat Province of Afghanistan. During his service, he received an Afghanistan Campaign Medal with Campaign Star, a NATO Service Medal, a National Defense Service Medal, a Global War on Terrorism Service Medal, and an Army Service Ribbon. He is a Green Cove Springs resident and currently volunteers with Operation Barnabas and Fort Grace.

PFC Brimlow thanked the Board for the opportunity to lead the Pledge. He said that where he is from, the veteran community is not that big, so coming to Clay County and being embraced as they have been has been a blessing. PFC Brimlow said he is grateful for all that is done in Clay County for veterans.

### **CALL TO ORDER**

Chairman Betsy Condon called the meeting to order at 4:04 pm.

### **ROLL CALL**

**Present:** Commissioner District 4 Betsy Condon, Chairman  
Commissioner District 3 James Renninger, Vice-Chairman  
Commissioner District 1 Mike Cella  
Commissioner District 2 Alexandra Compere  
Commissioner District 5 Dr. Kristen T. Burke

**Absent:** None

**Staff Present:** County Manager Howard Wanamaker

## **PET ADOPTIONS**

Teresa Capo, Executive Assistant, presented a PowerPoint presentation of pets available for adoption - Madaline (dog) - Bailey (dog) - Winky (cat) - Dobby (cat). See Attachment A. If you are interested in adopting a pet, contact clayadoptions@claycountygov.com or call (904) 269-6342. Ms. Capo stated that Clay County Animal Services also offers community rabies and microchip clinic on the first Thursday of every month from 3:00 pm to 5:00 pm. The "Kitten Crew" is always looking for fosters. If you are interested, please contact clayfosters@claycountygov.com.

## **SPECIAL STAFF RECOGNITION**

Brenda Sullivan

Chairman Betsy Condon said with almost 35 years of service to the Clay County Board of County Commissioners, Brenda Sullivan will retire from service on December 31st, 2022. Ms. Sullivan began her career with the County in a part-time position at the Rosemary Hill Landfill in February 1988. She was later promoted in June 1989 to a Clerk II position at Public Works and then was further promoted to an Operations Assistant position in Public Works in April 1992, playing a big role in getting payroll data organized for processing before the County had an automated payroll process. Ms. Sullivan is leaving the Engineering Department after serving as an Operations Assistant since 2019, responsible for processing driveway permits. She has also enjoyed a part-time career as a Customer Service Representative at Publix and retired with over 20 years of service. Chairman Condon congratulated Ms. Sullivan on her well-earned retirement and thanked her for her years of service to Clay County.

Chereese Stewart, Assistant County Manager, said that she would miss Ms. Sullivan being the voice of engineering and miss her smiling face. Ms. Stewart thanked Ms. Sullivan for her years of service and gave her well wishes in her retirement.

Ms. Sullivan said she enjoyed working for the county and will miss the staff.

## **PRESENTATIONS**

Broadband Update (Bill Ferry, Comcast)

William Ferry, Senior Director with Comcast, gave the Board an update regarding Broadband. Mr. Ferry said they are in the middle of a very large build in the Clay Hill area and the unincorporated areas of the county just north of Keystone Heights, Florida, with roughly 1,600 passings. This comes back to the award given to them by the county from ARPA funds to build out some unserved portions of the county. The construction is

moving along swiftly even though they have a timeline of one to two years for completion. There is hope to see some customers in the Clay Hill area signed up in the first quarter and that could be as soon as January 2023. The permitting phase is in process for the Keystone area and as soon as that is completed, they will start construction and could possibly see real progress by the second quarter of 2023 and most likely start seeing some customers with service in that area. Mr. Ferry said they have recently applied for a grant before the Florida Department Economic Opportunity Office of Broadband to wire other areas of the county. To include another area of Clay Hill, McRae, and Virginia Village. It is approximately a \$5M to \$6M grant. It is a mix; Comcast puts up half of that or more and the state funding has that too. Mr. Ferry gave thanks to Mr. Nagle, Mr. Tucker, and Ms. Mosley who were very instrumental in support of that effort. The application has been filed and has a quick timeline and we may see the service areas proposed could be published in a couple of days by the office of broadband. That opens it up to what is called a challenge period of forty-five days where other internet service providers need to look at those maps and make sure we are not overlapping because only unserved areas can win the grants. The expectation for the award is in February. Mr. Ferry mentioned that there are two other funding cycles coming out of the Office of Broadband.

Vice-Chairman James Renninger said he is on the Board at Penney Farms, and they are looking for a reputable provider, so if we can expand into Penney Farms, I think they would enjoy that tremendously.

Commissioner Mike Cella asked what the dollar amount is for the grant and how many customers would that put you in front of. Mr. Ferry said roughly 1,900 customers and the grant is in between \$5M to \$6M.

Chairman Betsy Condon said the state through a curveball and said the grants were only eligible if there was not another funding source and because the county used ARPA funding on some of this, we could not use county money to match. So, hopefully we can straighten some of that out in the second and third funding cycles. Mr. Ferry said he addressed that in the wording of the grant to make sure it was specific that we use the funding for these areas but not for the areas we are applying for, so it should not be a problem.

## **APPROVAL OF MINUTES**

1. Board of County Commissioners Meeting Minutes November 9, 2022.
2. Board of County Commissioner Meeting Minutes November 22, 2022.
3. Board of County Commissioner Workshop Meeting Minutes November 28, 2022.
4. Finance and Audit Meeting Minutes - December 6, 2022.

Vice-Chairman James Renninger made a motion for approval of the November 9, 2022 - BCC meeting minutes, November 22, 2022 - BCC meeting minutes, November 28,

2022 - BCC Workshop meeting minutes, and December 6, 2022 - Finance and Audit meeting minutes, seconded by Commissioner Mike Cella, which carried 5-0.

## **PUBLIC COMMENTS**

Chairman Betsy Condon opened the floor for public comment at 4:18 pm.

Reverend James Pernell Sr., 549 North Palmetto Avenue, Pastor at Mt. Zion AME Church, addressed the Board regarding the upcoming celebration of the 150th anniversary of existence in Green Cove Springs. They will commemorate the 150-year celebration with a magazine booklet that they are soliciting the Commission's help to promote within the county. See Attachment B. Reverend Pernell said from a historical archive Mt. Zion AME Church was created and founded by both whites and blacks, and it is important to tear down some walls, barriers, and some ethnicity differences as it relates to who we are as a people in Clay County and as a church in Green Cove Springs, Florida. Mt. Zion AME Church is an incubator church for many churches here in Green Cove Springs. We want to commemorate the 150th year celebration with the help, participation, and involvement as we come together as a county and a city here in Green Cove Springs.

Hearing no other comments, Chairman Besty Condon closed the public comment at 4:20 pm.

## **CONSENT AGENDA**

### 5. Finance Business

The Finance Department business is submitted to request approval and ratification by the Board for various warrants and disbursements in order to meet the requirements of Ch. 136.06 (1) FL Statute. Acceptance and disposal of various Board property and various documents are submitted for the Board's information. At times, approval is requested for various finance related issues.

### 6. Consent Agenda Items from the December 6, 2022 Finance & Audit Committee Meeting

### 7. Satisfaction of Mortgage for Saint Hilaire and Satisfaction of Mortgage for Kirk

### 8. Resolution for purposes of acquiring ownership of certain surplus ROW from the State of Florida for public purposes

### 9. Ratification of correction of scrivener error on Attachment A to Resolution No. 2022/2023-15 Amending the Budget for Fiscal Year

21/22.

10. Ratification of correction of scrivener error on Attachment A to Resolution No. 2022/2023-16 Amending the Budget for Fiscal Year 22/23.

Commissioner Kristen Burke made a motion for approval of the Consent Agenda, seconded by Commissioner Mike Cella, which carried 5-0.

## **DISCUSSION/UPDATES**

11. Progress Report on the Bonded Transportation Program (C. Campos)

Carlos Campos, Project Manager with WGI, gave the Board an update on the Bonded Transportation Program.

- Project #1 - CR 218 from Cosmos Avenue to Pine Tree Lane: The county, Anderson Columbia, and Michael Baker International held bi-weekly meetings. We received 90% plans, reviewed those, and are working on comment resolution. In addition, the DB team is revising their CPM schedule to account for design plan recovery, permit delays, and utility work schedules.
- CMAR Group #2 Projects - 2, 5, and 6A: The county, Superior Construction and Jacobs Engineering held the bi-weekly meeting and are currently negotiating with multiple pond sites for property acquisition. Permits have been submitted for projects 2 and 5, and a request for more information has been received with the design consultant working on responses:
  - Project 2 (CR 209) - The designer is working towards 90% plans, and we agreed with FDOT on a design approach to the US 17 intersection.
  - Project 5 (CR 220) - GMP was received and is being validated
  - Project 6A (CR 215) - The designer is working towards 90% plans, and we are evaluating alternative pond sites. An agreement was reached with FDOT on the design approach at US 17
- CMAR Projects 3 and 4 - The county continues to work with GAI and Kiewit, and the bi-weekly meeting was held. Negotiations are underway for multiple pond sites, and the team continues with the permitting processes:
  - Project 3 (Russell Road) - 75% of plans were received from GAI for the realignment of Sandridge and CR 209B
  - Project 4 (CR 739B AKA Sandridge Road) - A pre-construction meeting was held on December 6, 2022, with Kiewit. The agreement with Creek View developers is being finalized for the shared-use pond. Waiting on the release of the construction permit from SJRWMD, which is contingent on Creek View and Robinson Ranch shared use pond permit modifications
- Project 6B (Cathedral Oak Parkway) - County, Superior, and RSH held the bi-weekly meeting. 100% roadway plans were received, and comments have been provided with 100% bridge plans to follow. Two of the four wetland mitigation credits have been received from the banks, and Superior has notified us that the wetland credits are creating a schedule delay. Staff is working with Superior to

come up with a resolution. The team continues to meet with the utility providers to incorporate the utilities into the plans.

Overall, the bi-weekly meetings are held for each project, and staff continues to work with multiple developers and property owners in order to acquire the ROW needs for roadway construction and ponds. In addition, multiple invoices for vendors have been reviewed and approved. The BTP continues to see a significant forecast increase in commodities, including real estate and will continue working with the OMB and senior leadership group to consider other financing lines, such as mobility fees, impact grants, and alternative funding sources. WGI continues to work on all BTP projects, specifically including:

- Right-Of-Way
- Utility verification
- Financial Forecast
- Plan Reviews
- Purchase Orders

Mr. Campos said over the next month, you can expect to see the following:

- Project #1 (CR 218) - and Project 6B (CR 16) - They will continue to work with the design build firms to acquire all permits to begin construction.
- There will be multiple agreements brought before the Board regarding ponds and ROW acquisitions
- Work on the design permitting efforts for all CMAR projects

Vice-Chairman James Renninger said that for CMAR group 5, we had received GM. Was that an estimate, below or above. Mr. Campos said it was above, it came in roughly at \$16M, and our budget was \$11M. Vice-Chairman Renninger asked why the mitigation credits are slowing us down. Mr. Campos said we are currently in basin four for most of the projects, and none are available. We have reserved what we needed for the new alignment on Cathedral Oak, but they are being released in portions, of which half have been released, and we are waiting for the last two to be released.

## **NEW BUSINESS**

### 12. 2023 BCC Meeting Schedule

Howard Wanamaker, County Manager, addressed the Board regarding the 2023 BCC meeting schedule. County Manager Wanamaker said a schedule is attached to the agenda for the 2023 BCC meetings that would take place on the second and fourth Tuesday of each month and one meeting in December of 2023. County Manager Wanamaker also discussed the Finance and Audit meeting and how to streamline it with BCC and take these items directly to the BCC. County Manager Wanamaker discussed the agenda layout and gave an example of what it may look like to the Commission. See Attachment C.

Following the discussion regarding the agenda, items to be on the agenda, format, and time, Vice-Chairman James Renninger made a motion for approval of the BCC meeting schedule and the new agenda as discussed, with the start time remaining at 4:00 pm, seconded by Commissioner Kristen Burke, which carried 5-0.

### 13. Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER) (M. Mosley)

Megan Mosley, Grants Manager, addressed the Board regarding the Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER.) Ms. Mosley said this is the end-of-year report for the period of October 1, 2021, through September 30, 2022. It was the county's first year of HUD funding for home rehabilitation and infrastructure improvement projects in low- and moderate-income areas of the county. We received a little over \$1M in funding and total expenses of \$256,751.00. Because this was our first year, quite a bit of time was spent qualifying applicants and setting ourselves up for year two. Any unused funds from the previous annual action plan will be reprogrammed in next year's final action plan, and the public will have another opportunity to comment on how those funds are spent. Some accomplishments of last year's plan:

- Reviewed 188 applications for assistance
- 118 projects for home rehabilitation were approved
  - 10 received home inspections
- Louie Carter Road in Middleburg was resurfaced by the Engineering Department
- Two clean-up projects were organized in the High Ridge Estates neighborhood in Keystone Heights

The majority of the applicants came from Middleburg, followed by Keystone, Orange Park, Green Cove Springs, and other areas of the county. The median income of approved applicants was \$25,674.00. The total benefit to approximately 619 people in the county.

Ms. Mosley said in accordance with our citizen participation plan, a fifteen (15) day public comment period was held for the CAPER from Wednesday, November 23, 2022, through Wednesday, December 7, 2022, that included a public comment meeting on Wednesday, November 3, 2022. In addition, the public could submit feedback in person, by phone, or by email. No public comment was received on this year's CAPER; however, our progress was heavily briefed during our planning for the current year's annual action plan over the summer; four public meetings were held throughout the county. Ms. Mosley said staff is requesting approval of the CAPER so that it can be submitted to HUD by the December 29, 2022, deadline.

Chairman Betsy Condon asked if we will be able to take the \$750,000.00 not used and roll it into this year. Ms. Mosley answered that she was correct.

Vice-Chairman James Renninger said this current year or next year. Ms. Mosley said it would be next year; we will begin public comment for the annual action plan starting

October 1, 2023. That would be the opportunity to decide how these extra rollover funds will be used.

Vice-Chairman James Renninger clarified that we were also awarded a block grant for this year, 22/23, and this extra money will go into 23/24. So we will not lose the money but have to delay a year to program it and expend it.

Vice-Chairman James Renninger made a motion for approval of the CAPER report, seconded by Commissioner Mike Cella, which carried 5-0.

#### 14. School Concurrency Proportionate Share Mitigation Agreement (Branan Field Park)

Courtney Grimm, County Attorney, addressed the Board regarding the School Concurrency Proportionate Share Mitigation Agreement for Branan Field Park. County Attorney Grimm said the agreement before the Board was approved last week by the School Board. It is entered into with D.R. Horton to fulfill a lack of concurrency for 42 high school students at Middleburg High School. The agreement is for payment of a little over \$2.1M; Mr. Lance Addison is present if the Board has any questions.

Vice-Chairman James Renninger made a motion for approval, seconded by Commissioner Kristen Burke, which carried 5-0.

#### 15. Bid No. 22/23-15, Frontload Container Service for Multiple County Facilities

Approval to post the Notice of Intent and Award for Bid No. 22/23-15, Frontload Container Service for Multiple County Facilities to Freedom Waste Management at the unit cost provided in the bid submittal.

Approval of award will be effective after the 72 hour protest period has expired.

Funding Sources: Various

Karen Thomas, Director of Administrative and Contractual Services, addressed the Board regarding BID number 22/23-15. The request is for approval to post the notice of intent and award frontload container service for multiple county facilities to Freedom Waste Management at the unit cost provided in the bid submittal. Ms. Smith said the Freedom Waste Management is currently one of our franchisees and they were the low bidder. In the back-up you can see that we are awarding at the unit prices with thirty-three locations listed and we can add or delete as needed.

Vice-Chairman James Renninger asked if they are a current provider. Ms. Smith said they are a current franchisee, but we have not used them for this type of service.

Commissioner Mike Cella commented that the new evaluation sheets that came out of the new software, were much easier to read and understand where we were going, and he liked the idea that the vendors had that same format to work with.



Vice-Chairman James Renninger made a motion for approval of Freedom Waste Management as our hauler, seconded by Commissioner Mike Cella, which carried 5-0.

16. Agreement with Miller Electric Company for Courthouse Access Security System Upgrade Project(D.Hane)

Approval of the Agreement with Miller Electric Company for the Replacement and Upgrade of the Courthouse Access Security System, in the amount of \$1,407,312.41. The Agreement provides for 475 calendar days for completion of the Project. Price includes one (1) year of System Service/Maintenance under the warranty period. The Agreement (6.3) allows for payment of stored material and equipment upon verification that the Contractor has received such items.

Funding Source:

American Rescue Plan Fund - All Grants Organization - Machinery & Equipment Capitalized and Court Facility Fund

Dean Hane, Information Services Director, addressed the Board regarding the request for approval of the agreement with Miller Electric Company for the replacement and upgrade of the courthouse access security system. Mr. Hane said this is to replace and remove the security system at the courthouse for both the access control and camera.

Chairman Betsy Condon asked if \$1M was being used from ARPA funding and if the rest would be courthouse contributions. Mr. Hane answered that she was correct.

Following the discussion regarding the contract, the current system, and the scope of work to be provided, Commissioner Mike Cella made a motion for approval, seconded by Commissioner Kristen Burke, which carried 5-0.

17. Memorandum of Agreement with Smart North Florida, Inc. for Smart Corridor along Wells Road - ARPA Project (T. Nagle)

A.) Approval of Agreement with Smart North Florida, Inc. for Smart Corridor along Wells Road in the amount of \$145,780.00. Project is to be completed within 6 months.

B.) Approval of Sole Source

Funding Source: ARPA

Troy Nagle, Assistant County Manager, addressed the Board regarding the memorandum of agreement with Smart North Florida, Inc. for the smart corridor along Wells Road. The request is for approval of the agreement in the amount of \$145,780.00 and sole source. Mr. Nagle said there was a discussion to do a smart initiative a few

months ago on Wells Road Corridor with Smart North Florida. The agreement would provide a network on the corridor to allow the real-time crime center to connect to do traffic analysis and set us up for where we want to be in the future. It is a polite project; if it is successful, we could expand this private network across other county areas. Mr. Nagle said it would provide us the ability to do things such as:

- Smart Trash Cans
- Smart Door Locks
- Smart Lighting

For things we cannot do without very expensive infrastructure currently, owning our network would allow for that. It is ARPA funded.

Vice-Chairman James Renninger asked if call boxes are also being considered. Mr. Nagle answered yes, sir. Vice-Chairman Renninger said it would greatly improve security along Wells Road. This is a home-grown initiative out of TPO; is that correct. Mr. Nagle differed to Clayton Levins, Executive Director at Smart North Florida. Mr. Levins said that they are homegrown out of the NFTPO. Vice-Chairman Renninger asked for a thumbnail sketch of how it all started. Mr. Levins said this was born conceptually out of the Smart City Movement that had been captured across the United States, and really the TPO was the standard bearer for that movement across the region. The success and interest from private sector partners are hospitals across the region and public schools allowed the TPO to realize that this was just not being smart in transportation but including first responders' public education system, which included the hospital partners, that led to Smart North Florida being spun off as a 501(c)(3) to essentially partner with public sector entities at the municipal and county level to be their partner in innovation to help find new technologies to solve the hardest problems day-to-day.

Vice-Chairman James Renninger made a motion for approval of the memorandum of agreement with Smart North Florida, seconded by Commissioner Kristen Burke, which carried 5-0.

#### 18. Discussion of the Clay County Fairgrounds Utility Improvements Project (G. Price)

Discussion of the bid results and timeline related to the Clay County Fairgrounds Utility Improvements Project.

Gene Price, Deputy Director of Facilities, discussed the Clay County Fairground utility improvement projects. Mr. Price said this is regarding bid #22/23-10, where they were trying to transition over to CCUA and had a design and put a bid out, and unfortunately, it came back over our budget. So, based on that, staff recommends rejecting the bid, and CCUA is not set up with our current facility to support our max and peak events, which are the Clay County Fair and the Scottish Games. So, to hook up with them would require us to have port-o-lets to offset some of the volume they would have to receive.

Jeremy Johnston, CCUA Executive Director, said they very much want to support the fairgrounds and the discussion goes back to 2008/2009. CCUA is invested in wanting to

make this a successful project. One of the things in the discussion is if there is a pause with a rejection of the bid, we think there is an opportunity for CCUA and Clay County to look at a collaborative project for upsizing the station where CCUA and the county can participate in an interlocal agreement for a bigger picture around the fairgrounds. Again, the port-a-let factor was a matter of safety. The Peters Creek facility is out for bid in multiple packages, and they are absolutely committed to having that project online. The current construction schedule the engineer anticipated is the beginning of 2025 to have it in service. Obviously, it is subject to supply chain issues, labor, etc. The project is moving forward to serve areas in Lake Asbury, West of Green Cove Springs, including Governor's Park. CCUA has communicated that timeline to all their stakeholders and in appropriations requests with the legislature. Mr. Johnston said it is also important with this particular project that it represents significant savings to the Clay County residents and their customers because they are approaching that project and consolidating two plants into one, which is why it is a bigger project; it is going to save Clay County residents over \$10M over the planning horizon, which indicates their commitment to providing long-term value to their county customers and residents.

Commissioner Kristen Burke made a motion for approval to reject the bid, seconded by Vice-Chairman James Renninger, which carried 5-0.

19. Advanced Payment for Annual Subscription related to Agreement No. 2021/2022-196, OpenGov Software Services Agreement (T. Nagle / K. Smith)

Approval of advanced payment to OpenGov, Inc. in the amount of \$41,083.00 for the Annual Subscription related to Agreement No. 2021/2022-196, OpenGov Software Services for solicitation development, supplier engagement, evaluations, and solicitation awards. This payment will cover 10/1/2022 through 9/30/2023.

Funding Source:

General Fund - Management Information Systems Department - Computer Software

Karen Smith, Director of Administrative and Contractual Services, addressed the Board regarding the advanced payment for the annual subscription related to agreement number 2021/2022-196, OpenGov Software Services, for solicitation development, supplier engagement, evaluations, and solicitation awards. This payment will cover 10/1/2022 through 9/30/2023. Ms. Smith said the advance payment would be in the amount of \$41,083.00 for the annual subscription. They are using the bidding system and appreciate the positive comments on the reporting received back for the bids and information.

Commissioner Mike Cella indicated with the ease of use; he hopes it will allow them to attract other and new vendors to bid on these processes since it will be easily accessible.

Vice-Chairman James Renninger asked if there had been any response from vendors

using the software. Ms. Smith said they have, and it has been positive feedback so far.

Vice-Chairman James Renninger made a motion for approval of the payment, seconded by Commissioner Mike Cella, which carried 5-0.

20. Agreement with Bright Minds Youth Development, Inc., SWEAT Program Services (G. Gunn)

1) Approval of the Agreement with Bright Minds Youth Development, Inc. for SWEAT Program Services which includes Tutoring at a cost of \$50 each session, Mentoring Services at a cost of \$40 each session, and Program Director Services at a cost of \$60 an hour.

2) Approval to waive the Purchasing Policy regarding the Program Director Services.

Funding Source:

General Fund - All Grants Organization - Professional Services - Clay County Sheriff's Work Ethics and Training (SWEAT) Program

Karen Smith, Director of Administrative and Contractual Services, addressed the Board regarding the request for approval of the agreement with Bright Minds Youth Development, Inc. for SWEAT Program Services. It will include tutoring at the cost of \$50.00 each session, mentoring services at the cost of \$40.00 each session, and program director services at the cost of \$60.00 an hour and waive the purchasing policy regarding the program director services. Ms. Smith said with the current program director retiring, which was outsourced to Mr. Rick Curtis, it was thought about bringing the services in-house. The position was advertised, but no one qualified applied for the position. However, Bright Minds provides the services for Nassau County and are qualified, so those services were added to the agreement at the same rate we have been paying at \$60.00 an hour.

Commissioner Mike Cella asked where the location is for the mentoring. Ms. Smith said it is different for each child. We meet at a public location, whatever the family is comfortable with, and the arrangements they prefer.

Commissioner Mike Cella made a motion for approval of the agreement and to waive the purchasing policy, seconded by Commissioner Alexandra Compere, which carried 5-0.

21. Approval of Interlocal Agreement between Clay County and the Clay County Utility Authority regarding Road Work and Utility Work for the Improvement of Sandridge Road

Courtney Grimm, County Attorney, addressed the Board regarding the Interlocal Agreement between Clay County and the Clay County Utility Authority regarding road

and utility work for the improvement of Sandridge Road. County Attorney Grimm said that CCUA has requested to defer this item to the January BCC meeting. CCUA is still reviewing this item, and their Board meeting is coming up in a couple of weeks, and they will hopefully evaluate it then and bring it back to the BCC once they have an opportunity to review it.

## 22. Multipurpose Youth Sports Complex Project

Multipurpose Youth Sports Complex Project presentation on status of design and construction.

Bill Crain, Design-Build Project Manager of Carlton Construction, addressed the Board to discuss the status of the design and construction for the Multipurpose Youth Sports Complex Project and presented a PowerPoint presentation of the site. See Attachment L. Mr. Crain began the discussion regarding where the project was when it began and where it is now. It started with the goal of creating ten fields; unfortunately, the site has faced many challenges. There have been conditions significantly different than anticipated, including groundwater level within 1 to 2 feet of the surface at virtually the entire site. In addition, the wetlands expanded once they received the delineation from the state that was a little over 3.5 acres in inconvenient locations. That impacted the design a great deal regarding the drainage, etc. There are also inflationary influences, and the pressure from that has impacted the budget. Mr. Crain said they had to look at multiple iterations of the designs to try and modify the site to maximize the amount of dirt that could be used within the site and minimize the amount of dirt to be imported onto the site as well as minimize the impact to the wetlands in the area. The developer owns the property just north of the site and has offered to provide additional import dirt at no cost, but they still have to cover the cost of transporting and spreading the dirt on the site. That will help with the offsets to get the fields how they need to be to drain properly. Mr. Crain noted that the time extension request was approved by the Board previously, and part of that was for them to go back and revise the design to try and minimize the cost and make sure the county was getting the maximum efficient design for the budget they could and put the project back out for an additional pricing effort. There was also a request to pursue other options regarding the number of fields to give different scenarios for pricing to be considered by the Board. There have been two options created:

1. Five Field Layout - Budgeted for \$5.227M
2. Add three additional fields on - \$7M - There is an alternate for covered pavilion wings extended onto the restrooms

The project was sent out for pricing four times, and the most recent pricing solicited was sent to forty-seven sub-contractors.

Mr. Crain began the PowerPoint presentation to show where the site stands, explained what has been done, and showed the layout of the potential fields, restrooms, lighting, signage, parking, and future phases. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - at 5:08:09 and ending at 5:18:15 with Mr. Crain stating they strongly recommend going with the eight-field design.

Chairman Betsy Condon asked if there would be a flagpole. Mr. Crain said it would be

right next to the restroom area.

Vice-Chairman James Renninger asked for clarification regarding the divided roadway. Mr. Crain explained there is a low area, which helps to separate the traffic. Vice-Chairman Renninger asked if the entrance was a dirt or paved road. Mr. Crain said when the rendering was done today, they did not have the time to correct the drawing and the parking lot entrance; as you come in the entry road and turn to the left, that is phase one and phase two is the extension up to the left by the pond on the drawing. There would only be one road going into phase one. The reason is, as mentioned, the wetlands expanded, and to extend that road, we would be carving into those wetlands, and this would be the phase that will be delayed. Vice-Chairman Renninger said there would be a parking lot with four hundred spaces with one ingress/egress. Mr. Crain said that with the 1A design; they could try to find a way out of the second parking lot to cut through. The future phases are not defined at this point; there is a lot of flexibility to adapt. The future phases would take the entry road to loop around the site and come out around the south end. The plan would be a full loop road and two entrances with deceleration and turn lanes at both entrances, so that is long-term.

Commissioner Mike Cella asked for clarification about the walking path. Mr. Crain said the total loop is just over 3/4 of a mile and referenced the location by pointing to the drawing. It is currently priced to be an eight-foot crush-crete trail. Commissioner Cella said there had been opportunities in the past to do cross-country championships, and he is looking at how to maximize what we have in phase one to be able to do that, and those are usually three miles to three and a half, so we would have to come up with another way to route them, but that could certainly be a start. Mr. Crain agreed and said there are some opportunities for existing paths carved with access roads paths cutting through the woods. They could make a bigger loop around where the 1B area is to tie back in and easily get that distance.

Justin Pierce, Director of Parks and Recreation, addressed the Board to discuss opportunities with having the eight fields vs. five. This will be a unique partnership between recreational programming and sports-related tourism. There has been a lot of research and talking to other counties. For instance, Seminole County has three major complexes; Boombah Sports Complex has fifteen baseball fields, they also have eleven multi-purpose fields, and another that has six for soccer. Locally in Clay County, we have Eagle Harbor Soccer Complex located in Fleming Island, with right at fourteen acres that equals three full-size fields, and the other fields on the site are converted into youth five through youth twelve fields. So, you are looking at a total of seventeen or six full-size fields. Mr. Pierce said they are able to host tournaments that bring in anywhere between 110 to 117 teams to compete within a four-hour range in Florida and Georgia. They are maxed at capacity, so building this complex will allow us to expand and bring other opportunities to the southern part of the county in other niche sports. Mr. Pierce said we are busting at the seams on the recreation side of multi-purpose fields in the county; for example, we have three youth sports associations that do not have a home or lease. One of those locations, Oakleaf, just won the pop warner national tournament for 12U and is practicing at a neighborhood park on a multi-purpose field.

Chairman Betsy Condon said she heard a rumor that the funding fell through for the complex that was to be built in St. Johns County. Mr. Pierce said he had not heard that. Commissioner Mike Cella said the funding fell once the one-cent sales tax was

defeated. Chairman Condon said the county was going to build it for them. Commissioner Cella said he did not know if they would build it, but supporting it in terms of infrastructure, etc.

Kimberly Morgan, Director of Tourism, added to the discussion regarding the Eagle Harbor Complex; we are privileged to have them as partners, but they actually lease out two other fields, one in Jacksonville and one in Gainesville, to host their tournaments. So, with a robust complex in Clay County, it is easier for them from a logistic standpoint. But then the leakage from those tournaments being held in other counties means they are spending money at restaurants and hotels in those other communities instead of ours. They are working with Air Stream Ventures on anything from paintball competitions to lacrosse. Mr. Morgan said they are working on a lacrosse tournament and are one field short, so they may have to say no to them. They are working with the school district to try and get that one field to host them during a needed period in January. So, those are the obstacles we are facing now that this complex would help alleviate.

Mr. Crain returned to the presentation; Attachment K refers to the restroom facility design and the monument entry sign. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - at 5:28:39 and ending at 5:31:49.

Howard Wanamaker, County Manager, thanked Mr. Crain and their entire team. They have really dug into this at the direction of the Board. This is a significant amount of money, and referred to the attachment to discuss the options. County Manager Wanamaker said we were counting on \$.5M from the state to help with the inflationary constraints, but with Hurricane Ian, those monies were redirected. He has asked Mr. Nagle to look at ARPA and the past year's spending and those dollars to augment the cost over our budget. County Manager Wanamaker proposed that they return to the Board on January 10, 2023, and brief the Board on where we stand regarding the budget and move forward. If it is within Carlton's timeline, a notice to proceed, possibly within the first or middle of February. They have discussed the project timeline, and that they would be able to make the timeline, and that the extension of the grant to the end of December 2023 would easily be met. A lot of time and effort had gone into this to dispel any unknowns regarding stormwater, groundwater, and the layout of the site. County Manager Wanamaker said if it pleases, the Board staff will come back with a proposal to address the five or eight fields with ARPA funding and get direction from the Board on January 10, 2023, to move forward with the complex and those particular options.

The Board gave consensus to move forward as requested.

Howard Wanamaker, County Manager, said if there is anything the Board feels may be missing that they would like to see, please let staff know.

Commissioner Kristen Burke asked if there was a concession stand. County Manager Wanamaker said there is no concession stand, but there was a discussion about having food trucks. Mr. Crain said in phase 1B parking lot is an area that has lines delegated as no parking area that is intended to have food trucks, and at a later phase, if we want to come back to phase 1B, the top right field is positioned so that can become a championship field with the intent it would have bleachers, restroom, and room to put in a concession stand. Commissioner Mike Cella said it is easy enough to roll in food trucks

there and appreciates the quality. He suggested calling one of our partners to see if they want to sponsor the pavilion.

Chairman Betsy Condon noted that the original intent was not for tourism but for a regional park for Clay County residents, and the majority of the time, they need to be able to utilize the facilities. Mr. Crain agreed. Mr. Pierce agreed and said when looking at multi-purpose fields, it can be for lacrosse, flag football, tackle football, 3V3 sports, etc. So, all those programs we would be looking to house, whether it would be tournament or recreational play.

### 23. Technical Assistance Panels (TAPs) services offered by Urban Land Institute

Discussion and consideration of utilizing Technical Assistance Panels (TAPs) services offered by Urban Land Institute (ULI) related to College Drive, Gateway to Clay, Blanding Boulevard, High Ridge Initiative Projects.

If considered, staff request approval for the County Manager to execute the Agreement necessary to begin these Services.

Troy Nagle, Assistant County Manager, addressed the Board regarding the Technical Assistance Panels (TAPs) services offered by Urban Land Institute. Mr. Nagle said that ULI is doing the technical assistance panels for the three initiatives and Blanding Boulevard. They reviewed what we are doing currently, talk to the stakeholders, look at the area, and give a plan on how to redo College Drive, Gateway to Clay, Blanding Boulevard, and High Ridge Estates. Hopefully, work will begin in January once approval is made tonight. Staff will engage with the Planning Department to ensure that what comes out of the study can be executed in Clay County. The cost will be \$80,000.00 to do all four areas combined and will be paid from ARPA funds. Mr. Nagle said if the Commission decided to move forward, they would ask for the approval for the County Manager to be able to sign the agreement so we can get started before the next BCC meeting

Commissioner Mike Cella said the end time is October of 2023, so if there were things we would want to move forward with in terms of a plan, we have the ability to put it in the budget. ULI is the world's oldest and largest network of real estate and land use experts. They are all professionals. They are here for three or four days and look at everything there is to look at in terms of the area and come up with a recommendation based on their past experience and expertise as to what we might be able to do with something. For years people have been talking about redevelopment doing something with Blanding Boulevard, and that is what this company does; it is their job and what they do. Commissioner Cella gave examples of areas that ULI has worked on and said they also, as part of their plan, give you ideas of where you can go to move to the next step and get funding and be able to make the plan a living thing that turns into a redevelopment in those areas.

Commissioner Alexandra Compere said she would like to add Oakleaf to the list. It is a hot spot area, and the areas in the study you do not have to drive through to get to



Oakleaf. What is happening out that way, or rather what is not happening, is a huge point. Having a company come and talk about how we can revitalize or make an area more marketable, she would love to see that in District 2.

Chairman Betsy Condon said where the other initiatives have come from, Blanding was a late add because they were getting request for people to develop commercially in Lake Asbury. Still, we really wanted them to redevelop what was already there but sitting empty, so that is where Blanding came from, but where the other three came from was Highridge Initiative was born from College Drive, and Gateway to Clay was driven more by CCSO asking them to intervene. They all tie together, and the College Drive initiative is two years in; the BCC has not yet adopted Highridge and Gateway to Clay. Community members and non-profits drove College Drive and HighRidge, and the county got involved as a support system. They have been going through the process with the Kettering Foundation with a deliberative process to have the residents and the businesses participate to decide what to do. This study will paint a vision that is not a one-and-done. It is simply let's see what they come back with within these four areas to see the feasibility.

Vice-Chairman James Renninger said that he believes that we did adopt Gateway to Clay, and it is a redevelopment type of initiative to replicate the importance of that area as it was in the past.

Mr. Nagle clarified what this study does helps determine what is feasible. He cautioned doing something like this in Oakleaf because you have the master plan, and there are a whole set of rules that apply other than just standard county zoning. Commissioner Mike Cella clarified that the gentleman that does our deliberative dialogue with residents lives in Oakleaf. There is a process to go through to identify the problems and what the residents and business owners feel is missing in the area. Commissioner Cella suggested Commissioner Compere meet with the team and explain how the process works and get that started as Phase One and see where that goes because the people that work and live there will have some thoughts right away.

Following the continued discussion regarding the process and the conception of the current initiatives, Vice-Chairman James Renninger made a motion for approval, seconded by Commissioner Mike Cella, which carried 5-0.

## **CONSTITUTIONAL OFFICERS**

There were no comments by Constitutional Officers.

## **COMMISSION AUDITOR**

Heather Boucher, Commission Auditor, had no comments.

## **COUNTY ATTORNEY**

Courtney Grimm, County Attorney, advised the Board that we received the opioid

payments for year one and the total amount for our county was \$254,706.00.

## **COUNTY MANAGER**

Howard Wanamaker, County Manager, said he had four items to brief the Commission on:

- Gun Range - There have been communications with Foresight, and a lot of work has been done; however, they have reached unsuitable fill dirt from the ponds. Our Engineering Department and WGI are working with SJRWM to use an additional area to obtain the dirt to build the berms. Everything is in line with statutes and requirements. It may lead to a request for an extension until March/April of 2023
- Request authorization to amend the list of exemptions for purchasing rules and policy in Chapter 10. It would allow us to pay these quicker through direct pay vs. a purchase order. There are two items requested to add:
  - Payments for temporary construction easements/permit drainage easements/license easements and other similar easements agreements related to county construction projects
  - Payments related to the Emergency Rental Assistance Program (ERA) or other similar programs - The payments would include but not be limited to payments for rental assistance landlords for tenant payment - To move forward with this exemption, they would come back to the Board in January

County Manager said he did not want there to be a delay in payment in the next few weeks with any invoices that are outstanding for ERA and is requesting temporary approval until it can come back in January for an amendment to the purchasing policy.

Commissioner Kristen Burke asked if the rental assistance was ready to go besides this, and they have been able to accept applications. County Manager Wanamaker answered yes, ma'am. Commissioner Burke asked because she was told it would not be until January. Mr. Nagle clarified applications are ready. They have been reviewing with staff, and it will operate a little differently than in the past because they will try and cut down on fraudulent applications.

Vice-Chairman James Renninger made a motion for approval for temporary exemptions, seconded by Commissioner Mike Cella, which carried 5-0.

County Manager Wanamaker noted that our legislative delegation would meet in the board room on Monday, December 19, 2022, at 3:00 pm. County Manager Wanamaker proposed to set a date for a workshop to discuss the Board's priorities. He will follow up with the Commission to set a date and time.

County Manager Wanamaker said he had been working with Chairman Condon to fill the committees and appointments for the particular committees. See Attachment M. There is no Finance and Audit listed based on the Board's decision. Northeast Florida Community Action Agency is a group that drives force to combat poverty. Chairman Condon read an email she received from the NFCAA to explain what they do and the seat available.

Following the discussion regarding the County Manager attending meetings, and appointments of Commissioners for NFCAA, Blue Ways and Trails, and VAB, the Board asked Commissioner Compere to review the information for NFCAA and see if that is something she would be interested in. Commissioner Mike Cella stated he would be interested in serving on the VAB for reference when discussed in January, along with Blue Ways and Trails.

## **TIME CERTAINS**

24. 5:00 p.m. or as soon thereafter as can be heard - Public hearing on adoption of the Clay County Comprehensive Impact Fee Ordinance for Government, Jails, and Constitutional Facilities; Fire and Rescue Facilities; Law Enforcement Facilities; Parks and Recreation Facilities; and Library and Cultural Facilities  
Continued from October 25, 2022, Board Meeting

Troy Nagle, Assistant County Manager, addressed the Board regarding the public hearing to consider the adoption of the Clay County Comprehensive Impact Fee Ordinance for Government, Jails, and Constitutional Facilities; Fire and Rescue Facilities; Law Enforcement Facilities; Parks and Recreation Facilities; and Library and Cultural Facilities. Mr. Nagle said they had several meetings with the developers and builders' representatives as well as the workshop. As a result, we have come up with a better plan than originally. Mr. Nagle introduced Carlos Villarreal to present a PowerPoint presentation to the Board regarding the changes made from discussions at the previous meeting. See Attachment D. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive](http://www.claycountygov.com/government/claycounty-tv-and-video-archive) - BCC Agenda - starting at 1:01:36 and ending at 1:14:29 with Mr. Villarreal taking questions.

Chairman Besty Condon opened the floor for the public hearing at 5:16 pm.

Daniel Vallencourt, 449 Center Street, Green Cove Springs, Florida, Vallencourt Construction, said that the study has improved but still needs a lot of work. Mr. Vallencourt said on page 7, it says there is \$402M in spending, impact fees are \$121M, and you are going to need to come up with \$250M and there are some ideas of how we get that, but it is not clearly laid out. Mr. Vallencourt's concern is that we are setting up the citizens for a tax increase down the road, maybe with a different Board; there should be transparency that there is a high possibility that when we start spending this impact fee money, we have to fund it with other money. It will affect real people, not just big-time developers or construction company owners. In October 2021, there were 162 permits issued, and this October, there were 105. That is 35% down; year over year, we are 20% down, and when you tax something, which is what an impact fee is, you will have less of it. Mr. Vallencourt had multiple concerns regarding the impact fees and believed the Commission was trying to pass a massive tax increase without anyone knowing. The study was presented on October 11, 2022, and was added to the agenda on October 19, 2022, and was to be voted on October 25, 2022. Mr. Vallencourt suggested starting over.

George Egan, 1845 Town Center Boulevard, representing the Reinhold Corporation, said he has said before that he is in support of this as a concept, and this is a part of the county's strategic plan, and how we are going to create a vision for the county going forward over the next 20-25 years. It is a very complicated situation, a very complicated set of inputs and assumptions. He wanted to encourage the Board to think about it thoughtfully and deeply. If there are questions, ask staff, it is \$400M of expenditures, and again he encourages the Board to be thoughtful in their deliberations.

Austin Nicklas, Northeast Florida Builders Association, 6747 South Point Parkway, Jacksonville, Florida, said the capital facilities being funded in this ordinance would need staffing and maintenance, also known as operating costs which impact fees cannot fund. There was a general discussion with staff about the impacts on operating expenses when capital facilities are constructed, but they are not sure that the relationship has been fully defined. You would build with this fee and non-fee revenue. If needed, tax increases in millage to support increased operating costs will impact existing, and the study did not discuss future residents and businesses in the county. The housing market is already in a recession, which will most likely worsen next year as the broader US economy slips into a recession. Mr. Nicklas said this is the wrong time to add \$5,600.00 to the cost of every new house. Mr. Nicklas continued to give examples of these fees' impacts on the county.

**Commissioner Kristen Burke left the meeting at 5:22 pm and returned at 5:25 pm.**

Susan Frazier, SLF Consulting, 3517 Park Street, Jacksonville, representing Reinhold Corporation and NEFBA, said that the consultant said very clearly that the community park standard would be your comprehensive plan standard. There is an existing facility standard 6.7 table and a comp plan standard 6.3, which standard would be applied to community parks. Ms. Frazier requested that that information is made clear.

Michael Bourré, 3168 Highway 17 South, with Bourré Construction Group, said when meeting with the staff, they had a list of concerns, some were very substantial. Over 95% of those have been addressed in the new study. Mr. Bourré said they know that CCSO and CCFR need critical services, and there is no question about that, and impact fees play a role in that. As long as the study is done properly and conforms, he would support it even though he is not an overriding fan of impact fees in general, but as long as it is done appropriately, they would support what the county needs to function. There is still concern about the \$280M, which has not been spelled out on how the county would fund that portion and the operating cost for the new facilities. There is a concern about what the market can sustain vs. killing the market. Mr. Bourré requested the Board to consider a rollout with the fees.

Todd Knowles, Small Business Owner in Clay County, said they are being hit every which way; they have to pay employees more, gas bills are higher, electric is higher, and they are being hammered and so understanding we have come up with cost and ways to pay for things, but there should be a consideration on how it is done.

Melanie Randall, 6445 Sand Hill Road, said according to the 2020 Census Bureau, the median income in the county is \$32,871.00, and the median household income is \$68,657.00 a year. This will have a huge impact on people who have worked hard to try

and buy a house because the fees will be passed along to the end user for certain. Ms. Randall asked the Board to consider a rollout over time so people trying to become a homeowner are not so heavily impacted right out of the gate.

Hearing no other comments, Chairman Betsy Condon closed the public hearing at 5:40 pm.

Chairman Betsy Condon asked Mr. Villarreal to answer the question from Ms. Frazier. Mr. Villarreal said they showed the existing and comprehensive standard for the community parks because they need to identify the deficiencies that cannot be funded by impact fees. An existing deficiency is when you are charging an impact fee at a higher standard than currently exists. So, the difference between those two standards we can quantify is driving the \$18.5M that needs to be funded by a non-impact fee source. So, it uses a system plan approach where we quantify the impact fee standard to monitor your progress against the comprehensive plan standards.

Mr. Nagle asked that we are going based on the comprehensive plan standard is what we will be implementing in this impact fee study. Mr. Villarreal answered absolutely; new development is funding facilities at the comprehensive plan standards, and the county will make up the difference with non-fee funding.

Commissioner Kristen Burke asked for clarification on how to reach the \$250M and how it is spent. Mr. Nagle said there are a couple of different answers. The first thing to remember is that this is a 22-year plan, so you are phasing it over 22 years, and that is \$10M to \$11M a year you would have to come up with if it was flat-lined. As we go through the process and more people are coming into the county, this is based on us having an increase in population and increase in workers; with those comes an increase in sales tax, and with that, you will get a higher capital, which is what funds your capital improvement, and you will have more funding come into that. Therefore, the staff's analysis looks at the increase in sales tax can pay for this as the population comes in. Commissioner Burke said that right now, we are at a certain standard and as we increase the population, we need to increase the standard. Mr. Nagle said the operating question can be answered again, considering today that we are paying everything with "X" ad valorem; the price of stuff goes up, then the ad valorem goes up each year. Considering those two stay somewhat in concert, you are at a base zero. So, 1,000 new homes come in with an average home price of \$350,000.00 over time, you take your exemption out and multiply that out, and you are going to come out with a millage of about \$2.4M generated from that each year, and you got to remember that is your additive. So, if 1,000 homes move in this year, I get \$2.4M; next year, I get that same \$2.4M plus the next \$2.4M for the next 1,000 homes that are built. That is more than enough to fund your future operation level of adding twelve firefighters and sheriff's deputies per year. That does not account for commercial development or anything above the 1,000 homes.

Commissioner Alexandra Compere asked to discuss more on the commercial development piece because the question is how we afford it, how do we avoid ladening our development community with the fees, and what commercial development are we inviting into the county to help offset some of these costs because it seems that we need to widen the base so that it is not so onerous on the taxpayer and maybe helps mitigate some of this. Mr. Nagle said he does not believe he would be the right one to

answer an economic development question and would defer that to the economic development team at a later time.

Vice-Chairman James Renninger pointed out that the First Coast Expressway will be a huge game changer with sales tax in the future.

Commissioner Kristen Burke commented that the whole reason they started talking back in March and takes great offense to someone saying they were hiding this, and she takes this job very seriously. Mr. Nagle said the discussion began in December 2021. Commissioner Burke so we have been working on this for quite a while and asked to hear from the Fire Chief to explain why we have come to this because she lives in a community where if they were to have a fire, she is unsure if the houses would be standing because there is no fire station or a fire truck that would come to them within the five miles. Why should the people here have to suffer continually with more and more people coming to the county. With the increased traffic and accidents, our deputies cannot get to calls in a reasonable amount of time.

Fire Chief Lorin Mock, Assistant County Manager, said from 2015 to 2022, we have seen a 40% growth rate in calls for service. A lot of that may reflect from us coming out of the recession and the developments that you now see taking place across the county; Lake Asbury is a great example; you cannot drive on Sandridge Road and not pass a construction vehicle, so clearly, the new home development is taking place there, and we have also seen it in existing locations. With the call volume increasing, one of the projections that were taken into account was the fact that if we take the land development that we have right now, not the densities you see increasing, you have the areas where multi-family homes are proposed but that is changing and increasing density, that is not what we did as part of this study. We looked at what would happen and where you project out for twenty years. That is a difficult task, but looking back at the 2005-2006 master plan that CCFR did in relation to call volume that is close to population, it underestimated where call volume was for development that really did not take place as a result of the downturn and recession at that time. The way that you are forecasting the model looking forward is to say if no development takes place, no impact fees would be collected; hence there would be no need for those new facilities; however, if the development continues at the pace seen and the truth is Clay County is very land rich and where the land is, is where you are going to see the development wanting to come in, that makes sense. That is why you see the projections for Governor's Creek and the things you see as we move down there; you would see lake Asbury development begin to move further south and into areas where we have no service. Chief Mock said he is a fan of development, and it is a good thing for the community, but right now, there is no capacity to increase beyond where we are unless something changes, and that is why it has been presented with the Willdan model something that gives you multiple "three stool effect." It allows you to use the CIP, Ad Valorem, and Impact Fees to begin to sure up areas that would develop in the future and not put us in the situation we see right now in the Lake Asbury area where development is now outpacing our capability to service it.

Commissioner Kristen Burke asked for clarification regarding response time. Chief Mock said they have service models in the industry that they tend to use. You want to have the first unit in a fire situation in four minutes or in a medical emergency within six minutes. We know that if someone is in arrest that if we do not have some intervention within that time frame, they clinically can go into death, and unless CPR is started and

then get advanced life support to them inside the eight-minute timeframe, the outcomes are not acceptable. Similarly, they try and assemble the fire responses within eight minutes. There are twelve stations in the county that cover 640 square miles. Thankfully, we partner with the Town of Orange Park, and they have been great to give us thirteen. In the urban areas, we do a little bit better, but as you tend to move out to what has become more suburban and rural areas, we need the partnership we have with Jacksonville in Commissioner Compere's district, where we go across those boundary lines to ensure that we service it as effectively as possible. Chief Mock said what we are seeing now, as our times are average at eight minutes, that eight minutes is supposed to be in the ninetieth percentile, so 90% of the time, we are supposed to hit under that, and we are not doing that and if something does not change and we continue to grow that is going to morph into something that is closer to nine to ten minutes and in his mind that is not acceptable outcomes for our citizens. Commissioner Burke said that is not because we do not have enough fire/rescue employees and staff; it is because we do not have the facilities to put anymore. Chief Mock said we are straining at the seams for where we can add employees or add service. That is not something we can do inside our existing stations. That is why the CIP plan now addresses the improvements at Station 24 onsite, the relocation of Station 20, and the relocation of Station 22. That is sureing up where we have been and where we need those capacities moving from older volunteer stations that were upgraded to handle career service with stations that are now three or four bays or more to be able to put in additional apparatus. One of the demands was seeing not only one call in a district but multiple calls. We get to the first one, but we will be hard-pressed to come to the second one and if it is a large working fire where we bring lots of units together to do that, we have difficulty addressing that second or third call in that same area. That is where it really impacts those response times. Commissioner Burke said as far as us dealing with deficiencies now, we have things happening to address those in the firehouses we have. Chief Mock said that it is part of the existing CIP. The idea with the impact fee would be that the third leg of the stool would allow those critical facilities and additional apparatus to be supported as we move into areas where there are no stations.

Commissioner Kristen Burke asked Sheriff Michelle Cook to explain her side of why we began to look at an impact fee for public safety, why she thinks it is important, and the CCSO response times. Sheriff Cook said they cover 644 square miles and have primary law enforcement jurisdiction over most of that, Orange Park and Green Cove Springs have small agencies, but they assist them as needed. They currently have 1.19 deputies per 1,000, and the state average is 1.69, so we are already half a deputy behind the average. CCSO handles roughly 250,000 calls for service a year, and as mentioned, when they start getting more than one priority call going on in the county at a time, we are already strapped for people to respond. As people continue to move in, more traffic and more people drive through the county, and the call volume is going to increase. The crime numbers have bottomed out, but because of the amount of people moving into Clay County, she foresees the crime rate easing up, we are still a very safe county, but when you add more people, you are going to add more crime. There are a couple of other issues, the fact they do occupy nineteen different buildings where they have people and stuff, where they are paying some sort of utilities, insurance, and maintenance, and several of the buildings are borrowed as soon as the owner finds someone to buy their property, or they have a new purpose for it, we are out and nowhere to put our stuff, and there is a lot of inefficiencies that occur. So, there is a lot of concern with cost and efficiencies when talking about public safety and law enforcement

when the vast majority of our 770 employees are spread all over the place. In addition, the jail, which was built in 1972, has been at capacity for a couple of years. We did get some ARPA monies to repurpose some space in our current footprint, but they have run out of space in that footprint, so they have nowhere else to go. Based upon the county's growth and the capacity we are at right now with the old jail, that is a five-to-seven-year Band-Aid before we are out of space again. A jail at 80% is at capacity is considered "at" capacity because they have to do movement, keep people separated due to the case, or are sick, etc. They have been at 80% capacity or better since she has been in office, and one time, they were at 100 over maximum capacity. Sheriff Cook said there was a question, "can't you just move those inmates to another jail." If another jail would take them, a lot will not because of their own staffing issues; it is \$100.00 a day per inmate, so if you moved thirty inmates for a month, that is \$30,000.00, which is not sustainable. So, they have a multitude of issues ahead of them and are committed to keeping Clay County safe. Sheriff Cook commended the men and women of CCSO that provide an extraordinary level of service even though they are spread very thin.

Following the continued discussion by Vice-Chairman James Renninger regarding the issue being "hidden," challenges faced by CCSO and CCFR, affordability, and a phased approach for the fees, Chereese Stewart, Assistant County Manager, addressed the question posed by Commissioner Compere. Ms. Stewart said with our mobility and impact fees, a couple of things about attracting commercial, industrial, and job growth to the county is we have an incentives policy and subsidies that can be utilized for the fees themselves. One of the answers to how we get more commercial here is the fact that it is happening as we speak; in March of 2025, when we do a ribbon cutting for the First Coast Expressway that will solve some of our commercial/industrial job growth issues and having those companies coming in. Niagara is a good example of that already. When we have all that commercial coming in, the ad valorem they pay would just go toward the operating, and the impact fees would be used for the capital, which is the new growth, and that is where they have to be used.

Commissioner Mike Cella said he, like his fellow commissioners, sort of recoil being called dishonest when someone says they were hiding it; we operate in the sunshine, unlike other industries and organizations. whatever we do is put out in front of the public all the time. Bottom line understanding that NEFBA is the organization that works with builders and developers, and you have a governmental affairs office in that organization. In fact, the very day we talked about the study, we had a number of folks here, stakeholders, in the building industry putting dots on maps and coordinating a number of surveys, and on that agenda, right in that vestibule, was an agenda that said we were going to be talking about impact fees. Commissioner Cella said he had heard an "increase in millage," and if these impact fees do not get passed, there will still be an increase in millage at some point down the line. It took seven/eight years to get around to increasing millage because we are a conservative group and try not to spend your money foolishly; we are good stewards of the tax dollars; 2014 was the previous increase. CCSO and CCFR came to us and asked for help; we needed to pay our people more and start them off at a higher rate so that they would actually want to work in Clay County, so we did, we increased the millage by a half, and the firefighters have agreed to a three-year contract, and we are in year number two of the Sheriff's plan to increase the pay for their people. Remember that there are 67 counties in the State of Florida, and twenty-three do not have impact fees and not all, but most have shown no growth or negative growth, and the rest have impact fees, forty-three of them. Why do



they have that because they need help paying for infrastructure and facilities that the new growth that you will be bringing in by the nature of what you do, building homes for people to move in will want to use, as you have seen in the study, it takes into consideration what we have and what we have been paying for with sales tax and property tax. Commissioner Cella said he does not have a problem with the phase-in approach. The only problem is there is a new state statute out of Tallahassee that allows an increase only once in four years, and the maximum increase is 25%.

Following the continued discussion regarding when the study can be revisited, the impact fees, quality of life, sales tax, and schools, Chairman Betsy Condon continued talking about raising the millage rate, not having sales tax, affordability regarding who would pay the fees, passing the impact fees and how much the fees add to a mortgage, response time, location of fire stations, housing of equipment and initiatives. Chairman Condon said that St. Johns County was trying to pass a sales tax, and she asked why they needed to pass a sales tax and was told because they did not have enough, they could not pay their bills. To Commissioner Renninger's point, we have a responsibility to make sure revenue is coming in.

Mr. Nagle said the model we are trying to get to is a three-pronged model. The impact fees pay for new capacity based on what you need for new development, CIP pays for existing development and replacement, and ad valorem pays for operating. So those three things together are what you need for a sound financial model.

After the discussion regarding subsidization, phasing in the fees, the effective date, and implementing a moratorium, Commissioner Kristen Burke made a motion for approval of the impact fees as proposed, with the effective date to be June 1, 2023, seconded by Commissioner Mike Cella, which carried 5-0.

25. 5:00 p.m. or as soon thereafter as can be heard - Final Public Hearing to consider Adoption of REZ 2022-23. (District 5, Comm. Burke) (M. Brown)

This item was withdrawn by the Applicant.

Chairman Betsy Condon noted that this item was withdrawn by the applicant, so there is no hearing or action required.

26. 5:00 p.m. or as soon thereafter as can be heard - Final Public Hearing to consider Adoption of CPA-2022-07 and PUD-2022-07. (District 1, Comm. Cella) (D. Selig)

A.) CPA-2022-07

This application is a Comprehensive Plan Amendment to change the Future Land Use of a single parcel from Commercial to Urban Core-10.

The Applicant has requested a continuance of this item to January 10, 2023.

B.) PUD-2022-07

This application is a Rezoning of a single parcel from BB (Intermediate Business District) to PUD (Planned Unit Development).

The Applicant has requested a continuance of this item to January 10, 2023.

Chairman Betsy Condon said that the applicant has requested a continuance of this item to January 10, 2023; however due to the public notice there would need to be a hearing.

Chairman Besty Condon opened the floor for the public hearing at 6:35 pm.

Hearing no comments, Chairman Betsy Condon closed the public hearing at 6:35 pm.

Commissioner Mike Cella made a motion of approval for continuance of item 26, A and B, seconded by Vice-Chairman James Renninger, which carried 5-0.

27. 5:00 p.m. or as soon thereafter as can be heard - First Public Hearing to consider Transmittal of CPA 2022-21. Planning Commission voted 6-0 to recommend approval. (B. Carson)

Amendment is to reflect the Future Multi-use Trail segment of the NE FL Greenway Trail along SR 21 between Long Bay Road and Highway 16 as identified in the TPO's Clay-Duval Feasibility Study.

Beth Carson, Deputy Director of Planning, presented a PowerPoint presentation to the Board for the first public hearing of CPA-2022-21. The Amendment reflects the future multi-use trail segment of the Northeast Florida Greenway Trail along SR 21 between Long Bay Road and Highway 16 as identified in the TPO's Clay-Duval Feasibility Study. See Attachment E. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - at 2:35:34 and ended at 2:37:25 with Ms. Carson taking questions from the Board.

Commissioner Kristen Burke commented, hopefully, there would be a quicker way to get a sidewalk put in on 218. Ms. Carson said they are currently planning to have the bike path and trail on the south and west sides of 218, and as development comes in, they will be required to put in a sidewalk and could also be putting in the bike trail.

Chairman Besty Condon opened the floor for the public hearing at 6:39 pm.

Hearing no comments, Chairman Betsy Condon closed the public hearing at 6:39 pm.

Commissioner Mike Cella made a motion for approval of the transmittal of CPA-2022-21, seconded by Vice-Chairman James Renninger, which carried 5-0.

28. 5:00 p.m. or as soon thereafter as can be heard - Final Public Hearing to consider Adoption of CPA 2022-12. (District 5, Comm. Burke) Planning Commission voted 7-0 to recommend approval. (B. Carson)  
A corrective amendment to the 2040 Comprehensive Plan Future Land Use Map.

Beth Carson, Deputy Director of Planning, presented a PowerPoint presentation to the Board for the final public hearing for CPA-2022-12. It is a corrective amendment to the 2040 Comprehensive Plan Future Land Use Map. See Attachment F. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - at 2:39:40 and ending at 2:42:58 with Ms. Carson taking questions from the Board.

Commissioner Kristen Burke commented that there are three homes developed in the area with property to build two, maybe three more but that is the most that could ever come to the area. Ms. Carson said yes, and they will come back next month with a similar map for the last lot.

Chairman Besty Condon opened the floor for the public hearing at 6:44 pm.

Hearing no comments, Chairman Betsy Condon closed the public hearing at 6:45 pm.

Commissioner Mike Cella made a motion for approval, seconded by Commissioner Kristen Burke, which carried 5-0.

29. 5:00 p.m. or as soon thereafter as can be heard - Final Public Hearing to consider DRI 2022-01; changes to the Governors Park DRI; and PUD-2022-09 for the Governors Park PUD (Planning Commission voted 7-0 to approve) (E. Lehman)
- A. Consideration of proposed changes to Governors Park DRI (DRI 2022-01)
  - B. Consideration of proposed changes to Governors Park PUD (PUD 2022-09)

Beth Carson, Deputy Director of Planning, introduced Ray Spofford with England-Thims and Miller to present a PowerPoint presentation to the Board for the final public hearing to consider DRI 2022-01; changes to the Governors Park DRI; and PUD-2022-09 for the Governors Park PUD. Ms. Carson said that Mr. Ray Spofford with England-Thims and Miller would be presenting on behalf of the applicant for this change. See Attachment G. Mr. Spofford said that Chris Pilinko is with the Park Group and represents the landowners. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - at 2:44:47 and ending at 2:50:21 with Mr. Spofford taking questions from the Board.

Vice-Chairman James Renninger said he had spoken with Mr. Pilinko a couple of days ago but wanted to ask if the previous or current alignment of this bypass interrupts the Bellemy Highway. The significance of Bellemy Highway is that when the Spanish settled in Florida, they settled in Pensacola first and developed a road from St. Augustine to Pensacola. That road was the first US highway purchased by the federal government. Mr. Spofford referred to a slide in the presentation showing a layout done for the connection and where Bellemy Road is on the map. Vice-Chairman Renninger said that it has historical significance.

Vice-Chairman Betsy Condon said she had a conversation with Mr. Pilinko, and she did not hear in the presentation that this would delay construction by a couple of years because of waiting for utilities to be put in place. Mr. Spofford said it is not necessarily a delay, but the fact is that utilities won't be ready for two years. So, another part of the modification extends the phasing an additional two years. The First Coast Expressway will not be completed all the way to 95 until 2030. So, the first phase was extended to accommodate that.

Commissioner Mike Cella said he also had a conversation with Mr. Pilinko. The bottom line is that the two-year phase not only works with a number of things but may even work with FDOT, which is contemplating opening up sections of the expressway before the entire expressway opens. Commissioner Cella asked for clarification regarding the four lanes. Mr. Spofford said the south bypass portion would be four lanes over to CR 15A, and they anticipate long term, there would be a signalized intersection with 15A. The intersection at US 17 will have to go through an ICE analysis for access, which is intersection control and evaluation.

Chairman Betsy Condon opened the floor for the public hearing at 6:55 pm.

Dennis Petty, resident on Rowell Road, addressed the Board with concerns about how this would impact his home. Mr. Spofford said there would be no impact on Rowell Road.

Hearing no comments, Chairman Betsy Condon closed the public hearing at 6:57 pm.

Commissioner Kristen Burke made a motion for approval of DRI-2022-01 and PUD-2022-09, seconded by Vice-Chairman James Renninger, which carried 5-0.

30. 5:00 p.m. or as soon thereafter as can be heard - Final Public Hearing to consider adoption of REZ 2022-24. (District 1, Comm. Cella) Planning Commission voted 5-1 to recommend approval. (M. Brown)

A rezoning application to change the zoning of 1153 Clay Street from AR to PS-1, to allow for a daycare facility.

Mike Brown, Zoning Chief, presented a PowerPoint presentation to the Board regarding the final public hearing to consider the adoption of REZ-2022-24. The rezoning application is to change the zoning of 1153 Clay Street from AR to PS-1 to allow for a

daycare facility. See Attachment H. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - beginning at 2:56:54 and ending at 2:58:50 with Mr. Brown taking questions from the Board. Mr. Brown noted that the Fleming Island Citizens Advisory Committee recommended approval, Planning Commission voted 5-1 for approval, and staff recommended approval.

Mark Scruby, Attorney with Rogers Towers Law Firm, stated that they want to annex this property parallelogram to the east that runs along US 17. To be used together for a daycare facility through an organization called Kid City. Sacred Heart is immediately to the north and is a PS-1 campus, then to the north is another campus for the Methodist Church, and immediately south is Hibernia Baptist Church. So, we are surrounded by PS-1 except to the west. Mr. Scruby introduced Brian Atlee with Atlee Development Group, the project developer, to give more information about the proposed site.

Brian Atlee, Atlee Development Group, displayed a large site map. The proposed site plan shows US 17 running north/south with Clay Street intersecting. The entryway aligns with Hibernia Baptist Church immediately to the south. There are forty-five allocated parking spaces, including two ADA compliant spots. The proposed square footage is roughly 9,000, with a 6,000-square-foot outdoor playground. The land to the west is currently residential, and there would be a required landscape buffer in addition to the stormwater pond that sits between the proposed center and the adjacent residential property. Mr. Atlee said that in terms of operations, the mechanics of how children are dropped off is that parents are required to park and escort their children inside, check them in, and likewise when checking them out.

Commissioner Mike Cella asked how many children the daycare would hold at maximum occupancy. Mr. Atlee said 165 is what the facility will be designed for, and the operator of the center is present for any questions. They do have some data on arrival and departure times for peak hours. During the peak of the peak between 8:00 to 8:30 am is the expectation for this site with thirteen cars during that 30-minute window, so roughly that is one car every 1.3 minutes. Commissioner Cella said this it is certainly not like public school where everybody is expected in at a certain time, although there are going to be more popular times when people would drop off, his concern is if people are parking and walking children in, we have 165 potential occupancies but only have 88 spaces to park. Mr. Atlee said from an inflow/outflow perspective, starting at 6:30 am, you are looking at seven cars in a thirty-minute window, and from 7:00 am to 7:30 am, it is eleven, and again from 7:30 to 8:00 am. So, it is spread out over a fairly wide area. Commissioner Cella asked what the evening high mark was. Mr. Atlee said it is between 5:00 pm and 6:00 pm, with each thirty-minute block showing ten cars.

Jeri Walker, Kid City USA/Vice-President of Franchise and Real Estate Development, clarified that they are licensed for 165 children, but all 165 children are not there at the same time. VPK is there from 9:00 am to 12:00 pm, and then there is before and after school care. Then there is an infant room which may be licensed for eight, and so on with each classroom. In the summertime, there is summer camp. Even when VPK graduation is held, there are not 165 cars in the parking lot. Ms. Walker said she understands the residents' concerns regarding stacking or what the congestion will cause on the road; however, they have done extensive studies for other boards they have met with for zoning, and that is how they came up with the numbers. Parents are in and out quickly, so

the drop-off time is the way it is. Ms. Walker said they cater to the working people and adjust their fee to the families around them. They are also not just babysitters; once the children move out of the baby room, they have a curriculum called Be All You Can Be. They are accredited and certified. They teach their children character-building and teach things that schools are not teaching anymore. They teach them to be kind, honest, and well mannered. They are family-friendly and are excited about coming to the area.

Chairman Betsy Condon asked what the hours of operation are. Ms. Walker said 6:30 am to 6:00 pm, but sometimes they adjust those hours depending on the needs of the community.

Commissioner Mike Cella asked if there were any locations close by now. Ms. Walker said they have twelve or fourteen in Jacksonville. But they have fifty-seven locations in Florida. They have 126 facilities and are in fourteen states. Kid City USA is the franchisor, and they do have a franchisee that lives in the area and would own this facility if approved. Commissioner Cella said he did speak with the attorney for Kid City USA briefly in the hallway before the meeting and wanted to make sure that was understood.

Vice-Chairman James Renninger asked if there is transportation for the before and after-school care. Ms. Walker said it does. Vice-Chairman asked if it was a little or big bus. Ms. Walker said they use the fourteen-passenger van.

Commissioner Kristen Burke asked if there was a turning lane on 17. Mr. Scruby said there is a right turning lane there. Commissioner Burke asked if there was a median break across the street from the other direction. Mr. Scruby answered yes, there is.

Chairman Betsy Condon opened the floor for the public hearing at 7:12 pm.

Deidre Knott, 1325 Clay Street, stated to the Board that she has been timing how long it takes to get across the street since last week, which takes a good five minutes. So, she is concerned with additional traffic. Ms. Knott is also concerned about drainage and the possibility of flooding.

Franklyn Knott, 1325 Clay Street, addressed the Board regarding his concern with drainage issues, traffic, and hours of operation affecting traffic in the morning.

Warren Chesser, Pastor at Harbor Baptist Church, said they would love a daycare as their neighbor but have concerns about crossing six lanes of traffic and safety.

Natalie Ellenburg, 1137 Floyd Street, addressed the Board with her concerns about traffic and safety for citizens. Ms. Ellenburg said it will also be dark in the mornings and is concerned about lighting and visibility.

Hearing no other comments, Chairman Betsy Condon closed the public hearing at 7:31 pm.

Commissioner Mike Cella asked about the status of where the water would drain. Mr. Atlee said the western portion is where a substantial amount is allocated for retention in terms of surface area; roughly 15% area would be dedicated to retention. Commissioner Cella asked how they would handle the existing drainage ditch. Mr. Atlee said the outfall

is to be determined by the engineer. Mr. Scruby added that when it comes to drainage, it is regulated by the water management district and requires that all of the natural water occurring on the property has to be retained on site. Commissioner Cella said his concern was the water currently being shipped underneath 17. Mr. Scruby said they could not negatively impact that they have to accommodate that water.

Commissioner Kristen Burke said there is a drainage problem in the area; she assumes the current study addresses that area. Commissioner Cella said yes, it covers the whole county. Commissioner Burke asked if there could be a left turn-only sign when leaving the daycare so they would not go through the neighborhood. Howard Wanamaker, County Manager, said engineering could work with the developer to determine the flow of traffic entering and exiting. When it comes to US 17 itself, we do not control that; it is FDOT. There are no plans for a traffic light there; we must live by FDOTs rules. Commissioner Burke said she was asking to add a left turn-only sign coming out of the daycare. County Manager Wanamaker said we could work with them to develop that in the flow.

Commissioner Alexandra Compere asked if FDOT addresses the lighting. There were concerns about it being dark. County Manager Wanamaker said for lighting, the developer could address that on their property for dropping off kids early and picking them up at night. Mr. Atlee added that they would be responsible for having appropriate lighting for the site within its borders but not for US 17. The civil engineers and/or the architect working together would design an appropriate lighting plan for the safety of the parking lot and the site, which is likely to include the playground. Mr. Atlee also clarified that the playground area would be fenced, and the children would be supervised in the building or with their parents. Mr. Brown said part of the development review process includes a lighting plan, study, and access.

Commissioner Kristen Burke said the advantage of this being next to the church is they only attend at certain times, so there would be no conflict. Also, there are other daycare facilities entering and exiting directly off US 17, and this at least has an exit off 17. Her children went to daycare, and she had never seen a parking lot full, and it had less parking. Commissioner Burke said that we are in need of this facility.

Charmin Betsy Condon said she was a 7:00 am to 6:00 pm daycare mom, and most drop-offs and pickups are in the dark, so she thinks the lighting would be considered and addressed at the DRC.

Chairman Betsy Condon asked for clarification with the zoning change requests, they cannot consider traffic in their decision. Mr. Brown said it was a compatibility issue. Chairman Condon said by statute they are only allowed to consider if it is compatible with other things in the area. Mr. Brown said, not in a rezoning. Chairman Condon said we could not consider it in rezoning, but the staff is allowed to consider traffic in the DRC. Mr. Brown answered yes. Chairman Condon said, so traffic will be further down the way.

Vice-Chairman James Renninger said it is important to say that we know stormwater is an issue in the county, and we are addressing that with a huge stormwater study.

Commissioner Mike Cella noted that the Fleming Island CAC and Planning Commission made a recommendation for approval.

Commissioner Mike Cella made a motion for approval, seconded by Vice-Chairman James Renninger, which carried 5-0.

Chairman Betsy Condon said she appreciated the citizens coming. Their concerns are noted tonight and will be addressed in the development review to address the traffic, lighting, and flooding.

31. 5:00 p.m. or as soon thereafter as can be heard - Final Public Hearing to consider CPA-2022-16 and PID-2022-10. (District 5, Comm. Burke) (D. Selig)

A. CPA-2022-16

This application is a Small-Scale Comprehensive Plan Amendment to the 2040 Future Land Use Map (FLUM). The application would change the Future Land Use (FLU) designation of a single parcel of land from Rural Residential to Industrial.

The Planning Commission voted 4-2 to recommend approval of the application.

B. PID-2022-10

This application is a Rezoning of a single parcel from AR (Agricultural Residential) to PID (Planned Industrial Development).

The Planning Commission voted 4-2 to recommend approval of the item conditioned upon the Applicant providing a revised list of the permitted uses in the Written Statement prior to the item being heard by the Board.

Dodie Selig, Senior Planner, presented a PowerPoint presentation to the Board regarding the final public hearing to consider CPA-2022-16 and PID-2022-10. CPA-2022-16 is a Small-Scale Comprehensive Plan Amendment to the 2040 Future Land Use Map (FLUM). The application would change the Future Land Use (FLU) designation of a single parcel of land from Rural Residential to Industrial. The Planning Commission voted 4-2 to recommend approval of the application. PID-2022-10 is rezoning a single parcel from AR (Agricultural Residential) to PID (Planned Industrial Development). The Planning Commission voted 4-2 to recommend approval of the item conditioned upon the applicant providing a revised list of the permitted uses in the written statement prior to the item being heard by the Board. See Attachment I. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - starting at 3:32:45 and ending at 3:39:41 with Mr. Selig noting that staff recommends denial of CPA-2022-06 and PID-2022-10.

Josh Cockrell, The StellaRea Group, representing the property owner. Mr. Cockrell gave the Board background for the property owner. The company has been around since 1983 and has been locally owned by a Clay County resident. It was located until 2005 in



Jacksonville; when Mr. Tyler purchased the company, he relocated it to Reynolds Park, where he has been leasing a facility. Right before COVID, there were fifteen employees; then COVID came around, there was inflation, rent went up across the county, and there was a tremendous shortage of warehouse facilities and spaces, and something we greatly need is industrial. The owner is considering closing or moving the business out of the county to somewhere there is available space. The owner is taking a chance to stay here. The area is a huge connection point to Blanding Boulevard. Mr. Cockrell said this is a proposal for an 8,000 square foot warehouse. Originally, they did want to pursue commercial, as mentioned thinking it was rational nexus considering there is commercial to the west and adjacent in higher and more intense usage. This development would consist of a storage warehouse for the manufacturing and assembling cabinet systems and cabinet accessories for pet aquariums. The aquariums/furniture has been sold to PetSmart, WayFair, Petco, etc. The cabinets would be stored in the facility and loaded onto delivery trucks that access the rear; originally, the access was on the front, but in working with staff to try and frame this to be aesthetically attractive, they put the trucks in the back with a turnaround, etc. The facility would employ roughly eight employees. Currently, he has three and would immediately create five new jobs, hoping to have twelve in the near future. They worked with staff in the buffering to have a fence around the property that has 80% opacity as well as a 30-foot on-center landscape buffer with understory trees. Approximately two trucks a week would come in around 5:00 and be there fifteen to thirty minutes, so there would be minimal traffic. Mr. Cockrell said they narrowed the uses down to particularly be cabinetry. Overall, it still is commercial use, but unfortunately, because of the in-fill criteria issue they are facing, he hopes the Commission would address the issue in the future to encourage industrial development, we can fix this, so it's not clumped in with urban sprawl that we see a lot of with commercialization and shopping centers. Mr. Cockrell asked for the support of the Commission.

Commissioner Kristen Burke asked if they had spoken to the resident next door. Mr. Cockrell said he had not, but they did not address him either.

Mr. Cockrell gave the Board a conceptual rendering of the development. See Attachment J.

Commissioner Kristen Burke asked how existing businesses got around the in-fill issue. Ms. Selig said it probably predates the policy, but she was unsure.

Vice-Chairman James Renninger said he thought there was a driveway on this property to one of the other parcels. Mr. Cockrell said the survey does not provide or indicate any easement or access to the rear parcel from their parcel, so there is no concern to them. However, Mr. Tyler has spoken with the residents that live next door, they put a shed on the easement that should have been there, so they were driving around it onto their parcel, so when Mr. Tyler addressed that with them, they immediately moved the shed and moved the easement back where it belongs off their property. Vice-Chairman Renninger said there is commercial that is right there, and he feels like they are caught in a policy that will hurt business in Clay County. The other concern with the school was the noise emanating, but you have a concrete and auto shop that generates noise, and you will not have a lot of noise from this business. Mr. Cockrell answered no, not at all.

Commissioner Kristen Burke referred to the rendering of the facility and asked how the

semi would get in and out. Mr. Cockrell said when looking at the site plan provided, the truck would come off SR 16 and pull to the back, and there is enough room there for the truck to make a complete turnaround.

Commissioner Mike Cella asked what the hours of operation would be for the business. Steve Tyler, Owner, said Monday through Thursday, 8:00 am to 5:00 pm, and Friday, 8:00 am to 11:00 am.

Commissioner Alexandra Compere said when she spoke to Mr. Cockrell last week, they discussed how antiquated all this is at this point. The policy that has been referred to and how to resolve the issue so that we are not driving away business. Chairman Betsy Condon said, hopefully, we are revising the LDC.

Following the discussion regarding the policy, commercial, and residential property, Chairman Betsy Condon opened the floor for the public hearing at 8:03 pm.

Michael Pont, 3940 Everington Road, Green Cove Springs, Florida, addressed the Board with concerns about the size of the facility. Mr. Pont asked if the changes in the uses for the property carry with it if it is sold; PID allows - select industrial, light, and heavy industrial, so they could do anything they wanted to with the property if it does not carry forward.

Hearing no other comments, Chairman Betsy Condon closed the public hearing at 8:06 pm.

Chairman Betsy Condon asked if this was approved, to answer Mr. Pont's question, would they be limited to what is listed in the PID no matter who the owner is. Ms. Selig answered yes, it stays with the land, and those lists of uses in the revised written description are the uses that are allowed.

Courtney Grimm, County Attorney, commented that there would need to be a separate vote for each item, land use, and rezoning.

Commissioner Kristen Burke made a motion for approval of the land use change, seconded by Commissioner Alexandra Compere, which carried 5-0.

Commissioner Kristen Burke made a motion for approval of the rezoning, seconded by Vice-Chairman James Renninger, which carried 5-0.

32. 5:00 p.m. or as soon thereafter as can be heard - First Public Hearing to consider Transmittal of CPA-2022-17. (District 1, Comm. Cella) The Planning Commission voted 5-2 to recommend approval of this item.(D. Selig)

This application is a Large-Scale Comprehensive Plan Amendment to the 2040 Future Land Use Map (FLUM). The application would change the Future Land Use (FLU) designation of two parcels of land from Commercial (COM) and Urban Core 10 (UC-10) to Urban Core 16 (UC-16).

Dodie Selig, Senior Planner, presented a PowerPoint presentation to the Board regarding the first public hearing to consider the transmittal of CPA-2022-17. It is a large-scale Comprehensive Plan Amendment to the 2040 Future Land Use Map (FLUM). The application would change the Future Land Use (FLU) designation of two parcels of land from Commercial (COM) and Urban Core 10 (UC-10) to Urban Core 16 (UC-16.) Ms. Selig said this is the transmittal hearing. For those unfamiliar with the process, a large-scale future land use change comes to the Board twice, and this is the first of those two hearings. See Attachment K. The presentation can be seen at [www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC](http://www.claycountygov.com/government/claycounty-tv-and-video-archive-BCC) Agenda - starting at 4:07:52 and ending at 4:12:13 with Ms. Selig taking questions from the Board.

Chairman Betsy Condon asked if this had come before the Board as an RV and Boat storage. Commissioner Mike Cella said yes. Ms. Selig said she understands there was some history where the frontage was cleared, and there were plans to be RV and boat storage. Chairman Condon said yes, he had to give up his BB zoning.

Commissioner Mike Cella said here is a situation where we have commercial zoning on both sides of Blanding, and now, we are going to throw off the commercial and put multi-family residential. He has concerns over the water on this property. It flooded back during Irma, and haven't we learned anything about putting anything in a floodway. When hearing this, all I pictured was those people in Kissimmee and Orlando in their apartment buildings that got flooded because stormwater ponds overflowed and were up to their waist as they made their way out of the apartments.

Commissioner Kristen Burke asked if this is considered compatible. Ms. Selig pointed to the map and said where you see dark brown, it is UC-10, and we are talking about land use, not the ultimate end use.

Chairman Betsy Condon asked if there was any UC-16 around there. Ms. Selig said not yet, but they would receive an application next month.

Hunter Nemo, Urban Planner with KPM Franklin, said he is happy to answer any questions from the Commission.

Commissioner Kristen Burke left the meeting at 8:08 and returned at 8:11 pm.

Commissioner Mike Cella noted that his main concern is how the water would be disposed of so that it does not roll backward and impact the neighborhoods behind you. Mr. Nemo said two important things to consider: an existing and approved SJRWM permit on this site, and the applicant does not intend to modify that permit. Furthermore, under that permit per Florida law, the applicant is required to retain water on site and release it at the rate of existing conditions. Also, per any FEMA permits and the FEMA flood zones, they are required to have the development one foot above the flood plain.

Following the discussion regarding the concern of flooding, Chairman Besty Condon opened the floor for the public hearing at 8:22 pm.

Jamie Clay, 2838 Tanglewood Boulevard, addressed the Board regarding her concern

with flooding. She has lived there and has seen it flood numerous times. Ms. Clay stated that she has the original permit that was applied for in 2019, and there is a proposal to extend a pipe underneath Blanding Boulevard. There is construction involved in that, and it will tear up Blanding again. There is also an area by the drainage ditch owned by the county and improperly maintained. Ms. Clay is opposed to the development.

Jeff Willson, 1227 Abilene Trail, Orange Park, Florida, said he believes the other people that wanted to speak left because of the statement made about traffic. Mr. Willson said he has the same concerns as Ms. Clay regarding the drainage and flooding. The other issue is regarding item 25, which was continued, and it is 190 units where the children will be bused to other schools; we need to keep our kids in our community. Mr. Wilson is opposed to the development.

Sharon Bremer Daniel, 2767 Cactus Drive, Orange Park, Florida, addressed the Board with drainage, flooding, and traffic concerns. Ms. Daniel said at the Planning Commission meeting; they understood that there is no space available in schools in the area. Therefore, Ms. Daniel is opposed to the development.

Donna Sinacore, 1271 Independence Drive, Orange Park, Florida, said her house backs up directly with the tree line separated by a canal and has concerns with traffic and no sidewalks on Independence Drive being a danger, and she has concerns regarding drainage. Ms. Sinacore asked if they have to mitigate the wetlands, would there be another hearing for that issue, and what is happening with the abandoned gas station. Ms. Sinacore is opposed to the development.

Norma Coronel, 1273 Independence Drive, Orange Park, Florida, has concerns regarding the effect this would have on the schools. She also has concerns regarding safety in the community. Ms. Coronel is in opposition of the development.

Tonya Mills, 1271 Independence Drive, Orange Park, Florida, has concerns regarding drainage and flooding in the area. Ms. Mills also has concerns regarding traffic and the safety of kids walking to school. Ms. Mills is opposed to the development.

Hearing no other comments, Chairman Betsy Condon closed the public hearing at 8:45 pm.

Commissioner Mike Cella asked for clarification regarding density. He heard at the Planning meeting that it would be up to 13 or 14 and how does the UC-10 fall into that. Ms. Selig said it is being proposed to go to UC-16 land; they are coming in underneath that and at 13. Commissioner Cella asked for ideas regarding the marketing of this property. Is this a market rate. Mr. Nemo said yes. Commissioner Cella asked for an explanation regarding ownership. Suncoast is the owner, and Hillpointe LLC is the agent. How does that relationship work. Mr. Nemo said Hillpointe is the multi-family developer; they will buy, build, and manage the complex. Commissioner Cella said he read that Hillpointe is in the process of raising almost \$4M for workforce housing, is that what will be put in this area. Mr. Nemo said that was correct. Commissioner Cella said so you basically hid that from the Commission by not being honest in the application. Nick Everly, Hillpointe LLC, disagreed with the statement respectfully and said they are market rate, and you could look at any of their other developments posted online. For instance, for the Daytona development that recently opened in the last six months, the

current rate is around \$1,700.00 a month and is not subsidized in any way, shape, or form. They do pride themselves on providing workforce housing for the young professional single person, which is not affordable housing. Commissioner Cella said he would take it back, workforce housing which, according to their website, is .60¢ to \$1.20 a square foot, and that is what you consider the market rate. Mr. Everly answered that is correct.

Following the continued discussion regarding concerns with the development, quality of life, and the possibility of flooding, Vice-Chairman James Renninger asked for clarification regarding the area being filled in as it is a known flood area and wetlands are designed to mitigate that problem, and yet it was allowed to be filled in.

Chairman Betsy Condon said in a discussion of another item a number of weeks ago at a meeting that was continued, talking about the commercial aspect, that applicant is working on trying to put commercial along Blanding to keep with the compatibility. We cannot use traffic, but we can use compatibility. That means, looking at the map, you see all the red, and then we will put the brown right in the middle. That is not the intent of that; we just changed an item to make it more friendly for commercial. Chairman Condon said I am not sure we want to give commercial property in favor of residential when other areas are available. We do have a need for multi-family housing but are worried about the compatibility issue as far as it being right along the main commercial corridor in the county.

Following the discussion regarding the compatibility, flooding, and maintenance of any county-maintained properties, Commissioner Mike Cella made a motion for denial to change the future land use map, seconded by Commissioner Alexandra Compere, which carried 4-1, with Vice-Chairman James Renninger in support.

## **LETTERS OF DOCUMENTATION**

### 33. Bid Opening Tabulations

Bid Opening Tabulation for December 2, 2022:

A. Bid No. 22/23-10, Clay County Fairgrounds Utility Improvements

Bid Opening Tabulation for December 6, 2022:

A. Bid No. 22/23-15, Frontload Container Service for Multiple County Facilities

Chairman Betsy Condon acknowledged the Letters of Documentation.

## **PUBLIC COMMENTS**

Chairman Betsy Condon opened the floor for public comment at 10:16 pm.

Hearing no comments, Chairman Besty Condon closed the public comment at 10:17

pm.

## **COMMISSIONERS' COMMENTS**

Commissioner Kristen Burke wished everyone a Merry Christmas and a Happy New Year. Commissioner Burke said she is excited about the new year and more excited about what they have accomplished. Thank you all and enjoy time with your family.

Vice-Chairman James Renninger noted that he had attended the crisis intervention mapping with Fire Watch and is looking for the outshop brief. It's the intersections where veterans run into problems and get frustrated, such as family problems, transportation, money, housing, etc., and one of the outcomes was that transportation and housing are a problem for veterans. It causes emotional stress on top of PTSD. It was funded by Fire Watch. Vice-Chairman Renninger said he wanted to promote the transit study. County-wide they are looking at the JTAs footprint in Clay County and whether it is the proper footprint, whether it needs to be expanded or retracted, and what the future holds for Clay County in the realm of public transportation. Vice-Chairman Renninger said that the Gateway to Clay was discussed tonight, and ULI is doing that study, and we're moving that football down the field, and Smart North Florida is moving down the field. He wanted to compliment Sheriff Cook; we have had numerous calls over the last two or three weeks regarding panhandling all over the county, and there was a lot of communication and work with County Manager and Sheriff Cook. A new process has been implemented with the lighted signs with the quip that says, "Don't throw your money out the window." He has seen zero panhandlers since those signs went up on Blanding Boulevard, Wells Road, and US 17. Vice-Chairman Renninger wished everyone a Merry Christmas and a Happy New Year.

Commissioner Alexandra Compere started by saying thank you. The last couple of weeks have been particularly challenging for her, but she has had tremendous support. She especially thanked Troy Nagle; he has answered all her questions, and she appreciates the patience and the staff in general. They all have been amazing, it has been a long two weeks, but she has enjoyed it. Commissioner Compere said she is excited and grateful; Merry Christmas, Happy New Year, and enjoy your family and loved ones. There is no better time than now to be appreciating them. Today marks the third anniversary of her grandfather going home to be with the Lord, and it is hard today, and Christmas is hard for her family because it is emotional, but for those of us on this side of eternity, she prays you are enjoying your family and friends because you just never know.

Commissioner Mike Cella thanked all the staff. All year they rise to the occasion and get them to where they need to be, they certainly could not do it without them, and they all do a great job. Commissioner Cella thanked the deputies that provided security at the meeting and said they are appreciated for what they do. Merry Christmas and Happy New Year.

Chairman Betsy Condon said there is a great irony that the meeting started with a conversation about not adding time to the meeting, and it has been a long meeting. The

staff puts in a tremendous amount of time to get us ready to have these meetings every month, and because of how the calendar falls, they would have to work through the holidays, so that is why BCC does not meet a second time in December and therefore tonight's agenda was unusually long. Chairman Condon expressed her sentiments that she is so appreciative of staff all year long and all those that work so hard to answer the Commission's questions. She then congratulated Judge Collins on his retirement. He has more than 20 years of service to the county and is appreciated. Merry Christmas, Happy New Year, and be safe

Hearing no further business, Chairman Betsy Condon adjourned the meeting at 10:25 pm.

Attest:

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Tara S. Green  
Clay County Clerk of Court and Comptroller  
Ex Officio Clerk of the Board

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Chairman or Vice-Chairman

## Acronym Definitions

AR – Agricultural/Residential  
ARPA – American Rescue Plan Act  
BB- Intermediate Business District  
BCC – Board of County Commissioners  
BTP – Bonded Transportation Program  
CAC – Citizens Advisory Committee  
CAPER – Consolidated Annual Performance and Evaluation Report  
CCFR – Clay County Fire Rescue  
CCSO – Clay County Sheriff's Office  
CCUA – Clay County Utility Authority  
CMAR – Construction Management at Risk  
COM – Commercial  
CPA – Comprehensive Plan Amendment  
CR – County Road  
DRC – Development Review Committee  
DRI – Development of Regional Impact  
FDOT – Florida Department of Transportation  
FDOT – Florida Department of Transportation  
FLUM – Future Land Use Map  
GMP – Guarantee Maximum Price  
HUD – Housing and Urban Development  
LDC – Land Development Code  
MFCAA – North Florida Community Action Agency  
NEFBA – Northeast Florida Builders Association  
NFTPO – North Florida Transportation Planning Organization  
OMB – Office of Management and Budget  
PFC – Private First Class  
PID – Planned Industrial Development  
PS-1 – Private Services  
PTSD – Post Trauma Stress Disorder  
PUD – Planned Unit Development  
REZ – Rezone  
ROW – Right-of-Way  
SJRWMD – St. Johns River Water Management Division  
SWEAT – Sheriff's Work Ethics and Training  
TAPS – Technical Assistance Panels Services  
UC-10 – Urban Core  
VAB – Value Adjustment Board