

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 24, 2003
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and held in the Auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chair
Karen Stern, District 2, Vice Chair
Nicholas Meiszer, District 1
Bruce Maguire, District 4
Ben W. Adams, Jr., County Administrator
Laura Barrow, Assistant County Attorney
Robin Platt, Deputy Clerk

Cheryl Strickland, Clerk of Courts, and Allen Mac Donald, Finance Director, was also in attendance.

(06/24/03 - 1 - 9:06 a.m.)

Chairman Bryant called the meeting to order.

(06/24/03 - 1 - 9:06 a.m.)

Stern gave the Invocation, and Maguire led the Pledge of Allegiance.

(06/24/03 - 1 - 9:07 a.m.)

ROLL CALL

Bryant stated that all Commissioners were present, with the exception of Jacalone.

(06/24/03 - 1 - 9:07 a.m.)

PUBLIC COMMENT

Daniel McDonald, 24501 Deer Trace Dr., Ponte Vedra Beach, presented an article published in the Ponte Vedra Shoreline, Exhibit A, regarding parking tickets that were issued by the Sheriff's Department at Mickler's Landing. (9:11 a.m.) Sheriff Neil Perry stated that he would look into the matter. Discussion followed relating to the specified parking areas.

(06/24/03 - 1 - 9:12 a.m.)

DELETIONS TO CONSENT AGENDA

Barrow requested that Item 9 be pulled.

(06/24/03 - 1 - 9:13 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Stern, seconded by Maguire, carried 4/0 with Jacalone absent, to approve the Consent Agenda, as amended.

1. Approval of the Cash Requirement Report

2. Motion to award the non-exclusive Franchises for Construction and Demolition debris
3. Motion to allow the County Administrator, or his designee, to enter into a contract with Oglesby Construction, Inc. under Bid No. 03-81, not to exceed the budgeted amount of \$119,000 for road striping and marking services (*See Attachment A*)
4. Motion to allow the County Administrator, or his designee, to surplus GPS Equipment, a Trimble 4800 Total Station, SJC #6401, Serial Number 0220113396, and donate to Brevard County Surveying and Mapping
5. Motion to authorize the County Administrator, or his designee, to negotiate and enter into a contract with B. A. Wilson Construction, Inc. for the lump sum amount of \$94,064 plus Bid Item #6 of \$1,800, plus Bid Item #26 of \$2,600 for a Total Contract Amount of \$98,464 for the Main Library Re-Roofing (*See Attachment B*)
6. Motion to authorize the County Administrator, or his designee, to negotiate and enter into a contract with C.C. Borden Construction, Inc. for the lump sum amount of \$1,204,613 for construction of the St. Augustine Amphitheatre Stage Building (*See Attachment C*)
7. Motion to adopt **Resolution No. 2003-117**, approving a Final Plat for Clock Tower Corner

RESOLUTION NO. 2003 -117

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR CLOCK TOWER CORNER

8. Motion to adopt **Resolution No. 2003-118**, approving a Final Plat for Ponte Vedra Shores West - Lot 15 Replat

RESOLUTION NO. 2003 -118

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR PONTE VEDRA SHOES WEST - LOT 15 REPLAT

9. Motion to adopt a Resolution approving a Final Plat for Oak Harbour

This item was pulled from the Consent Agenda.

10. Motion to adopt **Resolution No. 2003-119**, recognizing unanticipated revenue in the amount of \$36,000 and increasing the expenditure budget of the Utility Fund by the same amount

RESOLUTION NO. 2003-119

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2003 UTILITY FUND

ST. JOHNS COUNTY BID TABULATION



BID TITLE

ROAD STRIPING AND MARKING SERVICES

OPENED BY

CHERYL ALBERTSON

BID NUMBER

BID NO. 03-81

**TABULATED BY
VERIFIED BY**

LEIGH DANIELS

OPENING DATE/TIME

June 4, 2003 3:00 P.M.

POSTING TIME/DATE

06/04/2003 4:00 PM

**UNTIL
06/09/2003 4:00 PM**

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

PAGE (S) 1

OF 1 PAGE (S)

BIDDERS	TOTAL BID PRICE	BID BOND	ADDENDUM # 1			
OGLESBY CONSTRUCTION	\$100,447.00	X	X	↑		
FAUSNIGHT STRIPE & LINE, INC	\$103,601.70	X	X			
TRAFFIC SERVICES, INC.	\$130,819.54	X	X			

BID AWARD DATE - _____

6/24/2003- Attachment "A" - Consent #3

ST. JOHNS COUNTY BID TABULATION



BID TITLE MAIN LIBRARY ROOF PROJECT
BID NUMBER FOR ST. JOHNS CO. FACILITY MAINTENANCE DEPARTMENT
BID NO. 03-80
OPENING DATE/TIME May 14, 2003 3:00 P.M.
POSTING TIME/DATE FROM 05/14/2003 4:00 PM UNTIL 05/19/2003 4:00 PM

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OR INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

OPENED BY CHERYL ALBERTSON
TABULATED BY LEIGH DANIELS
VERIFIED BY *[Signature]*

PAGE(S) 1 **OF** 1 **PAGE(S)**

BIDDERS	BASE BID PRICE	BID ITEM # 5 PRICE PER SF	BID ITEM # 7 PRICE	BID ITEM # 25 PRICE PER LF	BID ITEM # 26 PRICE	BID BOND	ADDEN # 1	ADDEN # 2
REGISTER CONTRACTING COMPANY, INC.	\$194,000.00	\$6.00	\$25.00 SF	\$5.00	\$12,000.00	X	X	X
B A WILSON CONSTRUCTION, INC.	\$94,064.00	\$2.00	\$1,800.00	\$5.50	\$2,600.00	X	X	X
WILFORD ROOFING COMPANY, INC.	\$146,500.00	\$2.00	NO BID	\$28.00	\$52,000.00	X	X	X
ROOFING BY TIM FORD	\$189,550.00	\$4.50	\$3,395.00	\$10.50	\$4,895.00	X	NO	NO

BID AWARD DATE - _____

6/24/03 - Attached "B" - Consent #5



ST. JOHNS COUNTY BID TABULATION

BID TITLE

CONSTRUCTION OF ST. AUGUSTINE AMPHITHEATRE

OPENED BY

TRACY ROSS

BID PACKAGE #1-STAGE BUILDING

TABULATED BY

CHERYL ALBERTSON

BID NUMBER

BID NO. 03-88

VERIFIED BY

OPENING DATE/TIME

June 11, 2003 3:00 P.M.

POSTING TIME/DATE

06/11/2003 4:00 PM

PAGE(S)

1 PAGE(S)

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

BIDDERS	TOTAL LUMP SUM PRICE	ADD ALTERNATE #1 - THEATRE LIGHTING	ADD ALTERNATE #2 - THEATRE SOUND	ADD ALTERNATE #3 - THEATRE WIRE TENSION GRID	ADD ALTERNATE #4 - THEATRE MASKING PANELS	ADD ALTERNATE #5 - EXTERIOR GREENSCREEN PANELS	ADD ALTERNATE #6 - BI-FOLD PARTITIONS	ADD ALTERNATE #7 - SANITARY SEWER & LIFT STAT.	BID BOND	ADDEN # 1	ADDEN # 2
BA WILSON CONSTRUCTION, INC.	\$1,725,000.00	\$74,700.00	\$51,700.00	\$93,800.00	\$21,800.00	\$31,700.00	\$8,200.00	\$28,700.00	Y	N	N
THOMAS MAY CONSTRUCTION CO.	\$1,448,000.00	\$186,000.00	\$281,000.00	\$108,000.00	\$24,000.00	\$18,800.00	\$6,600.00	\$66,000.00	Y	Y	Y
ABBA CONSTRUCTION	\$1,435,000.00	\$203,000.00	\$341,000.00	\$96,000.00	\$22,000.00	\$25,000.00	\$10,000.00	\$75,000.00	Y	Y	Y
DOOLEY & MACK CONSTRUCTORS, INC.	\$1,585,000.00	\$182,347.00	\$296,264.00	\$86,053.00	\$19,334.00	\$22,510.00	\$6,620.00	\$87,100.00	Y	Y	Y
RW CONTRACTORS, INC.	\$1,276,405.00	\$179,772.00	\$272,344.00	\$84,858.00	\$19,066.00	\$17,215.00	\$8,646.00	\$94,255.00	Y	Y	Y
C.C. BORDEN CONSTRUCTION, INC.	\$1,204,613.00	\$196,360.00	\$295,000.00	\$85,655.00	\$19,245.00	\$22,060.00	\$6,590.00	\$65,940.00	Y	Y	Y
PRICE CONTRACTING INC.	\$1,364,610.00	\$168,840.00	\$284,650.00	\$98,717.00	\$21,774.00	\$68,800.00	\$6,130.00	\$59,905.00	Y	Y	Y

BID AWARD DATE -

6/24/03 - Attachment "C" - Consent # 6
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ST. JOHNS COUNTY BID TABULATION

BID TITLE
CONSTRUCTION OF ST. AUGUSTINE AMPHITHEATRE

BID PACKAGE #1-STAGE BUILDING

BID NUMBER
BID NO. 03-88

OPENING DATE/TIME
June 11, 2003 3:00 P.M.

POSTING TIME/DATE
06/11/2003 4:00 PM

FROM UNTIL

06/16/2003 4:00 PM

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

OPENED BY
TRACY ROSS *TR*

TABULATED BY
CHERYL ALBERTSON *Ch*

VERIFIED BY

PAGE (S) 1 OF 1 PAGE (S)

BIDDERS	TOAL LUMP SUM PRICE	ADD ALTERNATE #1 - THEATRE LIGHTING	ADD ALTERNATE #2 - THEATRE SOUND	ADD ALTERNATE #3 - THEATRE WIRE TENSION GRID	ADD ALTERNATE #4 - THEATRE MASKING PANELS	ADD ALTERNATE #5 - EXTERIOR GREENSCREEN PANELS	ADD ALTERNATE #6 - BI-FOLD PARTITIONS	ADD ALTERNATE #7 - SANITARY SEWER & LIFT STAT.	BID BOND	ADDR # 1	ADDR # 2
H.E. HENNIGH, INC.	\$1,318,666.00	\$207,753.00	\$319,354.00	\$100,393.00	\$25,974.00	\$30,826.00	\$11,973.00	\$159,690.00	Y	Y	Y
GENERAL MECHANICAL CORP.	\$1,382,000.00	\$139,000.00	\$269,000.00	\$85,000.00	\$16,900.00	\$19,900.00	\$6,650.00	\$76,600.00	Y	Y	Y
TRIMAR CONSTRUCTION, INC.	\$1,530,000.00	\$205,000.00	\$335,000.00	\$88,500.00	\$19,900.00	\$19,000.00	\$9,000.00	\$98,300.00	Y	Y	Y

BID AWARD DATE - _____

6/24/03 - Attachment C - Consent
Page 2 of 2

**BUDGET TO RECEIVE UNANTICIPATED REVENUE
AND AUTHORIZE ITS EXPENDITURE BY THE ST.
JOHNS COUNTY UTILITY DEPARTMENT**

11. Motion to adopt **Resolution No. 2003-120**, recognizing unanticipated revenue in the amount of \$25,000, and increasing the expenditure budget of the Utility Fund by the same amount

RESOLUTION NO. 2003-120

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AMENDING THE FISCAL YEAR 2003 UTILITY FUND
BUDGET TO RECEIVE UNANTICIPATED REVENUE
AND AUTHORIZE ITS EXPENDITURE BY THE ST.
JOHNS COUNTY UTILITY DEPARTMENT**

12. Motion to approve applications and authorize the County Administrator to execute a Non-Exclusive Solid Waste Collection and Transportation Franchise for the Unincorporated Area of St. Johns County for the following approved companies: Advanced Disposal, BFI, Construction Debris, Florida Recycling Service, Onyx Waste Services, Seaboard Waste Systems, Waste Management, and Waste Pro

(06/24/03 - 3 - 9:13 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams added as 1A, an item addressing the clubhouse roof at the County Golf Course.

(06/24/03 - 3 - 9:14 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Stern, seconded by Maguire, carried 4/0 with Jacalone absent, to approve the Regular Agenda, as amended.

(06/24/03 - 3 - 9:14 a.m.)

1. **RECOGNITION OF THE SHERIFF'S OFFICE MEDAL OF HONOR RECIPIENT**

Maguire introduced the item, and Sheriff Neil Perry outlined the details of the incident that qualified Deputy Kerry Tanner for the Medal of Honor. Maguire read the Certificate of Distinction for the record. Tanner stated that it was a team effort and he thanked the team.

(06/24/03 - 3 - 9:22 a.m.)

- 1A. **REQUEST FOR A BUDGET TRANSFER FOR THE CLUBHOUSE ROOF AT THE COUNTY GOLF COURSE**

Dan Weimer, Parks and Recreation Department Director, addressed the issues with the roof and the funding needed (\$25,000) to cover the roof repairs. Adams stated that they would make a determination regarding how to repay the General Fund Reserves with the Enterprise Fund at a later date. Discussion followed regarding the age and life expectancy of the roof. Bryant left the meeting. (9:24 a.m.) **Motion by Meiszer, seconded by Maguire, carried 3/0, with Bryant and Jacalone absent, to authorize the reproofing of the Golf Course Clubhouse for an amount not to exceed \$25,000 from the General Fund Reserve to the Golf Course Administration Fund.**

(06/24/03 - 4 - 9:25 a.m.)

2. CONSIDER A REQUEST TO WAIVE FILING FEES FOR TWO SPECIAL USE PERMITS FOR MOBILE HOMES ON LOTS LOCATED ON MADEORE STREET

Rosemary Yeoman, Zoning Director, presented the details of the requested waivers for filing fees, totaling \$400, for two mobile homes that were placed on the wrong lots. (9:26 a.m.) Meiszer questioned if the permit was issued for the correct address and who made the error of placing the mobile homes on the incorrect lots. Yeoman responded that the permits were issued correctly and that she could not assign blame for the placement error. (9:27 a.m.) Bosanko joined the meeting and Bryant returned to the meeting. (9:28 a.m.) Bosanko explained that the Building Department is the one who issued the move on permits, but they do not do a title search, nor a survey, to make sure that homes are built or placed on the proper lots, that is the responsibility of the applicant. Yeoman stated that permits are issued based on the legal description supplied by the applicant. Maguire addressed real estate and title problems, stating that mistakes are made all of the time. (9:33 a.m.) **Motion by Maguire, seconded by Stern, carried 4/0 with Jacalone absent, to approve the waiver of the filing fee for two Special Use Permits, finding the request in compliance with Resolution 2002-203, that it is in the best interest of the County and will serve a public purpose.**

(9:33 a.m.) Cheryl Montana, 33 S. Leonardi St., representing the applicant, explained that the realtor placed the sign on the wrong property and that is how the error occurred. Bosanko left the meeting.

(06/24/03 - 4 - 9:34 a.m.)

3. CONSIDER A MOTION TO DIRECT STAFF TO PREPARE AN AGENDA ITEM FOR BCC CONSIDERATION THAT WILL AUTHORIZE STAFF TO TAKE ALL NECESSARY STEPS TO ISSUE TRANSPORTATION IMPROVEMENT REVENUE BONDS IN THE APPROXIMATE AMOUNT OF \$30 MILLION

Joe Stephenson, Public Works Director, explained the details of the Bond Funding for Transportation Plan, via overhead display. He stated that the bonds would be guaranteed by the County's share of motor fuel tax revenues, and explained that the bond revenue would have to be spent just as if it were fuel tax revenue, and that the same rules and restrictions would apply. He also pointed out that the bond proceeds must be spent within three years, or there could be penalties. He addressed costs including: interest, issuance expenses, staffing and consulting fees, and the list of projects stating that all of the projects could not be done within the three year allowed time span. Discussion followed regarding the project priority list, and which projects would be eligible for the bond funding. He stated that the list is larger than the bond as there is no way possible to complete all of the projects on the list in three years, and that any defined phase of a project could be done if an entire project could not be completed in the three years. He asked for direction from the Board as to how to proceed.

(9:50 a.m.) Stern questioned that if the Board directed Staff to proceed with the bonds, would they have to address the list now, or could it be done at a later workshop.

(9:51 a.m.) Joe Vonasek, Director of Management and Budget, responded that as long as the projects are on the list, the priority would become an operational issue, which could be addressed at a later date.

(9:52 a.m.) Meiszer asked for an estimate of the cost of issuing the debt.

(9:52 a.m.) David Miller, Public Financial Management, stated that the costs of issuance on a \$30 million bond are about \$625,000, and interest costs would be about 4.5%.

(9:54 a.m.) Maguire commented that he sees this as a very good financial tool, and he requested to see a financial analysis of increasing the gas tax, as opposed to doing another bond issue.

(9:58 a.m.) **Motion by Stern, seconded by Maguire, to direct Staff to prepare an agenda item for BCC consideration that will authorize Staff to take all necessary steps to issue Transportation Improvement Revenue Bonds in the approximate amount of \$30 million.** Discussion followed regarding whether a second bond issuance would be financially feasible.

(10:02 a.m.) Bryant asked Vonasek for a breakdown of each gas tax and the optional gas tax and the revenue stream for each one, and the debt service ratios to the gas tax revenues.

(10:04 a.m.) **Stern amended the motion to direct Staff to take all the necessary steps to issue Transportation Improvement Revenue Bonds in the approximate amount of \$30 million.** She further addressed the priority list.

(10:06 a.m.) Tom Manuel, 505 Becker Branch Rd., spoke in support of the bond issue and suggested the amount of the bonds be raised from \$30 million to \$40 million. He also addressed current and projected interest rates and property values. Discussion followed.

(10:11 a.m.) **Maguire accepted the change to the motion, and it carried 4/0, with Jacalone absent.**

(06/24/03 - 5 - 10:11 a.m.)

4. CONSIDER A MOTION APPROVING THE SIZE AND APPEARANCE OF GUIDE SIGNS FOR LOCAL VETERANS OF FOREIGN WARS (VFW) AND AMERICAN LEGION LOCATIONS AND SPECIFYING AT WHICH COUNTY ROAD LOCATIONS THE SIGNS ARE TO BE POSTED AND AT WHICH STATE ROAD LOCATIONS THE SIGNS ARE TO BE REQUESTED

Joe Stephenson, Public Works Director, explained the need for, and location and details of, the signage. He further explained the location of the VFW and American Legion Posts and outlined the options for approval by the Board. He stated that even if the Commission asked for permission from FDOT to place the signs in the State right-of-way it still might not be granted. (10:18 a.m.) Maguire stated that he requested that this item be brought up and that it stems from the fact that there are so many veterans in the county, some of who may not be aware of where the Posts are located. (10:19 a.m.) Meiszer questioned why the signs are needed and why Stephenson referred to the signs as traffic signs when they are informational signs. (10:21 a.m.) Stephenson explained that the signs are classified, per the Manual on Uniform Traffic Control Devices, as guide signs, for the specific purpose of guiding traffic to destinations. Discussion followed regarding the volume of use of the Posts.

(10:24 a.m.) Mark Dorsey, 5 Arbor Club Dr., Ponte Vedra Beach, Commander of American Legion Post #233, requested that the Board strongly consider approving the signs, as there are a lot of visitors who would like to visit the Posts, if they could find where they are located. He also stated that there are Service Officers at the Posts who assist the veterans with all types of services.

(10:27 a.m.) Tom Crawford, 54 Miruela Ave., stated that he belongs to the Post in West Augustine, and that the Service Officers offer a very good benefit to residents and visitors to the area who are not familiar with where to go for services.

(10:28 a.m.) Rick Tallman, 5101 Medoras Ave., thanked Commissioner Maguire and Joe Stephenson for their efforts in preparing this agenda item. He stated that signs have a welcoming effect and show hospitality. He informed the Board that Veteran's Service Organizations are chartered by Congress, and each one has a Service Officer. He addressed the number of residents in the county (between 25,000 in the winter months and 18,000 in the summer months). He stated that Veteran's Service Organizations do a lot of community work and are not just for veterans.

(10:31 a.m.) Motion by Maguire, seconded by Stern, carried 4/0, with Jacalone absent, to approve the signs and locations as presented by Joe Stephenson, and direct him to work with FDOT to see if the signs could be placed on the State rights-of-way.

The meeting recessed at 10:31 a.m. and reconvened at 10:47 a.m. with Bosanko in attendance.

(06/24/03 - 6 - 10:47 a.m.)

5. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING A FINAL PLAT FOR WALDEN CHASE PHASE I-UNIT THREE. THE ROAD AND ASSOCIATED DRAINAGE WILL BE DEDICATED TO ST. JOHNS COUNTY

Dan Bosanko, County Attorney, stated that he was made aware of a problem with this plat and illustrated it on the plat map, Exhibit A, and he suggested that this item be rescheduled for a later date so that the legalities could be worked out. (10:52 a.m.) Kathy Nielsen, Applications Review Coordinator, stated that this item could be handled next week, if the Board wished. (10:53 a.m.) Meiszer stated that some of the residents of the development have contacted him and stated that the area in question was indicated as common area to them when they bought their lots, and they object to its being subdivided into two lots.

(10:53 a.m.) Johns Metcalfe, 200 W. Forsythe St., Jacksonville, representing Walden Chase Developers, Ltd., stated that the Final Development Plan shows the two lots. The two lots are within an area that was previously plated, and shown as lake parcel. He stated that the reason for the change is due to an isolated wetland and a problem with the Corp. He commented that he could remove the two lots from the plat today and proceed as the surveyor was in attendance and could make the necessary corrections. (10:56 a.m.) Bosanko explained that the Resolution and the mylars would all have to be redone, and then Staff would have to reexamine the documents. It was his recommendation to reschedule so that no errors were made. (10:57 a.m.) Bryant stated that the item would be rescheduled for next week. Metcalfe pointed out that the roads would be dedicated to the County. Bosanko left the meeting.

(06/24/03 - 6 - 10:58 a.m.)

6. CONSIDER AN APPOINTMENT TO THE HOUSING FINANCE AUTHORITY

Patsy Heiss, Assistant to the Administrator, presented the details of this item.

Motion by Stern, seconded by Bryant, carried 4/0 with Jacalone absent, to waive the 30-day advertising policy for filling the vacancy on the Housing Finance Authority.

Motion by Stern, seconded by Bryant, carried 4/0 with Jacalone absent, to appoint Wayne Flowers to the resident position on the Housing Finance Authority, to complete a term scheduled to expire March 10, 2005.

(06/24/03 - 7 - 10:59 a.m.)

7. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD

Patsy Heiss, Assistant to the Administrator, presented the details of this item. Maguire requested to pull the District 4 seat and not fill it today to allow for more advertising time. Meiszer stated that he discussed this item with Dan Weimer and he feels that it would be good to have a young person on the Recreational Advisory Board to provide some new blood and a new point of view.

Motion by Meiszer, seconded by Stern, carried 4/0 with Jacalone absent, to nominate Mark Miner to the at large position.

Motion by Stern, seconded by Meiszer, carried 4/0 with Jacalone absent, to appoint Michael Dillyhon as the District 2 Representative to the Recreation Advisory Board.

Bryant stated that since Jacalone was not in attendance, it would be best to postpone the District 3 appointment until next week when Jacalone could be there.

(06/24/03 - 7 - 11:02 a.m.)

8. DISCUSSION OF AUDIT SERVICES CONTRACT

Allen MacDonald, Finance Director, stated that he needed direction from the Board on how to complete the Audit Services RFP. Meiszer questioned how important the reputations of the audit firms are and using a local or regional firm, instead of a national firm. Mac Donald stated that all of the firms that submitted are large regional firms and have experience with counties of comparable size. He stated that Davis Monk was the firm that received the most points in the evaluation, and that the audit that was just completed was a true picture of the County's financial position at the end of FY 2002. Discussion followed regarding the experience of the firms and the criteria used in the RFP.

(11:12 a.m.) John Rowe, 108 Sunset Point, Palatka, partner in the firm of Davis, Monk & Co., highlighted the qualifications of some of the members of their firm.

(11:14 a.m.) Motion by Bryant, seconded by Meiszer, carried 4/0 with Jacalone absent, to direct Mr. Adams to start contract negotiations with Davis Monk to do auditing services for St. Johns County.

(06/24/03 - 7 - 11:14 a.m.)

COMMISSIONERS' REPORTS

Commissioner Maguire

Maguire announced that there would be a ribbon cutting grand opening at the Salvation Army on Dobbs Rd. this Friday, and he commented that the Food Bank moved 222,000 pounds of goods last year, at a cost savings of \$348,000.

Commissioner Stern

(11:16 a.m.) Stern addressed the speed limit on Masters Drive being kept at 25 mph, and she thanked Sheriff Perry, Chief Shore and Joe Stephenson for the speed limit signage and extra patrols on that street.

Commissioner Meiszer

(11:17 a.m.) Meiszer addressed supporting a Resolution initiated by Hillsborough County regarding the protection of the citrus industry, and requested that this county also adopt a similar Resolution. Bryant stated that the Board could consider it as an agenda item.

Commissioner Bryant

(11:19 a.m.) Bryant stated that three candidates have been interviewed for the Public Health Director position at the Health Department, and that they are looking for someone who is willing to work in collaboration with the County and other healthcare entities. He also addressed the financial status of the Health Department.

(06/24/03 - 8 - 11:23 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams reminded the Board that there would not be a meeting on July 29th, and asked if they would like to take off August 5th also. The Board concurred.

(06/24/03 - 8 - 11:25 a.m.)

COUNTY ATTORNEY'S REPORT

No report.

(06/24/03 - 8 - 11:25 a.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 11:25 a.m. and reconvened at 1:40 p.m. with Bryant, Stern, Meiszer, Maguire, Adams, Bosanko, and Cecelia Aldrich, Deputy Clerk present. Commissioner Jacalone was absent.

(The following item was pulled from Consent Agenda, Item 9.)

(06/24/03 - 8 - 1:40 p.m.)

8A. RESOLUTION FOR OAK HARBOUR

Kathy Nielsen, Applications Review Coordinator, explained that the item was pulled from the morning's Consent Agenda for lack of a corporate seal from one of the signatories.

Motion by Maguire, seconded by Stern, carried 4/0 with Jacalone absent, to adopt Resolution 2003-121, approving a Final Plat for Oak Harbour.

RESOLUTION NO. 2003-121

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR OAK HARBOUR

(06/24/03 - 8 - 1:41 p.m.)

9. CONCURRENCY MANAGEMENT SYSTEM PROVISIONS - THIS WORKSHOP IS A CONTINUATION OF A PREVIOUS BOARD OF COUNTY COMMISSION AGENDA ITEMS TO DISCUSS THE PROVISIONS OF THE COUNTY'S

CONCURRENCY MANAGEMENT SYSTEM, INCLUDING VARIOUS FORMS OF DEVELOPMENT AGREEMENTS, FAIR SHARE AGREEMENTS, AND IMPACT FEE CREDIT AGREEMENTS

Scott A. Clem, Growth Management Services Director, stated that additional studies had been done since the last workshop. He noted that he had received feedback from several other counties and a common element appears to be that they all have financially feasible capital improvement programs that include road projects. Clem commented that those projects are already identified and funded in their CIPs. He reviewed how other areas are funding and planning for road improvements. He noted that one philosophy used is to accept that a specific road is becoming deficient, but improve another road within the same district. He noted a different system, where improvements are made to a county road system, even though a State road may be deficient, with one overall account that goes to the Florida Department of Transportation that could be used countywide. Clem stated that a more "pure" system would be to use money from projects on a specific road, for that same road.

(1:47 p.m.) Meiszer asked how the determination is made to pave a road other than the one concurrency is requiring. Clem gave an example, when a number of roads go to the same place, one of those roads may be chosen for improvement. Meiszer asked about the funding that is available to make road improvements. Clem commented that there are certain roads that the County decided not to improve and he gave A1A as an example. (1:53 p.m.) Maguire said he has always felt that concurrency should be based on a "first come, first served" basis. He said there are limiting factors about concurrency and suggested the need for a fair equity component. (1:54 p.m.) Bryant said that there should be a method of recoupment for those big developers who are willing to make large investments. (1:55 p.m.) Clem noted that the City of Jacksonville has a separate Ordinance that specifically deals with reimbursement arrangements. He said the concept is that if a developer makes a large improvement, well beyond its' impact, it would get reimbursed by other projects that come in behind it. Clem said it is usually the local government that makes the initial investment in a "fair share" arrangement, and then it gets reimbursed. (1:57 p.m.) Stern expressed concern that the County might encounter more situations like what happened on CR 210. Discussion followed about developers providing significant infrastructure and the others coming along and reaping the benefits.

(1:59 p.m.) John Metcalf, 249 Riverside Avenue, Jacksonville, reviewed the World Golf Village/World Commerce Center projects with regard to concurrency/pipelining. He said a problem does exist with developers investing in expensive improvements and others jumping in after the fact. However, he said there are cases where a small developer may not have the financial ability to front expensive improvements to meet concurrency. Metcalf said he advocates a fair share, or some form of it. He said it would allow the small developer to pay and go, which lessens the burden on the big developer later. Alternatively, he said if the big developer comes first, and pays more than his fair share, there should be a back-end reimbursement agreement. He said the Statute authorizes these and terms them as "front-end" agreements. Metcalf talked about some existing situations, like State Road 16 and Racetrack Road. He said if money could be collected from the State Road 13 problem, that would contribute to the other solution, and that is a solution.

(2:03 p.m.) Bryant agreed that if a large price tag cannot be justified, an alternative route might be a solution. (2:04 p.m.) Clem talked about the situation with Interstate 95 and its potential impact on the County. He noted that an earlier discussion on concurrency seemed to get off on a tangent of impact fees versus fair share. Clem said he didn't think the Board had to abandon one for the other. (2:06 p.m.) Meiszer referred to a new

library and new courthouse in Jacksonville and how they could affect concurrency. (2:07 p.m.) Bosanko noted that there is a special provision that allows for the County to grant specific exceptions to the concurrency Ordinance, where there is development all around a project. He said the exception is for new, or re-development.

(2:09 p.m.) Karen Taylor, 3070 Harbor Drive, St. Augustine, stated that the entire strip of U.S. 1 from the City of St. Augustine to Wildwood Drive is now deficient. She noted that plans by Flagler Hospital to increase beds and/or floor space couldn't be achieved under the current concurrency Ordinance. Taylor said a solution might be to go outside of that area, but she said you would not want to fragment the hospital and put another part four miles away. (2:09 p.m.) Bryant commented that the State must issue a Certificate of Need before hospitals can be built or expanded. Taylor suggested that more than one thing needs to be looked at regarding concurrency. She said the four-mile radius makes a lot of sense in some rural areas, but does not in a close area. She said when you have to be under the one per cent, it makes people split their properties and projects. She said in a situation like U.S. 1, there isn't going to be enough property to do the level of improvement that the Board would be considering.

There was discussion about the City having a different type of concurrency and that it does not recognize the County's concurrency. (2:14 p.m.) Bryant stated that no system is going to be fair for everyone. (2:15 p.m.) Shawn Collins, Transportation Planning Manager, was invited to sit at the round table.

(2:15 p.m.) Tom Manuel, 505 Becker Branch Place, Fruit Cove, commented that transportation is a critical ingredient in a strategic plan for the County. He said the responsibility for building roads is the County's. He said he believes everyone has the right to develop his/her own property. He suggested that the Staff look at raising impact fees and stated that those fees do not pay for the infrastructural requirements that are generated by a project. Manuel said that school impact fees should be included.

(2:18 p.m.) Bryant commented that the State is not happy with the counties allowing development next to State roadways and using up its' capacity. Manuel talked about the rising costs and urged the County to borrow as much as possible now, while the interest rate is low. He also talked about the public schools' cooperation and stated that schools and growth have to go together.

(2:25 p.m.) Collins, Traffic Planner, stated that whatever capacity we have on the roads today has been paid for by our forefathers. He suggested that the County needs to start planning to increase road capacity.

(2:27 p.m.) A. J. McGuinness, 238 W. King St., said that because it is necessary to apply for concurrency before rezoning a property, it causes people to go out and tie up concurrency so they have it. (2:28 p.m.) Clem agreed with McGuinness that the current system has caused development to tie up capacity at a much earlier stage and almost encourages someone to use up available capacity. He said the concurrency system is first come, first served and that is why most people think it is a failure. (2:32 p.m.) Meiszer asked how concurrency gets tied up. Discussion followed on how that happens and Clem noted that anyone with a proposal could make an application. (2:34 p.m.) McGuinness stated that a solution is a fair share pay. (2:35 p.m.) Bryant and Clem discussed concurrency standards, noting that they are arbitrary, but based on objective criteria. Clem talked about the different levels specified for roads and given the rapid development, can quickly reach capacity. (2:38 p.m.) Maguire stated that someone could tie up concurrency for two years and extend for another three years if certain criteria are met. He summarized that effectively, someone could hold on to half the capacity of a road for five years.

(2:39 p.m.) George McClure, 170 Malaga St., St. Augustine, indicated that he didn't agree with the concept of defining roads as A, B, C, etc. He suggested it is worth looking at definitions of what the levels of service are, as they are very suggestive. He said the unintended consequence of concurrency has been to spread the development out over a far greater geography than would have happened and indicated that concurrency has encouraged low-density development over broad areas to go out and find concurrency. He stated that concurrency is a scarce commodity. McClure noted that the concurrency management Ordinance authorizes the transferability of impact fee credits. He said there are issues with the County Attorney's office with how the Ordinance is written, but that could be fixed by re-doing the Ordinance. McClure said the possibility of getting an interest free loan from a developer is more likely, if they know they will get it back at some point in the future. He commented that he does not think developer agreements work in the interest of the County and summarized that the fair share arrangement would provide a reasonable alternative. He noted that the Legislature has been discussing the elimination of concurrency and suggested that having a single source of how the money gets allocated might be an improvement.

(2:51 p.m.) Meiszer agreed that concurrency has not worked. He said a comprehensive plan should determine where development occurs in a county. Using the hospital as an example, he stated that the Comprehensive Plan should decide where a hospital should be located. (2:52 p.m.) Bryant reiterated that a Certificate of Need is issued by the State as to where hospitals are located and it goes way beyond population. (2:54 p.m.) McClure noted that public policies can compete with each other, and used the hospital as an example. (2:57 p.m.) Meiszer stated that some principles of urban planning needed to be applied and indicated he would rather see development happen at optimum locations, rather than a development free-for-all. (2:59 p.m.) Maguire asked why a level C specified road would allow only 50% capacity to be utilized. Clem responded that it stems from when the concurrency system was originally set up, the State had a more defined criteria and wanted the urban areas to be able to accommodate more traffic. Discussion followed on capacity and what is acceptable. (3:02 p.m.) Clem noted that in the case of libraries and parks, when the County is the developer, it faces the same kind of problems with capacity. He said the County has one of the strictest systems and he agreed that there is a need to start planning where County facilities should locate. (3:03 p.m.) Stern said she would like to look at school concurrency and gave an example of Cowpen Branch Road. Clem agreed and said the County needs a master plan with funding, as concurrency is not the way to build a road system. Stern noted that schools do site in remote areas and that puts ownership on the County to improve the roads.

(3:06 p.m.) Bryant called a break and the meeting reconvened at 3:15 p.m.

(3:15 p.m.) Metcalf stated that all the problems with concurrency were predicted before the concurrency system took hold. He said one problem with it is, that it is based on the premise that congestion is always bad and another is that congestion can be prevented by either building or widening roads that have a zero per unit price to travel on. Metcalf said the only solution to really stop congestion would to charge tolls. He said the concurrency system does not really work to accomplish what is needed. He stated that the County needs to do some planning for what new roads will be needed, which ones need to be widened, the cost, who will pay, and how the money could be raised. (3:21 p.m.) Bryant said the County has the road map, and now needs to determine how to get the funding. (3:22 p.m.) Metcalf remarked that impact fees might be a partial solution, but not the whole solution. Discussion followed on capacity and the problems and inconvenience that occur due to construction. (3:26 p.m.) Stern agreed that concurrency, alone, is not the way to deal with this issue. She indicated she was

interested in a fair share system and referred to several roads that might benefit from that type of system. Stern also said alternative routes would help with diverting traffic and referred to the need for a 312 bypass. She suggested remaining flexible and creative and designing a plan unique to this County. (3:29 p.m.) Meiszer reported that he has received calls from frustrated citizens regarding traffic waits due to construction and said the public demand factor needs to be taken into consideration.

(3:31 p.m.) Manuel commended the Board for holding the subject public meeting. He summed up, by urging the Board to ponder what type of legacy it wants to leave. He said he thinks the best legacy the Commission could leave would be the ability to get from point A to point B without too much hassle.

(3:33 p.m.) Bryant noted that the last time St. Johns County floated bonds for a transportation project was in 1987. He said he would like to move forward with some kind of a fair share agreement tailored to what the County's needs are. Clem suggested that the Board allow Staff, with help, to come up with some recommendations to bring back to the Board. (3:36 p.m.) Bryant asked Clem to keep this on the front burner and noted that County Staff has the skills to accomplish this.

(3:37 p.m.) In another matter, Bryant reported that the County is involved in litigation on the buffer Ordinance and it could become a high-ticket item. He stated that the County has one of the toughest buffer Ordinances in the State and he urged the Board to provide any resources necessary to defend it, including going to the General Fund Reserves. Bryant asked Bosanko to notify the Board if any assistance is needed.

Motion by Stern, seconded by Bryant, carried 4/0, with Jacalone absent, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 3:39 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 336056 through 336342 totaling \$846,705.79 (06/17/03)

CORRESPONDENCE:

1. Letter dated June 16, 2003, to Mrs. Liz Cloud, Chief of the Bureau of Administrative Code, filing St. Johns County Ordinance Nos. 2003-53 and 2003-54

Approved July 22, 2003

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King
Deputy Clerk