

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 4, 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
Marc Jacalone, District 3
Bruce Maguire, District 4
Ben W. Adams, Jr., County Administrator
Michael Hunt, Deputy County Attorney
Lenora Newsome, Deputy Clerk

Also present were: Cheryl Strickland, Clerk of Courts and Allen MacDonald, Finance Director

(11/04/03 - 1 - 9:03 a.m.)

The meeting was called to order by Chairman Bryant.

(11/04/03 - 1 - 9:03 a.m.)

ROLL CALL

Bryant mentioned that all five Commissioners were present.

(11/04/03 - 1 - 9:03 a.m.)

VETERAN'S DAY RECOGNITION PRESENTED BY THE ST. JOHNS COUNTY VETERANS COUNCIL AND A MUSICAL ARRANGEMENT BY CROOKSHANK ELEMENTARY SCHOOL CHORUS

Col. Edwin Taylor, 3665 Crazy Horse Trail, Chairman of the St. Johns County Veterans Council, thanked the County Commission for inviting them to appear before the Board on the last meeting before Veteran's Day. He gave the history of important dates to remember.

(11/04/03 - 1 - 9:08 a.m.)

The Pledge of Allegiance was led by Meiszer and the Invocation was given by Maguire.

(9:10 a.m.) Col. Edwin Taylor named the different Legions and gave a brief history on five of the veterans.

(9:17 a.m.) Veteran Ben Rich read a poem written in 1915, by Major John McCray, member of the Canadian Armed Forces, regarding 17 days of war in World War I. Sargent John Dolon from the Sheriff's Office played Taps.

(9:22 a.m.) Crookshank Elementary School Chorus, Memory Through Music, first through fifth grade students, sang in honor of Veteran's Day. They sang the songs Florida Facts and America-America. Taylor requested a moment of silence for the Veterans.

(11/04/03 - 2 - 9:31 a.m.)

PROCLAMATION FOR NATIONAL EPILEPSY AWARENESS MONTH

Bryant read the Proclamation and Richard Hatfield, Executive Director of the Epilepsy Foundation, accepted it. (9:36 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, for adoption of the previously read Proclamation.**

(11/04/03 - 2 - 9:36 a.m.)

PUBLIC COMMENT

John Fletcher, 672 Ocean Blvd., Atlantic Beach, spoke on negotiations for the County to acquire St. Johns Services Company.

(9:37 a.m.) Lanny Russell, 8260 Marganse Drive, spoke on the County's potential purchase of St. Johns Utilities Company.

(9:38 a.m.) Mike Vergo, 1238 Salt Creek Island Drive, discussed the proposed sale of the St. Johns Services Company.

(9:42 a.m.) Steve Lear, 1258 Fish Hook Way, spoke in favor of the continuance of the negotiations for the County to acquire the St. Johns Services Company.

(9:43 a.m.) Cash McVay, 139 Washington Street, spoke on supporting the purchase of the utility by St. Johns County.

(9:45 a.m.) Glenda Thomas, 600-A Shannon Road, spoke regarding a hold harmless agreement dealing with Palencia and St. Johns County.

(11/04/03 - 2 - 9:46 a.m.)

DELETIONS TO CONSENT AGENDA

Jacalone requested that Item 14 be placed on the Regular Agenda as Item 1B.

(11/04/03 - 2 - 9:48 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Approval of Minutes:
10/21/03 - BCC Regular Meeting
10/22/03 - Joint BCC/School Board Meeting
3. Motion to adopt the Business Incentive Contract with the American Culinary Federation
4. Motion to adopt **Resolution No. 2003-205**, and execute and deliver the authorized signature certificate for the Memorandum of Agreement with the Florida Department of Transportation

RESOLUTION NO. 2003-205

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CLERK OF COURTS TO EXECUTE AND DELIVER THE ATTACHED AUTHORIZED SIGNATURE CERTIFICATION TO THE FLORIDA DIVISION OF TREASURY

5. Motion to approve payment to the Florida Department of Environmental Protection in the amount of \$1,100 for the proposed settlement of Department of Environmental Protection vs. St. Johns County
6. Motion to allow the County Administrator, or his designee, to negotiate, and enter into a contract, with the No. 1 ranked firm, Nelson Engineering for RFQ No. 03-93, Request for Qualifications-Environmental Engineering Services for the Tillman Ridge Phase I and II Landfills
7. Motion to allow the County Administrator, or his designee, to piggyback on the City of Boca Raton Contract # 2001-026 and Lake County Contract # 02-010A for the purchase of bunker gear for the Fire and Rescue Department
8. Motion to adopt **Resolution No. 2003-206**, accepting an Easement for Utilities for water services to Town Center West at St. Johns Phase 2, Parcel B

RESOLUTION NO. 2003-206

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR WATER SERVICES TO TOWN CENTER WEST AT ST. JOHNS PHASE 2, PARCEL B

9. Motion to adopt **Resolution No. 2003-207**, accepting a Deed of Dedication for additional right-of-way for County Road 210 improvements from Johns Creek, LLC

RESOLUTION NO. 2003-207

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR ADDITIONAL RIGHT-OF-WAY FOR COUNTY ROAD 210 IMPROVEMENTS FROM JOHNS CREEK, LLC

10. Motion to adopt **Resolution No. 2003-208**, approving a Final Plat for Julington Creek Plantation Parcel 53, Phase III

RESOLUTION NO. 2003-208

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR JULINGTON CREEK PLANTATION PARCEL 53, PHASE III

11. Motion to adopt **Resolution No. 2003-209**, approving the Final Plat for Bartram Downs, Unit Two

RESOLUTION NO. 2003-209

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR BARTRAM DOWNS, UNIT TWO

12. Motion to adopt **Resolution No. 2003-210**, approving the Final Plat for Cimarrone, Unit 9

RESOLUTION NO. 2003-210

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR CIMARRONE, UNIT 9

13. Motion to adopt **Resolution No 2003-211**, approving the Final Plat for Cimarrone, Unit 10

RESOLUTION NO. 2003-211

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR CIMARRONE, UNIT 10

14. Motion to authorize the County Administrator to sign the extension of the temporary contract for the operation of health services clinics in both Hastings and St. Augustine for an additional 30 days

This item was moved to the Regular Agenda as Item 1B.

15. Motion to accept the HCAP Grant funding the Family Navigator positions, and related supplies, and to direct the County Administrator to execute the Grant Agreement and motion to adopt **Resolution No. 2003-212**, recognizing \$145,000 in unanticipated revenue and appropriating it to the Social Services Department for use (0067-55305)

RESOLUTION NO. 2003-212

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2004 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY SOCIAL SERVICES DEPARTMENT

(11/04/03 - 4 - 9:48 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Bryant requested to move Item 7 to Item A1 on the Regular Agenda, with the caveat that if there was going to be a long discussion then it should be continued to the last item of the day.

(11/04/03 - 5 - 9:49 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Stern, seconded by Bryant, carried 5/0, to approve the Regular Agenda, as amended with the caveat.

(11/04/03 - 5 - 9:49 a.m.)

A1. DISCUSSION AND CONSIDERATION OF A PROPOSED CONTRACT BETWEEN THE COUNTY AND MEDICAL SPECIALISTS OF ST. AUGUSTINE FOR PROVISION OF MEDICAL SERVICES AND HEALTH-RELATED ACTIVITY AT TWO COUNTY CLINICS (*Originally Item 7*)

Michael Hunt, Deputy County Attorney, stated this item was for discussion and consideration of a contract between the County and S. S. Marathe, M.D. d/b/a Medical Specialists for the county's health clinics. Hunt explained why there was no backup in the agenda packet. Jacalone asked Hunt to identify the outstanding issues. Hunt identified them; as the County wanting to pay \$75.00 per visit and the Health Clinics wanting them to pay \$99.00 per visit; the parameters of the Performance Review Committee; and the problems with items A through H on the PRC Section of the contract. Meiszer stated that the focus should be on the service. Bryant questioned dissolving the issues about patient records, hardware and software. Hunt responded. Maguire stated that it was a very simple process. Stern stated that the County should go with where they were right now.

(10:26 a.m.) Dr. Marathe gave a brief history of their operation, and spoke on everyone being treated equally. Bryant spoke on having a problem with the past history of the outpatient clinic.

(10:31 a.m.) Rick Reznicek, 240 Ponte Vedra Park Drive, Ponte Vedra, attorney with Reznicekk and Frasier, spoke on taking care of three of the issues now: agreeing with the use of the after clinic hours, being flexible on the parameters for the PRC, and the need for the private pay patients. Discussion followed on the need for the private pay patients. Jacalone spoke on the two remaining issues; the sliding fee scale and eligible patients being seen. Bryant mentioned having navigators. Marathe stated that it would be dangerous to have family navigators making clinical decisions. Discussion followed on navigators. Bryant mentioned that they needed to come down to some kind of agreement by taking care of the last two issues today. Meiszer stated that he supported the first come first served concept. Bryant pointed out a problem that they had this past year on people not paying. Reznicek mentioned that the proposal addressed that concern and the navigators doing the job of collecting payment from people who are not indigent. Stern spoke on breaking down the services involved in the fee. (10:57 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to revisit the Agenda.**

(10:57 a.m.) **Motion by Jacalone that Consent Item 14, which was an extension to this contract, coincide with the continuance of the previous item.** Hunt explained the extension in Consent Item 14. **The motion was seconded by Stern, carried 5/0.**

(11:00 a.m.) Dr. Gerald Carver, 7 Ocean Trace Road, gave his opinion on dealing with two separate entities and spoke on seeing all the people who come to the clinic. Jacalone mentioned that when the funds run out the service stops. The meeting recessed at 11:07 a.m. and reconvened at 11:11 a.m.

(11/04/03 - 6 - 11:11 a.m.)

1. CONSIDER A MOTION TO APPROVE/DENY, A MODIFICATION TO THE ST. JOHNS COUNTY WELFARE FEDERATION'S CONTRACT, REDUCING THE PROFESSIONAL AND GENERAL LIABILITY COVERAGE FROM \$1,000,000 TO \$250,000 PER CLAIM

David Halstead, Assistant County Administrator, stated that he had a request from the St. Johns County Welfare Federation to modify their contract to lower their liability insurance from the \$1,000,000 which the County required of all of their contracts, down to \$250,000 per claim in a \$750,000 aggregate. Bryant stated that he was confident with reducing the insurance. Maguire asked if there were other agencies having the same problems. Halstead replied yes. Maguire questioned who the non-profit providers were, what their current policy was, and asked if the Board did this reduction, would they provide a hold harmless agreement for any excess over \$250,000. (11:16 p.m.) Hunt left the meeting and Jim Sisco, Assistant County Attorney, entered the meeting. Discussion followed on the expiration date of the contract with the St. Johns County Welfare Federation. Neal Smith, Director of Development, St. Johns County Welfare Federation, stated that they were awarded a grant from the County, but as of now they did not have a current valid contract with the County. Jacalone stated that they have to be under contract during the time services were provided. Jacalone questioned if something went wrong during the providing of those services, and someone sued, who would be sued. Sisco replied that both the County and the Welfare Federation would be sued. Meiszer asked if the County was an additional co-insured under this policy. Halstead replied yes. Bryant explained how this saved the County money. (11:24 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to approve the modification of the St. Johns County Welfare Federation's contract, reducing the Professional and General Liability Coverage from \$1,000,000 to \$250,000 per claim.**

The meeting moved to Item 2.

- 1B. MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE EXTENSION OF THE TEMPORARY CONTRACT FOR THE OPERATION OF HEALTH SERVICES CLINICS IN BOTH HASTINGS AND ST. AUGUSTINE FOR AN ADDITIONAL 30 DAYS (*Originally Consent Item 14*)

This item would be contingent on Item A1.

(11/04/03 - 6 - 11:24 a.m.)

2. CONSIDER BUSINESS INCENTIVES FOR NORTHROP GRUMMAN CORPORATION INTEGRATED SYSTEMS

Ted Zebrowsky, Director, Intergovernmental Relations, spoke on the business incentives for Northrop Grumman Corporation Integrated Systems. (11:28 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to adopt the attached incentive calculation of \$40,266 and authorize the Economic Development Agency to negotiate the agreement.**

(11/04/03 - 6 - 11:29 a.m.)

3. CONSIDER A MOTION TO ENACT AN ORDINANCE EXTENDING THE SIX-CENT LOCAL OPTION FUEL TAX

Jim Sisco, Assistant County Attorney, reviewed extending the six-cent local option fuel tax by Ordinance. (11:30 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to enact Ordinance No. 2003-91.**

ORDINANCE NO. 2003-91

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, SUPPLEMENTING ST. JOHNS COUNTY ORDINANCE 86-61, WHICH IS THE ORDINANCE THAT IMPOSED AND LEVIED THE COUNTY SIX (6) CENT LOCAL OPTION GAS TAX. THIS ORDINANCE REIMPOSES, EXTENDS AND RELEVIES THE SIX (6) CENT LOCAL OPTION FUEL TAX UPON EVERY GALLON OF MOTOR FUEL AND DIESEL FUEL SOLD IN ST. JOHNS COUNTY AND TAXED UNDER THE PROVISIONS OF CHAPTER 206, FLORIDA STATUTES; PROVIDES THAT THE REIMPOSITION, EXTENSION AND RELEVY SHALL BE EFFECTIVE BEGINNING SEPTEMBER 1, 2016 AND SHALL CONTINUE TO AUGUST 31, 2033; REDETERMINES THE METHOD OF DISTRIBUTION OF THE TAX REVENUE AMONG THE COUNTY AND MUNICIPALITIES PURSUANT TO A SUPPLEMENT TO AMENDMENT TO AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE CITY OF ST. AUGUSTINE; PROVIDES FOR COLLECTION AND USE OF THE FUEL TAX; PROVIDES SEVERABILITY; AND PROVIDES AN EFFECTIVE DATE

(11/04/03 - 7 - 11:31 a.m.)

4. CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY TO ISSUE TRANSPORTATION IMPROVEMENT REVENUE BONDS, NOT TO EXCEED \$30,000,000

Sisco reviewed this item concerning Transportation Improvement Revenue Bonds. (11:32 a.m.) **Motion by Stern, seconded by Jacalone, carried 5/0, to adopt Resolution No. 2003-213, authorizing the County to issue Transportation Improvement Revenue Bonds, not to exceed \$30,000,000.**

RESOLUTION NO. 2003-213

A RESOLUTION SUPPLEMENTING RESOLUTION NO. 92-103, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ON JUNE 23, 1992; AUTHORIZING THE ISSUANCE BY THE COUNTY OF NOT EXCEEDING \$30,000,000 AGGREGATE PRINCIPAL AMOUNT OF TRANSPORTATION IMPROVEMENT REVENUE BONDS, SERIES 2003, TO FINANCE ALL, OR A PART OF, THE COST OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN CAPITAL TRANSPORTATION PROJECTS WITHIN ST. JOHNS COUNTY, FLORIDA; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE SERIES 2003 BONDS THE COUNTY'S PORTION OF THE PROCEEDS OF THE SIX-CENT LOCAL OPTION FUEL TAX DISTRIBUTED TO THE COUNTY AND ITS MUNICIPALITIES; AUTHORIZING A NEGOTIATED SALE AND THE AWARD OF THE SALE OF THE SERIES

2003 BONDS, AND APPROVING THE CONDITIONS AND CRITERIA FOR SUCH SALE; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT WITH RESPECT TO THE SERIES 2003 BONDS; AUTHORIZING A PRELIMINARY OFFICIAL STATEMENT AND A FINAL OFFICIAL STATEMENT WITH RESPECT TO THE SERIES 2003 BONDS; APPOINTING THE REGISTRAR AND PAYING AGENT FOR THE SERIES 2003 BONDS AND APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A REGISTRAR AND PAYING AGENCY AGREEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; RATIFYING THE COUNTY'S ACCEPTANCE OF THE INSURER'S COMMITMENT RELATING TO A FINANCIAL GUARANTY INSURANCE POLICY WITH RESPECT TO THE SERIES 2003 BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDERS OF THE SERIES 2003 BONDS; AND PROVIDING AN EFFECTIVE DATE

(11/04/03 - 8 - 11:33 a.m.)

5. CONSIDER A MOTION TO ALLOW THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE WITH AND ENTER INTO CONTRACTS WITH THE NO. 1 RANKED FIRM, CAMP DRESSER & MCKEE, FOR DESIGN/ENGINEERING UPGRADE OF TWO EXISTING POTABLE WATER TREATMENT PLANTS WITH LOW PRESSURE REVERSE OSMOSIS TECHNOLOGY (*See Attachment "A"*)

Joe Burch, County Purchasing Manager, stated that this item was to allow upgrades to the two County water treatment plants with changing technology. Jacalone spoke on the summary sheets. Maguire asked, relating to page 6 of the Instructions to the Bidders, why they were one month behind schedule. Burch explained that they got started a little bit late, but would make it up and be completed prior to the deadline. Maguire asked questions about the operation, how they were going to handle things, the costs of things, the type of wells being used, and the percentage that the wells would be operating at. Discussion followed on growth. Stern questioned how they disposed of residue. Neil Shinkre, County Project Manager, responded they were looking at the option of discharging it to the wastewater plant. (11:45 a.m.) **Motion by Meiszer, seconded by Jacalone, carried 5/0, to authorize the County Administrator to negotiate with CDM, or the next in line firm, to implement this contract.**

(11:46 a.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to move the next Item and reports to the end of the day.**

Item 6 and Reports are moved to the afternoon.

The meeting recessed at 11:47 a.m. and reconvened at 1:41 p.m. with Bryant, Stern, Maguire, Adams, Isabelle Lopez, Senior Assistant County Attorney and Cecelia Aldrich, Deputy Clerk present. Bryant announced that Jacalone and Meiszer would be present shortly.

(The meeting opened with discussion of Item 8 at 1:42 p.m.)

(11/04/03 - 9 - 4:22 p.m.)

A1. DISCUSSION AND CONSIDERATION OF A PROPOSED CONTRACT BETWEEN THE COUNTY AND MEDICAL SPECIALISTS OF ST. AUGUSTINE FOR PROVISION OF MEDICAL SERVICES AND HEALTH-RELATED ACTIVITY AT TWO COUNTY CLINICS *(Formerly Regular Agenda Item 7)*

Michael Hunt, Deputy County Attorney, reported that they had been working on the contract most of the day and there were still two issues unresolved. The changes Hunt reviewed included: revisions to the sliding fee schedule to \$75/\$30 and the comp proposal to include minimal testing; determine patient ratio of 60/30 uninsured to insured patients, with a counter proposal of 60/40 that would be looked at by a performance review committee. Hunt said there was an interim plan in the proposal that would allow for a transition period for billing.

(4:25 p.m.) Attorney Mike Reznicek explained that patients who had insurance, or the ability to pay, would be billed by Medical Specialists. He said they would bill through their software and keep the money collected. He said the only patients who would be seen in the Clinic, who would be expected for County reimbursements, would be those who are uninsured and below 200% of the poverty level. Those patients would receive the \$80/\$50 ratio reimbursement, until the County is ready to do the billing.

(4:26 p.m.) Bryant said he would like to see the ratio of the paying patients to the underinsured/uninsured/indigents be flexible and monitored periodically, and brought back to the Board. He said the Board could then alter it up or down, as needed. Jacalone clarified how the billing would flow during the transition and then the County would take over all aspects of the billing. Jacalone accepted the counter proposal that the first visit would be \$80, and \$50 for subsequent visits. (4:28 p.m.) Maguire commended the efforts involved in working out the contract, and hinted that he would like the opportunity to review it. Hunt passed out the contracts to the Board members. Maguire noted that it was difficult to make a determination based solely on what people had said. Bryant reviewed that staff had met for many hours before presenting the contract. Maguire noted that it was the modifications that concerned him. Reznicek confirmed that Medical Specialists would keep money received from billing, during the transition period. Maguire asked if there were only two changes to the contract. (4:32 p.m.) Hunt responded that there were other changes in terminology, but that the contract was close to the intent of the original document. Hunt said it did two things specifically: gave control of the billing to the County and, in terms of information flow, the ability to know what goes on. Maguire reviewed that the reasons for the contract were to take the load off the Emergency Room at the hospital, and to ensure that the indigent people were cared for. In response to questioning, Hunt confirmed that the Board, rather than the Performance Review Committee (PRC), was the ultimate arbiter. He said it [the contract] went further and established a procedure for the overall process to ensure better quality control. Hunt noted that the PRC could still make recommendations to the Board, and the Board could address the issues as well. Bryant explained why he had concerns and commented that there were times when there was not an appropriate doctor on duty. (4:37 p.m.) Stern agreed that the Board needed to be more aware of how the offices were staffed. She approved of having flexibility with the patient ratio and the ability to monitor regularly. Hunt confirmed that the after hours use of the clinic had been taken out of the contract. Stern told Hunt he had done a stellar job. (4:39 p.m.) **Motion by Jacalone to authorize the County to enter into a Contract for provision of medical services with Medical Specialists of St. Augustine and the changes to the contract would be a sliding fee scale, \$80 for the first visit, \$50 for subsequent visits and that the ratio be 60/40. With that ratio, the County reserves the right to monitor and adjust.** Hunt noted that Mr. Reznicek had another issue dealing with space.

(4:40 p.m.) Reznicek stated that the last issue dealt with Dr. Carver's space. He said the County physician wants certain space allocated to him. He said that was where the billing people were currently located and they would like to keep them there until they can relocate them. Jacalone asked if "space" was specifically addressed in the contract. Hunt said it was not. (4:41 p.m.) Bryant explained that Dr. Marathe had moved his entire Billing Department, the year before, into the County building to do his private billing for his office and the billing for the clinic. Jacalone said it was the County's building and therefore their decision as to how space was allocated. He said he did not think it needed to be in the contract. Bryant said there were more exam rooms than were needed, that there was a lot of space, and the County clinic needed that space.

(4:42 p.m.) Adams noted that he had given Hunt a diagram of the office. Hunt said the question was the interim period, beyond that the space was agreed upon. Bryant said there were nine exam rooms and thought Dr. Marathe could give up a couple of those for the County's doctor to use. (4:43 p.m.) Meiszer commented that the situation had been approached like two warring camps and suggested some goodwill would go a long way. He asked that the patients be put first. (4:45 p.m.) Bryant reported that he had met with Dr. Marathe several times over the last year with concerns and Marathe did not change anything. (4:45 p.m.) Stern said she did not see a problem with allowing the billing team to stay for the interim, but agreed that one of the exam rooms could be an office for Dr. Carver. (4:46 p.m.) **Jacalone completed his motion "to add into the contract that the County reserves the right to determine space allocated to the Primary Care Clinic."** The motion was seconded by Maguire and carried 5/0.

(11/04/03 - 10 - 4:48 p.m.)

1B. MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE EXTENSION OF THE TEMPORARY CONTRACT FOR THE OPERATION OF HEALTH SERVICES CLINICS IN BOTH HASTINGS AND ST. AUGUSTINE FOR AN ADDITIONAL 30 DAYS (*This item was originally Consent Agenda Item 14.*)

Motion by Bryant, seconded by Jacalone, carried 5/0, to authorize the County Administrator to sign the extension of the temporary contract for the operation of health services clinics, in both Hastings and St. Augustine, for an additional 30 days.

(The meeting moved to adjournment following Item 1B.)

(11/04/03 - 10 - 3:56 p.m.)

6. CONSIDER APPOINTMENTS TO THE CHILDREN'S COMMISSION

Melissa Lundquist, Administrative Coordinator, reported that there was one alternate vacancy due to a resignation.

(3:57 p.m.) Maguire noted that the Children's Commission voted to recommend Dr. Gutknecht. **Motion by Maguire, seconded by Bryant, carried 5/0, to appoint Dr. Connie Gutknecht to the Children's Commission.**

(11/04/03 - 10 - 1:42 p.m.)

8. PUBLIC HEARING - ZNZVAR 2003-02 ECKERD CORPORATION - THE REQUEST IS FOR A NON-ZONING VARIANCE TO LAND DEVELOPMENT CODE SECTION 7.02.01A & B TO ALLOW AN INCREASE IN THE TOTAL SQUARE FOOTAGE OF BUILDING SIGNAGE ALLOWABLE FOR A SINGLE BUSINESS. AS PER LAND DEVELOPMENT CODE SECTION 7.02.01A & B, "IN NO CASE SHALL ANY INDIVIDUAL SIGN . . . EXCEED ONE HUNDRED

FIFTY (150) SQUARE FEET IN SIZE OF ADVERTISING DISPLAY AREA. EACH BUILDING IS ALLOWED UP TO A MAXIMUM OF TWO HUNDRED (200) SQUARE FEET OF SIGNAGE RELATED TO BUILDING FRONTAGE PER BUILDING”: THE APPLICANT IS REQUESTING A TOTAL OF 272 SQUARE FEET OF BUILDING FASCIA SIGNAGE FOR A BUILDING IN WHICH THEY ARE THE SOLE BUSINESS. ONE HUNDRED NINETY-NINE (199) SQUARE FEET OF BUILDING FASCIA SIGNAGE HAS BEEN APPROVED PURSUANT TO SIGN PERMIT 03-80. LAND DEVELOPMENT CODE 10.04.03B REQUIRES FIVE (5) FINDINGS OF FACT TO SUPPORT THE REQUEST; SECTION 7.00.02B1 REQUIRES ADDITIONAL INFORMATION TO SUPPORT A REQUEST FOR ADDITIONAL SIGNAGE ALLOWANCE. THE ITEMS OF CONSIDERATION GIVEN IN SECTION 7.00.02B1 ARE: (A) THE DISTANCE OF THE SIGN FROM THE ROAD OR STREET ROW; (B) THE SPEED LIMIT ON THE ROAD OR STREET ROW; (C) THE VISIBLE IMPACT OF THE SIGN OR SIGNS FROM THE NEAREST ROAD OR STREET ROW; (D) THE INTEGRATION OF THE SIGN OR SIGNS INTO THE ARCHITECTURE OF THE BUILDING

Proof of publication of Notice of Public Hearing on ZNZVAR 2003-02, for signage at Eckerd, was received, having been published in *The St. Augustine Record* on October 20, 2003.

Rachael L. Bennett, Assistant Zoning Manager, explained the nature of the variance request. She distributed, and read, the relative section of the code. (Jacalone arrived at the meeting at 1:43 p.m.) Bennett summed up that Staff found the request was not in compliance with the Land Development Code and suggested that the Board deny the request.

(1:45 p.m.) Todd Pressman, President, Pressman & Associates, Inc., Agent for Eckerd Corporation, stated that Eckerd was thrilled to be part of the business community. Pressman commented that the proposal for signage was far less than what was allowed by code. He displayed maps, drawings and photos (Exhibit A) that depicted what was allowed, versus what was requested.

(1:52 p.m.) Jacalone asked about the rationale for the location of the sign and acknowledged that seven pole signs could be erected under the code. (1:53 p.m.) Bennett clarified that allowances vary for different types of signage. (1:54 p.m.) Maguire noted that he did not like pole signs and agreed that it would be a fair trade-off. Stern also agreed that a fascia sign would be more aesthetically pleasing than pole signs. (1:56 p.m.) Jacalone asked if the client would consider putting a condition on the variance that would limit the site to two pole signs. Pressman agreed to the terms. (1:57 p.m.) **Motion by Jacalone, seconded by Stern, to approve ZNZVAR 2003-02, allowing an increase in allowable signage from two hundred (200) square feet to two hundred seventy two (272) square feet, and adopting the Findings, 1 through 5, contained in the package, to support the motion, with the condition that the site be limited to two pole signs, which exist and have already been permitted.**

(1:58 p.m.) Cliff Skarr, 708 Standish Drive, St. Augustine, stated that the sign regulations were designed for the car dealerships on US 1. He said initially he was going to ask the Board to deny the request, and had second thoughts. He noted that the corner lot had two pole signs and 10 separate fascia building signs. Skarr said he hated to see going beyond what the Ordinance allowed. (2:00 p.m.) **The motion carried 4/0, with Meiszer absent.**

(11/04/03 - 12 - 2:00 p.m.)

9. PUBLIC HEARING - REZ 2003-17, KENTON REZONING - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 0.26 ACRES LOCATED AT 100 CALLE DE LEON FROM RESIDENTIAL SINGLE FAMILY (RS-3) TO COMMERCIAL INTENSIVE (CI) TO BRING THE EXISTING USE OF STORAGE AND PARKING INTO COMPLIANCE. THE PROJECT HAS BEEN REVIEWED FOR COMPLIANCE WITH ARTICLE XI (CONCURRENCY) OF THE LAND DEVELOPMENT CODE AS A SMALL PROJECT ESTIMATED TO GENERATE LESS THAN 4 AVERAGE WEEKDAY PEAK HOUR TRIPS BASED ON 3,100 SQUARE FEET OF WAREHOUSING SPACE AS THE MOST INTENSE POSSIBLE USE IN THE PROPOSED CI ZONING BASED ON 12,000 SQ. FT. /ACRE (PROPERTY IS .26 ACRES). NO FURTHER CONCURRENCY REVIEW IS REQUIRED

Proof of publication of Notice of Public Hearing on REZ 2003-17, Kenton Rezoning, 110 Calle De Leon, was received, having been published in *The St. Augustine Record* on October 20, 2003.

Bruce Ford, Chief Planner, reviewed the request and described the location of the property. He stated that the request to rezone would bring the existing uses into compliance. He noted that all appropriate activities had been conducted and that staff had no objections to the rezoning.

(2:02 p.m.) Bryant asked about a speed reduction on Calle De Leon. Jacalone responded that the speed limit had been reduced a couple of years previous, but it was further back from the subject property. He noted that the location was a vacant lot that fronted on Calle De Leon and the use would remain the same.

(2:04 p.m.) Lewis Kenton, the applicant, introduced himself and stated that he lived about a block from the subject property.

(2:04 p.m.) **Motion by Jacalone, seconded by Stern, carried 4/0, with Meiszer absent, to enact Ordinance No. 2003-92.**

ORDINANCE NO. 2003-92

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE FAMILY (RS-3) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(11/04/03 - 12 - 2:05 p.m.)

10. PUBLIC HEARING - MAJMOD 2003-09 ROLLING HILLS PLACE PUD - THE SUBJECT PROPERTY IS LOCATED AT 114 NORTH CHURCHILL DRIVE AND IS COMPRISED OF 10.91 ACRES. THIS REQUEST IS TO MODIFY THE APPROVED PUD TO EXTEND THE PHASING SCHEDULE OF PHASE III (THE LAST PHASE) TO ONE YEAR FROM THE DATE OF APPROVAL OF THIS MAJOR MODIFICATION. PHASE III WAS ORIGINALLY APPROVED FOR COMPLETION BY JULY 1, 2000, HOWEVER, A DELAY IN COMPLETION OF PHASE III WAS THE RESULT OF A DEFAULT IN COMPLETION BY THE PRIOR PRIME CONTRACTOR WHICH ULTIMATELY RESULTED IN

LITIGATION AND BANKRUPTCY OF THE PRIOR OWNER. PHASE III WILL CONSIST OF 37 SINGLE FAMILY AND PATIO HOMES AND HORIZONTAL CONSTRUCTION HAS ALREADY COMMENCED, CONSISTING OF ROADWAYS WHICH HAVE BEEN CLEARED AND GRADED, AND DRAINAGE AND UTILITIES, WHICH HAVE BEEN COMPLETED AS WELL. REMAINING WORK REQUIRED INCLUDES SUBSURFACING, PAVING, CURBING AND GUTTERING THE ROADWAYS

Proof of publication of Notice of Public Hearing on MAJMOD 2003-09, Rolling Hills Place PUD, 114 North Churchill Drive, was received, having been published in *The St. Augustine Record* on October 20, 2003.

Bruce Ford, Chief Planner, explained the request was for Phase III of the project and described the location. He noted that it was originally approved for completion by July 1, 2000, and explained the circumstances that caused the delay. He noted that the Certificate of Concurrency remained valid and the request was for a one-year extension, from the approval. Ford stated that staff had no objections to the request.

(2:07 p.m.) Maguire asked about the expiration date of the concurrency. (2:07 p.m.) Teresa Bishop, Planning Director, responded that concurrency was granted for two-year periods. She noted that it could be extended an additional three years if an applicant paid the road and recreation impact fees and, if the project was developing and ongoing, the Certificate of Concurrency was valid until the project was built out. It was determined that if the project was denied, a new application for a major modification or rezoning would be necessary, and would be subject to concurrency for the additional construction that did not already have plan approval. (2:09 p.m.) Maguire said he did not see any reason not to approve the request. (2:09 p.m.) Jacalone clarified that Phase III would not be completed in one year, but approval of the request would allow the developer to get full construction plan approval. (2:10 p.m.) Stern asked about the location and roadway configuration.

(2:11 p.m.) Allen Scott, 99 Orange Street, St. Augustine, stated that he was the attorney for the applicant. He introduced the applicant, Charles David, Liberty Development, 114 North Church Drive, St. Augustine. Scott provided a brief history of the development, and explained that a dispute developed between the contractor and the prior owner that halted the project. As a result, Liberty Development became the new developer. Scott explained that the project still had valid construction plans and concurrency. He said Mr. David had completed the infrastructure for Phase III and the only thing left was for FPL to pull wires. Scott said that the request was only to change the completion date.

(2:15 p.m.) Motion by Jacalone, seconded by Stern, carried 4/0, with Meiszer absent, to enact Ordinance No. 2003-93, adopting Findings contained in the packet, to support the motion.

ORDINANCE NO. 2003-93

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ROLLING HILLS PLACE PLANNED UNIT DEVELOPMENT (PUD), ORDINANCE NUMBER 96-37, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(11/04/03 - 14 - 2:15 p.m.)

11. PUBLIC HEARING - PUD 2001-15 PLANTATION PUD - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 538.8 ACRES LOCATED ON LEO MAGUIRE PARKWAY FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW FOR THE DEVELOPMENT OF 494 SINGLE FAMILY RESIDENTIAL UNITS WITH ASSOCIATED RECREATIONAL FACILITIES. A FINAL CERTIFICATE OF CONCURRENCY CONMAJ 2001-24 WAS APPROVED ON JUNE 11, 2003 FOR THE DEVELOPMENT OF 494 SINGLE FAMILY RESIDENTIAL UNITS. THE PROPOSED PUD IS CONSISTENT WITH THE APPROVED CONCURRENCY CERTIFICATE. THE PROJECT WILL BE ACCESSED BY LEO MAGUIRE PARKWAY. CENTRAL WATER, SEWER AND ELECTRIC WILL BE PROVIDED BY JEA AND UTILITIES WILL BE INSTALLED UNDERGROUND

Proof of publication of Notice of Public Hearing on PUD 2001-15, Plantation, 8670 Leo Maguire Road, was received, having been published in *The St. Augustine Record* on October 20, 2003.

Nicole Cubbedge, AICP, Planner III, reviewed the rezoning request and related activities to date. She noted that the project included 494 single-family residential units and associated recreational facilities. Cubbedge reviewed the waivers requested which included: a reduction in sidewalks; changes to signage; an incremental detail for recreation/park sites; reductions to setback requirements; a change to the entrance road; acceleration of Phase II; and to allow an existing billboard (which would become nonconforming if rezoned) to remain. (Meiszer entered the meeting.)

Discussion followed on the requested change in setback from the upland buffer and it was determined that the buffer would not be affected. (2:24 p.m.) Maguire asked how the acceleration of Phase II would affect the construction of the infrastructure. Cubbedge noted that the infrastructure would have to be in place for the units being built. She said the infrastructure for Phase II would have to be installed before any Certificates of Occupancy could be issued, but would not necessarily have to be completed. (2:28 p.m.) Maguire asked how long the billboard could remain. Cubbedge stated that she would research the issue. She noted that the Transportation Planning staff did not support the waiver to allow the sidewalk reduction. She noted that the proposed main entry road could not serve as an east/west arterial due to the number of access roads proposed.

(2:30 p.m.) Shawn Collins, Transportation Planner, explained that the County had been asked to consider the subject road as an east/west arterial, but it would not function as such given the number of access points the developer is proposing. Discussion followed related to sidewalks and the proposed arterial roadway configurations. Collins noted that the Board might want to consider preservation of rights-of-way.

(2:34 p.m.) Stern referred to the route shown on the plan and noted that it was conceptual and could change. Collins noted that they were not near to choosing the route and that there were numerous agencies involved. He said the Board's decision on the road where the property would be built, would no doubt affect that specific corridor, out of the four or five routes that have been chosen for study. Stern noted that, according to the Northwest Sector Plan, the southern end of Leo Maguire Parkway would be considered part of the east/west route. Collins agreed. Discussion followed on the condition of Leo Maguire Parkway.

(2:38 p.m.) Cubbedge stated that, in staff's opinion, the request complied with the Comprehensive Plan, and there were no objections. (2:39 p.m.) Jacalone asked about

correspondence with the School District. Cubbedge noted that the project had been in review since 2001, which was before the new policy of corresponding with the School District was initiated. She said they may have had communication on their own, but that staff did not forward the proposal. Jacalone asked why it had taken so long for the application.

(2:40 p.m.) John Metcalf, 245 Riverside Avenue, noted that he was representing the owner, Vestcor Plantation I, Ltd. Metcalf explained that the reason the application had been in review for so long was due to a moratorium and the length of time it took to receive concurrency. In relation to the proposed arterial roadways, Metcalf stated that the north/south road was substantially to the west of the subject property and crossed Leo Maguire Road, south of the project entrance. He noted that the subject property had been identified for residential development since the Comprehensive Plan had been in effect. He talked about the complexity of gaining access due to the wetlands and lack of access from I95 and said Leo Maguire Parkway was the most feasible access. Metcalf said there was sufficient right-of-way if the County should want to construct a roadway in the future. (2:46 p.m.) Stern noted that there had been discussion of an east-west road to the south. In regard to the reduction in sidewalk, Metcalf stated that the developer would extend Leo Maguire Parkway and give the County 120 feet of right-of-way. He explained that the property was bordered by woodlands on two sides and suggested that one sidewalk would suffice. Metcalf said that the recreational facilities would be in place prior to the commencement of Phase II.

(2:53 p.m.) Jacalone asked about the right-of-way on the entrance road. Metcalf noted that the code allowed for a reduction and he read from the code regulations. Discussion followed on the location and life expectancy of the billboard. Metcalf said it was a nonconforming use so, if it was torn down, it could not be replaced. (2:56 p.m.) Cubbedge stated that it was also designated a nonconforming use by the State. She said that it could be allowed in its nonconforming state only by variance, otherwise, it would be against Florida Statute. Metcalf identified where the parks would be located and he noted that the current applicant would probably not be the actual developer as the site was under discussion to sell to another developer. He said a new developer would come in with more detailed plans on the park areas. (2:59 p.m.) Jacalone reviewed the waivers that he would agree to, but said he had a problem with a couple. He mentioned that regulations did not allow only one sidewalk on a minor collector.

(3:04 p.m.) In response to questions from Maguire about the billboard, Cubbedge said they had the ability, as a nonconforming sign, to reface it or change its message and they could perform routine maintenance. She also reviewed what could not be done and said if it were inactive for a period of time they would lose the ability to use it.

(3:06 p.m.) Meiszer indicated that he would not support a variance that would prolong the life of a billboard. He suggested that the Board require the two sidewalks, but allow one to be built later. Discussion followed regarding ownership of the property that the other sidewalk would be built on. Metcalf noted that it was not the same entity but they could cause the other entity to build the sidewalk.

(3:10 p.m.) Isabel Lopez, Senior Assistant County Attorney, cautioned the Board about linking some future developer of a separate property, to this development. Discussion followed as to whether a future developer would be bound by the County's regulations to build sidewalks on both sides of the right-of-way. It appeared that they would not as, at that point, it would be an existing right-of-way.

(3:12 p.m.) Jacalone said he could not support the waiver for the sidewalk, because there was no guarantee that it would be built on the other sides of the rights-of-way. (3:14

p.m.) Metcalf said the developer could specify that the sidewalk on the left side of Leo Maguire Parkway, and the south side of the entry road, would be constructed within five years after the initial approval. Jacalone accepted that commitment. (3:15 p.m.) Maguire expressed concerns about the sidewalk and the billboard, and asked for a time commitment on the billboard. More discussion followed on the billboard. (3:20 p.m.) Cubbedge clarified that any billboard that existed in a PUD had to be stated as a use, and it would have to be either CI or Industrial use and be located within a Mixed Use District. She concluded that the waiver would allow the billboard to stay as is. (3:21 p.m.) Jacalone said a 10-year concession for the billboard was not acceptable, but five years was. (3:22 p.m.) **Motion by Jacalone, seconded by Stern, to enact Ordinance No. 2003-94, known as PUD 2001-15, Plantation PUD, adopting Findings contained within the package to support the motion, 1 through 6, the waivers granted, as requested, being 1 - with the construction of the other sections [of sidewalk] within five years of the approval of this request, on both the west side of Leo Maguire and the south side of the main entry road; 2, 3, and 4 [as requested], 5 - goes away; 6 [as requested], 7 - subject to the construction of the recreational facilities before the commencement of Phase II; 8, 9, 10, and 11 [as requested]; 12 - attaching the condition that the existing billboard be allowed to be non-conforming for five years, from the date of this approval, after which time it has to be removed from the boundaries of the project.** (3:24 p.m.) Lopez requested that the record show that the applicant had agreed to the conditions. Metcalf confirmed that to be true. **The motion carried 4/1, with Meiszer voting nay.**

ORDINANCE NO. 2003-94

AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM OPEN RURAL (OR)
TO PLANNED UNIT DEVELOPMENT (PUD);
PROVIDING FINDINGS OF FACT; PROVIDING A
SAVINGS CLAUSE; REQUIRING RECORDATION; AND
PROVIDING AN EFFECTIVE DATE

The meeting recessed at 3:25 p.m. and reconvened at 3:35 p.m.

(11/04/03 - 16 - 3:35 p.m.)

12. PUBLIC HEARING - MAJMOD 2003-07 ST. AUGUSTINE CENTRE PUD - THE ST. AUGUSTINE CENTRE PUD CONSISTS OF 315.3 ACRES AND IS LOCATED AT 2320 STATE ROAD 16, WITHIN THE ST. AUGUSTINE CENTRE DRI. THE MAJOR MODIFICATION PROPOSES TO CHANGE THE USE OF AREA H FROM RESIDENTIAL TO LIGHT INDUSTRIAL AND WOULD PROVIDE ACCESS FROM ONLY INMAN ROAD. THE RESULT WOULD BE A DECREASE OF 240,000 SF, OR 8 ACRES, OF LIGHT INDUSTRIAL. AREA F WOULD BE RE-DESIGNATED FROM LIGHT INDUSTRIAL TO RESIDENTIAL. THE RESIDENTIAL AREA WOULD BE DEVELOPED AT A DENSITY NOT TO EXCEED 12 UNITS PER ACRE. THE RESULT WOULD BE AN INCREASE OF 203 RESIDENTIAL UNITS

Proof of publication of Notice of Public Hearing on MAJMOD 2003-07, St. Augustine Centre, 2320 SR 16, was received, having been published in *The St. Augustine Record* on October 20, 2003.

Nicole Cubbedge, AICP, Planner III, reviewed the six changes requested in the Major Modification. The changes that she talked about were: the hotel use being deferred to Phase III; reduction in retail use; increasing movie theater seats and moving it up to Phase I; increase in outlet retail and non-outlet retail square footage; and, Phase I would

include 472 residential units. She noted that staff had no objections and that the Planning and Zoning Agency had recommended approval.

(3:40 p.m.) Jacalone asked how many acres were in section "H." Cubbedge replied that there were 28.1 acres. Maguire said his map showed 22.4 acres. There was discussion regarding the switch from Industrial to Residential zoning.

(3:44 p.m.) John Bailey, Upchurch, Bailey and Upchurch, St. Augustine, stated that he was representing the applicant, St. Augustine Centre. He said this was a companion to the DRI done in August and that they were required to make the same changes to the PUD. Bailey explained that the changes in the zoning districts were just a factor of the size of the parcels. He identified the location of the different sections and reviewed the proposed uses.

(3:47 p.m.) Maguire said he thought the switch was logical. (3:49 p.m.) Stern agreed with moving the Industrial. (3:50 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to enact Ordinance No. 2003-95, known as MAJMOD 2003-07, St. Augustine Centre PUD, adopting Findings of Fact to support the motion, contained in the packet, 1-6.**

ORDINANCE NO. 2003-95

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE ST. AUGUSTINE CENTRE
PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE
NUMBER 97-23, AS AMENDED, MAKING FINDINGS
OF FACT; REQUIRING RECORDATION; AND
PROVIDING FOR AN EFFECTIVE DATE**

(11/04/03 - 17 - 3:51 p.m.)

13. PUBLIC HEARING - MDP 2003-09 NOCATEE NEW CR 210 (NOCATEE PUD/DRI) - THE NOCATEE PUD PROVIDES THAT A MASTER DEVELOPMENT PLAN (MDP) FOR EACH VILLAGE OR PORTION THEREOF SHALL BE SUBMITTED, REVIEWED AND PROVIDED TO THE PLANNING AND ZONING AGENCY FOR A RECOMMENDATION AND THE BOARD OF COUNTY COMMISSIONER'S FOR CONSIDERATION AND APPROVAL. THIS REQUEST SEEKS APPROVAL OF A MASTER DEVELOPMENT PLAN FOR THE NEW CR 210 FROM THE WEST INTERCHANGE IN NOCATEE TO THE NEW FOUR-LANE BRIDGE AT THE INTRACOASTAL WATERWAY, A NEW CONNECTOR FOR THE EXISTING INTERSECTION OF CR 210 AND US 1 TO THE WEST INTERCHANGE OF NOCATEE AND PORTIONS OF THE TOWN CENTER PERIMETER ROAD AND CROSSWATER PARKWAY. THE NOCATEE PUD IS LOCATED WITHIN THE NEW TOWN (NT) FUTURE LAND USE DESIGNATION. ROAD IMPROVEMENT PROJECTS ARE NOT SUBJECT TO CONCURRENCY

Proof of publication of Notice of Public Hearing on MDP 2003-09, Nocatee NEW CR 210, 200 Palm Valley Rd., was received, having been published in *The St. Augustine Record* on October 20, 2003.

Nicole Cubbedge, AICP, Planner III, reviewed the PUD process and explained that the request sought approval for a Master Development Plan for the new Country Road 210 alignment. She identified the location of the current portion of CR 210 and the proposed new route. She noted that the application included portions of the Town

Center perimeter road and Crosswater Parkway and traced the proposed routes. She reported that all appropriate activities had been accomplished.

(3:54 p.m.) Jacalone clarified that, the vacation of sections of CR 210 in the Town Center district, that had been part of the proposal all along, had not changed. It was confirmed that none of the roadway configuration had changed.

(3:56 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to approve Resolution No. 2003-214, known as MDP 2003-09, Nocatee New CR 210, adopting Findings contained within the package, 1 through 4.** Maguire received confirmation that Duval County had already approved its portion.

RESOLUTION NO. 2003-214

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MASTER DEVELOPMENT PLAN TO THE NOCATEE PLANNED UNIT DEVELOPMENT; ORDINANCE NO. 2002-46, AS AMENDED

(Item 6 was heard next.)

(11/04/03 - 18 - 3:58 p.m.)
COMMISSIONERS' REPORTS

Commissioner Meiszer:

Meiszer reported that one of his constituents was unhappy with a water bill from JEA. He said the customer was unable to get satisfaction from JEA and then reported it to the Public Service Commission (PSC). He said the PSC told the customer his only recourse was through the Jacksonville City Council. Meiszer pointed out that residents had no recourse and indicated that that was reason enough to consider acquiring St. Johns Service Company.

(4:01 p.m.) Bryant asked Adams to get the resident's name from Meiszer and call JEA.

(Michael Hunt, Deputy County Attorney, entered the meeting.)

(4:01 p.m.)

Commissioner Stern:

Stern expressed pride that St. Johns County had received an excellent rating for its investments.

(4:02 p.m.)

Commissioner Jacalone:

Jacalone reviewed that the Board had authorized Administration to implement an inspection for the Treasure Beach Canals and the noticing of non-compliance with bulkheads and asked Adams about the status. Adams said the inspection was underway and he would check on a report date. Jacalone noted that he had received a memo from Mike Rubin, Director, Construction Services, that the Vilano Ramp would be dredged from the middle to the end of December and that further improvements would be made to the Doug Crane Boat Ramp around the first of November.

(4:03 p.m.)

Commissioner Maguire:

Maguire asked Adams to request the quarterly reports from the Chamber of Commerce on economic activities. He noted that the MSD met the previous evening and one of the hot issues was JEA and the sewers. He said customers were under the impression that payments were going to be deferred but it was tied to tax bills. He said the intent and what was actually being done were being researched.

(4:05 p.m.)

Commissioner Bryant:

Bryant stated that the Value Adjustment Board was required to hold a Final Hearing to ratify the findings of the Special Master Hearings. The participating Board members were identified as: Bryant, Jacalone, Stern, and Maguire as Alternate. The meeting was tentatively scheduled for November 17, 2003 at 9:00 a.m. in the Auditorium. Bryant noted that he received a letter from the Department of Transportation (DOT) with its five-year work schedule and had distributed it in the Commissioner's mailboxes. Bryant read a letter from Ms. Cornwell regarding her removal from the Historic Review Board and request to be reinstated.

(4:09 p.m.) Lundquist explained the absences and said she had spoken with Donna Godfrey, Senior Planner. Discussion followed on the circumstances surrounding the absences. (4:11 p.m.) Meiszer commented on the confusion and suggested the Board just reappoint her. (4:13 p.m.) Maguire talked about what a good contributor Cornwell had been to the community. Lundquist suggested that the Board "reinstate" rather than "reappoint" her. (4:14 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to reinstate Mary Cornwell to the HRRB and to wipe her slate clean on the previous absences.**

(11/04/03 - 19 - 4:15 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams referred to a letter from the St. Johns County School District regarding Hurricane Shelters for the two new elementary schools, "I" and "J." He noted that the estimate totaled \$318,000 for hurricane shelter upgrades, including architectural and engineering fees, and it did not require additional money for the 2004 Budget.

(4:16 p.m.) Jacalone acknowledged that the Board had approved this in the past and suggested that the schools should contribute. Jacalone said he would support this in the next budget cycle, but he wanted the schools to participate in paying for upgrading their facilities.

(4:20 p.m.) Stern asked for information on the shelters and suggested a joint BCC/School Board workshop on the topic.

Adams noted that he had passed out an office holiday schedule and that the Board of County Commissioner's Office closure differed from the rest of the Constitutional Officers. He asked the Board for consensus to change the schedule so it would coincide with the others. The Board members agreed. Adams noted that there would be a Board of County Commissioner's meeting Thanksgiving week as well as the Tuesday before Christmas. He noted Tuesday, November 11th was a holiday and there would be no meeting on Tuesday, December 30th, as it is the fifth Tuesday.

(11/04/03 - 19 - 4:22 p.m.)

COUNTY ATTORNEY'S REPORT

There was no report.

(11/04/03 - 20 - 4:22 p.m.)
CLERK OF COURT'S REPORT

There was no report.

(The meeting moved to Item A1, formerly Regular Agenda Item 7 and immediately following, Item 1B, formerly Consent Agenda Item 14.)

With there being no further business to come before the Board, the meeting adjourned at 4:48 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check #342225 through #342429 totaling \$377,620.52 (10/28/03)

CORRESPONDENCE:

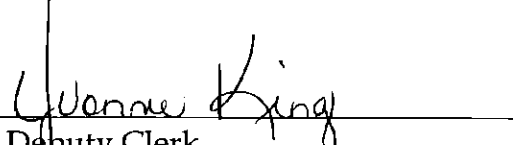
1. Letter dated October 27, 2003, to Liz Cloud, Chief, Bureau of Administrative Code, regarding filing St. Johns County Ordinance Number 2003-89.
2. Letter dated October 30, 2003, to Martha (Nell) Porter, City Clerk, City of St. Augustine forwarding the Interlocal Agreement for sewer line extension in West Augustine.

Approved November 18, 2003

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Karen R. Stern, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

