

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 3, 2004
(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: Karen Stern, District 2, Chair
Bruce Maguire, District 4, Vice Chair
Nicholas Meiszer, District 1
James E. Bryant, District 5
Marc Jacalone, District 3
Ben W. Adams, Jr., County Administrator
Dan Bosanko, County Attorney
Diane Gorski, Deputy Clerk

(11/03/04 - 1 - 9:05 a.m.)

Stern called the meeting to order.

(11/03/04 - 1 - 9:06 a.m.)

In honor of Veterans Day the Veteran's of Foreign Wars (VFW) posted the colors; Meiszer gave the Invocation; the VFW led the Pledge of Allegiance and taps was sounded in memory of our fallen heroes.

Ed Taylor reviewed the program the VFW had planned for the public schools in honor of Veteran's Day. He explained that school days missed due to the recent hurricanes required student attendance on Veteran's Day. He explained that a Veteran Speaker would address the students and that the students would attend one of five off site activities relating to Veteran's Day. He said there would be a reception at the Lighthouse in the evening, which was open to the public. He introduced Dagmar Chilton who had been captured collecting information in occupied France and had remained a prisoner for over a year. He asked the public to recognize and thank all Veteran's on Veteran's Day.

(11/03/04 - 1 - 9:22 a.m.)

ROLL CALL

Stern announced that all five Commissioners were in attendance.

(11/03/04 - 1 - 9:22 a.m.)

PROCLAMATION DESIGNATING NOVEMBER 11, 2004 AS VETERAN'S DAY

Maguire read the Proclamation designating November 11, 2004 as Veteran's Day. Dagmar Chilton accepted the proclamation on behalf of all Veterans. (9:24 p.m.) Rick Tallman, Veteran's Service Office spoke of the freedoms in America and said that the voting process was a good example of how lucky we were to be Americans. (9:26 p.m.) Taylor spoke about the election process and how wonderful it was to be an American.

(9:27 a.m.) Helen Toby, 205 E. Lattin Street, said her son was standing in on behalf of her father, and in memory of him she sang "God Bless America".

(11/03/04 - 2 - 9:29 a.m.)

PROCLAMATION DESIGNATING NOVEMBER 2004 AS NATIONAL EPILEPSY AWARENESS MONTH

Bryant read the proclamation designating November 2004 as National Epilepsy Awareness Month. Chris Fields, local pharmacist, accepted the proclamation on behalf of the National Epilepsy Foundation.

(11/03/04 - 2 - 9:33 a.m.)

ACCEPTANCE OF THE PROCLAMATION

Motion by Bryant, seconded by Jacalone, carried 5/0, accepting the proclamations

(11/03/04 - 2 - 9:33 a.m.)

PUBLIC COMMENT

Rex Toby, 205 E. Lattin Street, asked for help solving his transportation problems. Helen Toby spoke at length about the problems regarding rural transportation and asked the Board and Adams to direct the Council on Aging to provide her son with transportation. Stern asked Tobey to meet with Adams and Bosanko and Adams led Tobey to the conference room for discussion.

(11/03/04 - 2 - 9:43 a.m.)

DELETIONS TO CONSENT AGENDA

Item No. 1 was moved to the Regular Agenda as Item #33a. Item #14 was pulled from the Consent Agenda and rescheduled for the November 17, 2004 BCC meeting.

(11/03/04 - 2 - 9:45 a.m.)

APPROVAL OF CONSENT AGENDA

(9:45 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to approve the Consent Agenda as amended.**

1. Approval of the Cash Requirement Report

Pulled and moved to the Regular Agenda as Item 33a.

2. Minutes:
10/06/04 - BCC Regular Meeting

3. Sheriff's Office Bonds:

Approve:

Margaret Benjamin

Adam F. Eddy

Franchescka Bibiloni

Kenneth Wright

Virginia Kahn-Bowl

Richard Smith

4. Motion to approve the Public Official Bonds for the Property Appraiser, Sharon Outland, Supervisor of Elections, Penny Halyburton, Tax Collector, Dennis Hollingsworth, and Clerk of the Court, Cheryl Strickland

5. Motion to adopt **Resolution No. 2004-322**, approving the terms, provisions, conditions, and requirements of a Letter of Agreement between St. Johns County, Florida, and Drug Lab, Inc., for the provision of drug screening services, and related services, for 2004-2005, for the St. Johns County Adult Drug Treatment

Division, and authorizing the County Administrator to execute the Agreement on behalf of St. Johns County

RESOLUTION NO. 2004-322

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A LETTER OF AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA AND DRUG LAB, INC., FOR THE PROVISION OF DRUG SCREENING SERVICES, AND RELATED SERVICES, FOR 2004-2005, FOR THE ST. JOHNS COUNTY ADULT DRUG TREATMENT DIVISION, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

6. Motion to adopt **Resolution 2004-323**, approving the terms, provisions, conditions, and requirements of a contract among St. Johns County, Florida, Epic Community Services, Inc., and Gateway Community Services, Inc. for the provision of substance abuse treatment services, for 2004-2005, for the St. Johns County Adult Drug Treatment Division, and authorizing the County Administrator to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2004-323

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT AMONG ST. JOHNS COUNTY, FLORIDA, EPIC COMMUNITY SERVICES, INC., AND GATEWAY COMMUNITY SERVICES, INC. FOR THE PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES, FOR 2004-2005, FOR THE ST. JOHNS COUNTY ADULT DRUG TREATMENT DIVISION, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT ON BEHALF OF ST. JOHNS COUNTY

7. Motion to authorize the County Administrator or his designee, to negotiate and enter into a contract with Turnbull Environmental, Inc., for the lump sum amount of \$74,500.00, for construction of the Health & Human Services Parking Lot Improvements (Exhibit A)
8. Motion to authorize the County Administrator, or his designee, to enter into contract for air conditioning upgrades at the Criminal Justice Facility with the low bidder, Certified Control Systems, at their bid amount of \$338,000 (Exhibit B)
9. Motion to adopt **Resolution 2004-324**, authorizing the County Administrator to sign the Letter of Agreement between St. Johns County and Project Special Care

RESOLUTION NO. 2004-324

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA,

**ST. JOHNS COUNTY
BID TABULATION**



BID TITLE

CONSTRUCTION OF HEALTH &

HUMAN SERVICES COMPLEX
PARKING LOT IMPROVEMENTS

OPENED BY

LEIGH DANIELS

BID NUMBER

BID NO. 04-115

TABULATED BY

CHERYL ALBERTSON

OPENING DATE/TIME

October 13, 2004, 3:00 P.M.

VERIFIED BY

POSTING TIME/DATE

FROM 10/13/04 4:00 PM
UNTIL 10/18/04 4:00 PM

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OF 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 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.

*Exhibit "A"
Consent # 7
11-03-04*

BIDDERS	BASE BID PRICE	BID BOND					
A.W.A. CONTRACTING CO., INC.	\$78,204.00	X					
GRIBBS & REGISTER, INC.	\$91,380.00	X					
B A WILSON	\$75,748.18	X					
TURNBULL ENVIRONMENTAL, INC.	\$74,500.00	X					

BID AWARD DATE - _____

*Exhibit "B"
 Consent # 8
 11-03-04*

**ST. JOHNS COUNTY
 BID TABULATION**



BID TITLE DDC CONTROLS, CRIMINAL JUSTICE FACILITY, ST. JOHNS COUNTY
BID NUMBER BID NO. 04-97
OPENING DATE/TIME OCTOBER 6, 2004, 3:00 P.M.

POSTING TIME/DATE FROM 10/06/04 4:00 PM UNTIL 10/11/04 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 LEIGH DANIELS
TABULATED BY CHERYL ALBERTSON
VERIFIED BY *[Signature]*
 PAGE (S) 1 OF 1 PAGE (S)

BIDDERS	BASE BID # 1 TOTAL PRICE	BID BOND	ADDENDUM #1				
W. W. GAY FACILITY AUTOMATION, INC.	\$340,937.00	YES	YES				
CERTIFIED CONTROL SYSTEMS	\$338,000.00	YES	YES	↑			
BROOKS AIR SYSTEMS	\$339,277.00	YES	YES				

BID AWARD DATE - _____

APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A LETTER BETWEEN ST. JOHNS COUNTY, FLORIDA, ON BEHALF OF ST. JOHNS COUNTY COMMUNITY BASED CARE, AND PROJECT SPECIAL CARE, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LETTER OF AGREEMENT ON BEHALF OF THE COUNTY, AND ST. JOHNS COMMUNITY BASED CARE

10. Motion to adopt **Resolution 2004-325**, approving the contract with St. Johns County Head Start to provide mental health services for Head Start children, staff, and families and authorize the County Administrator to sign

RESOLUTION NO. 2004-325

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA AND ST. JOHNS COUNTY HEAD START, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY

11. Motion to adopt **Resolution 2004-326**, approving a Final Plat for Augustine Island

RESOLUTION NO. 2004-326

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

12. Motion to adopt **Resolution 2004-327**, approving conveyance of certain County owned property to the Sate of Florida Department of Transportation to complete a borrow pit parcel

RESOLUTION NO. 2004-327

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING CONVEYANCE OF CERTAIN COUNTY OWNED PROPERTY TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, TO COMPLETE A BORROW PIT PARCEL

13. Motion to adopt **Resolution 2004-328**, accepting the donation of park and conservation land from North River Island LLC

RESOLUTION NO. 2004-328

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DONATION OF PARK

**CONSERVATION LAND IN SURFSIDE SUBDIVISION
FROM NORTH RIVER ISLAND, LLC**

14. Motion to adopt a Resolution accepting the terms of a Lease Agreement, authorizing the County Administrator to execute the Lease Agreement on Behalf of the County and approving payment for the Lease Agreement

Item pulled and moved to November 17, 2004.

15. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the top ranked firm, Cogsdale Corporation, for an Automated Utility Billing System. If negotiations fail, authorization is requested to terminate negotiations and begin negotiations with the No. 2 ranked firm and continue until an agreement is reached
16. Motion to adopt **Resolution 2004-329**, approving a final Plat for St. Johns Golf and Country Club Unit Four Phase Four

RESOLUTION NO. 2004-329

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR ST. JOHNS
GOLF & COUNTY CLUB, UNIT FOUR, PHASE FOUR**

17. Motion to approve the signing of the Owner Awareness Statement to nominate to the National Register of Historic Places that segment of Old Dixie Highway - Old Brick Road located between Espanola in Flagler County to County Road 204 in St. Johns County
18. Motion to adopt **Resolution 2004-330**, approving the terms, provisions, conditions, and requirements of an Amendment to the Infrastructure Co-Construction Agreement between the World Commerce Center, and St. Johns County, Florida, and authorizing the County Administrator to execute the Agreement on behalf of the County

RESOLUTION NO. 2004-330

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS OF AN AMENDED
AGREEMENT BETWEEN WORLD COMMERCE
CENTER AND ST. JOHNS COUNTY, FOR THE
ENGINEERING DESIGN, PERMITTING AND
CONSTRUCTION OF ST. FRANCIS ROAD AND
APPROVED CERTAIN SHARED RESPONSIBILITIES
FOR THIS TRANSPORTATION PROJECT**

19. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 05-08
 - b. Proof, Notice of Meeting, Private Meeting of the Board of County Commissioners, Wednesday, October 6, 2004 at 8:00 a.m.
 - c. Proof, Notice of Meeting, Special Meeting of the Board of County Commissioners, Wednesday, September 29, 2004 at 5:30 p.m.
 - d. Proof, Notice to Bidders, Bid No. 04-115
 - e. Proof, Notice to Bidders, Bid No. 05-13

- f. Proof, Notice to Bidders, Bid. No. 05-11
- g. Proof, Notice of Meeting, Intergovernmental Committee, Wednesday, October 13, 2004, Wednesday November 10, 2004, and Wednesday, December 8, 2004 all at 3:00 p.m.
- h. Proof, Notice of Proposed Tax Increase and Public Hearing, Wednesday, September 29, 2004 at 5:30 p.m.
- i. Proof, Certificate of Liability Insurance, Beachcombers, Inc.
- j. Proof, Certificate of Liability Insurance, Delco Oil, Inc.
- k. Proof, Certificate of Liability Insurance, Clearwire Corporation

(11/03/04 - 6 - 9: 45 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Regular Agenda Item No. 31 moved to 2a. and Stern added the following items:

- 33b. Waiver of TUP fees
- 33c. GCA (Wildwood)
- 33d. GCA (Canopy Shores)
- 2b. Beach Renourishment

(11/03/04 - 6 - 9:52 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Jacalone, seconded by Maguire, carried 5/0, to approve the Regular Agenda as amended.

(11/03/04 - 6 - 9:53 a.m.)

1. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING AND CONSENTING TO THE JACKSONVILLE ELECTRIC AUTHORITY'S (JEA) ACQUISITION OF THE NOCATEE UTILITY CORPORATION'S ASSETS, TERRITORY AND RIGHTS WITHIN ST. JOHNS COUNTY.

John Schwab, Special Project Manager, reviewed the request and explained that the County would receive revenue predicated in the Interlocal Agreement that was initially drafted for Julington Creek Plantation and amended twice. He said that the second amendment demonstrated the territorial area that JEA had received. He stated that the territory was directly related to the Nocatee territory. He further explained that the resolution would eliminate a Nocatee Utility and would allow a hands on relationship between JEA and the customer.

(9:56 a.m.) Ellen Whitmer, 1178 Natures Hammock Way Road, spoke in opposition to the acquisition because she believed it was not in the people of St. Johns County's best interest. (Exhibit A) (9:58 a.m.) Meiszer stated that the utility situation was one of the three reasons he had voted against Nocatee. He stated that at the time of the Agreement there had been a suspicion that the agreement between Nocatee and the JEA would eventually wind up before the commission as presented today, with JEA providing service directly to St. Johns County Citizens. He had suggested that JEA take the same agreement that Nocatee had and offer it to St. Johns County so that the County utility would then have the ability to serve its citizens. He said that he would vote against the acquisition. (10:01 a.m.) Bosanko mentioned that in a document, included within the agenda packet, alleged that the Interlocal Agreement between the County and the Developer presupposed later possible transfers to other entities (utilities). He said that the document also alleged a pre-agreement by the County to allow the transfers. He explained that Michael Hunt, Deputy County Attorney, had been involved with the drafting of the Interlocal Agreement, and he understood that there was pre-approval for these types of transfers included in the original Interlocal

Agreement. (10:02 a.m.) Bryant stated that he supported JEA providing services in the Northern portion of the County and that it has always been his intent to provide the highest level of service at the lowest possible rates to the residents. He asserted that JEA's rates are lower than St. Johns County and asserted that this agreement eliminated a middleman assuring lower rates and helped hold the line on development. (10:04 a.m.) Jacalone said that the possible transfer of utility assets in the future had been contemplated and that the action requested today validated the transfer of the service area certificates that were previously granted to the Nocatee Utility Company from the Public Service Commission in 2001 to JEA, which required County Authorization. (10:05 a.m.) Schwab mentioned that Section 3 of the Interlocal agreement stated, "The extension of the service area in the Northern area of St. Johns County is also to include privately owned utilities within that area." (10:05 a.m.) Meiszer asserted that JEA should install a meter for the County Utilities, as it would have done for the Nocatee Utilities, to provide water to the customers that the County could make the profit, be able to expand its system and get the economies of scale by enlarging its system. (10:07 a.m.) Bryant stated that JEA was no longer willing to enter into a wholesale agreement to sell water to outside entities and Schwab concurred. (10:08 a.m.) **Motion by Bryant, seconded by Jacalone, carried 3/2, with Meiszer and Maguire opposed, to adopt Resolution No. 2004-331, approving and consenting to the JEA's acquisition of the Nocatee Utility Corporation's assets, territory and rights within St. Johns County.**

RESOLUTION NO. 2004-331

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING AND CONSENTING TO JEA'S ACQUISITION OF THE ASSETS, TERRITORY AND RIGHTS OF NOCATEE UTILITY CORPORATION; PROVIDING AN EFFECTIVE DATE

(11/03/04 - 7- 10:09 a.m.)

2. CONSIDER MOTION TO APPROVE AN APPLICATION FILE AND ADOPT A RESOLUTION APPROVING THE TRANSFER OF FRANCHISE CERTIFICATES AND FACILITIES FROM ST. JOE UTILITIES COMPANY TO JEA.

John Schwab, Special Project Manager, explained that through the use of an Interlocal Agreement within the existing St. Joe Utility Company service area, the JEA was requesting that the sale be approved by a resolution and also that an application of the transfer of the franchise certificates and facilities owned by St. Joe Utility be granted to JEA. Schwab explained that there would be a reconciliation regarding the revenues that would be generated in the development area. He said that JEA would submit a check to the County in the amount of \$506,000 upon ten days after closing, and that St. Joe Utility would submit a check in the amount of approximately \$613,000 within ten days after the closing, that would be reconciled upon the development as it occurred (ultimately within a ten year period). He asked for Board approval. (10:11 a.m.) Meiszer asked if it would be advisable to ask JEA to service all of the customers in the area, even those outside the boundaries, of the developments because they are less dense, not profitable and would not be served unless a requirement was made. (10:13 a.m.) Schwab answered that the service area that was not within the expanded northern territory, which was now being approved for JEA, was actually in the service area of St. Johns County Utilities. He said that if the County Utility Department was given the first right of refusal to serve the community located adjacent to their boundary line and if they could not provide service because of financial or geographical reasons, the JEA would be given the opportunity to expand the service territory and would have to come before the Board with the request. Meiszer mentioned that he wanted JEA's

opportunity to expand services to be made a requirement and Schwab answered that JEA could address the request. (10:13 a.m.) Bryant explained debt service financing and repayments. He said that St. Johns County did not have the capabilities to expand in St. Johns County because of future debt repayments. He asserted that the price that St. Johns County would need to charge its customers would far outweigh the benefits that they would receive with JEA as a provider. (10: 16 a.m.) **Motion by Bryant, seconded by Jacalone.** Maguire announced that there was public comment. He asserted that the County could not afford to buy either Nocatee or Rivertown and said that he preferred that St. Johns County controlled the resources, but that would not be feasible. (10:18 a.m.) Meiszer disagreed and stated that acquisition of the utility would generate enough revenue to cover the expense.

(10:18 a.m.) Ellen Whitmer, 1178 Natures Hammock Way Road, stated that she felt that the Boards approval of this sale would be an egregious affront to all of the people in St. Johns County. (Exhibit A) (10:22 a.m.) Bosanko stated that the Interlocal Agreement between the County and JEA offered a 5% share of the gross revenue generated be given to St. Johns County. (10:23 a.m.) Bryant said that St. Johns County could afford to purchase the utility but that the customers would have to pay higher rates to finance the debt service. (10:26 a.m.) Stern restated the motion: **Motion by Bryant, seconded by Jacalone, carried 3/2, with Maguire and Meiszer opposed, to approve an Application file and to approve Resolution No. 2004-332, approving the transfer of franchise certificates and facilities from St. Joe Utilities Company to JEA.**

RESOLUTION NO. 2004-332

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TRANSFER OF FRANCHISE CERTIFICATES AND FACILITIES IN ST. JOHNS COUNTY FROM ST. JOE UTILITIES COMPANY TO JEA

The meeting was recessed at 10:27 a.m. and reconvened at 10:47 a.m.

(11/03/04 - 8 - 10:47 a.m.)

2a. DISCUSSION OF THE PROPOSED REPLACEMENT BRIDGES FOR RATTLESNAKE ISLAND (SUMMER HAVEN)

Aage Schroeder, Florida Department of Transportation (FDOT) gave a brief update to the Board and introduced James Bennett, Project Coordinator. (10:50 a.m.) James Bennett provided a packet to the Board (Exhibit A) and reviewed the information. (10:59 a.m.) Discussion relating to the design, cost and safety aspects of the bridges ensued.

(11:06 a.m.) Marie Devron Cardenas, 6730 Strawberry Lane, (Exhibit B) was concerned about the impact the bridges would have on the area. She reviewed the ecological aspects of importance in the historical community. She was opposed to the design of the bridges particularly the height, width, and structure.

(11:13 a.m.) Patricia Hurd and Wade Walker, 33 East Pine Street, Scenic Highway Master Plan consultants, (Exhibit C) requested the opportunity to work with FDOT to form a collaborative process so that the bridge design would be in harmony with the community. Hurd reiterated that details mattered and that there were opportunities to design the bridges to represent the historic community.

(11:20 a.m.) Barbara Jenness, Coastal Highway, a citizen member of the St. Johns County Community Traffic Safety Team, expressed concerned with safety and preservation of the scenic vistas. She said that her main concern was with the height and width of the structure. She requested a context sensitive bridge design. She asked the Board to request that FDOT follow their own established criteria in regards to scenic and historic highway and bridge improvements.

(11:24 a.m.) Bennett stated that the FDOT recognized the bridges in the historic area of the scenic highway and asserted that they would meet all necessary requirements and regulations. He maintained that the current bridges had outlived their usefulness, traffic would continue to increase and safety was extremely important. He explained the funding and maintenance concerns and said that recommendations for the outside railings were needed immediately, and that the design must go forward or funding for improving the bridges would be lost forever. (11:29 a.m.) Jacalone reminded everyone that the item was placed on the agenda for discussion and that he appreciated being brought up to speed and encouraged FDOT and the community to work together. (11:31 a.m.) Schroeder thanked the Commission for allowing them to present the information. (11:32 a.m.) Stern thanked the FDOT for their presentation and the public speakers for their great ideas, and asked that the FDOT work with the public to arrive at a design that would be agreeable to both sides.

(11/04/04 - 9 - 11:33 a.m.)

2b. CONTRACT FOR PERMITTING SERVICES - BEACH RENOURISHMENT

Daniel Weimer, Director of Parks and Recreation, reviewed the contract for permitting services in response to a letter received from the Army Corps of Engineers who would provide 15 million dollars for renourishment. He explained that federal funding might be available and that the State had requested emergency relief to restore the beaches. He asked that Taylor Engineering be permitted to negotiate the renourishment program. (11:37 a.m.) Meiszer asked what the cost to the county would be and Weimer responded that the amount payable to Taylor Engineering for permitting was \$150,000 and explained that the Tourist Development Fund had monies earmarked specifically for this contract and that the monies were not reimbursable. He asked if Taylor Engineering could include a projection on how the renourishment would last in their plans and Weimer responded that Bruce Taylor would address the Board at the first Board meeting in December. Meiszer questioned whether or not artificial reefs, jetties, and other alternatives have been considered and Weimer answered that Taylor Engineering would provide the Board with information and offer them a chance to ask questions at the 12/01/04 meeting. (11:39 a.m.) Bryant questioned the competency of the current Engineering Firm. Weimer explained that there was strict deadline for the Army Corps of Engineers request and that lack of action would result in the loss of the 15 million dollar renourishment project. He explained that the ACOE have decided to complete the 2006 renourishment in 2005. Bryant asserted that Taylor Engineering had made a living off of the Corps for several years. Weimer responded that Taylor provided a lot of engineering work to many state and local governments. Bryant stated that a permanent solution was needed. (11:43 a.m.) Stern requested that Taylor Engineering present their plan to the Board on 12/01/04. There was a discussion regarding alternative methods relating to beach renourishment. (11:45 a.m.) Jacalone asked if there had ever been a renourishment program in the county that did not include dredging and Weimar answered that there had not. He said that the inlet would be dredged. Jacalone asserted that the dredging of navigable channels needed to be completed from time to time. He expressed hope that remodification of the jetty system, and or solid type breakwater would be considered if they could be permitted. (11:48 a.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to declare the action as an emergency to satisfy the requirements of FS 287.055, Section 3 (regarding**

purchasing) and to approve the terms, provisions, conditions, and requirements of a contract between St. Johns County and Taylor Engineering, Inc. and authorizing the County Administrator to execute the contract on behalf of St. Johns County.

(11/03/04 - 10 - 11: 50 a.m.)

3. **CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE CHAIRPERSON OF THE BCC TO EXECUTE A MEMORANDUM OF AGREEMENT EVIDENCING THE COUNTY'S SUPPORT OF THE WEED & SEED PROGRAM**

Tom Crawford, Director of Housing & Community Services, reviewed the request. He stated that the Board had always taken a proactive stance with the West Augustine Community. He explained that the program coordinates law enforcement, prevention intervention and treatment programs. He said that there was an application process for designation, followed by a funding application process, which, if successful, would provide funding of approximately 1 million dollars. He explained that the program concentrated on establishing partnerships and focusing resources. He said that as a partnering entity on the Steering Committee, St. Johns County's Memorandum of Agreement, outlined the commitments made by the County and he mentioned that Epic was selected as the Site Coordinator for the application. He introduced Patty Greeno, Epic Director, who then addressed the Board. She explained that a Memorandum of Agreement was being requested from all participating agencies. (11:55 a.m.) Stern thanked everyone who had worked such long, hard hours for his or her efforts and community involvement. (11:56 a.m.) Bryant said that this program was good for the West Augustine area of the County and supported continued efforts to become part of the program. (11:57 a.m.) Maguire reviewed the agreement and asked if building SHIP housing was a requirement and Crawford responded that both programs paralleled each other and benefited the Community. Crawford thanked Derek Hankerson for pulling the project together and Stern concurred. (12:00 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to adopt Resolution No. 2004-333, relating to the Weed & Seed Program; authorizing the County Administrator to execute a Memorandum of Agreement providing for St. Johns County's support of the program.**

RESOLUTION NO. 2004-333

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, RELATING TO THE WEED & SEED PROGRAM; AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF AGREEMENT PROVIDING FOR ST. JOHNS COUNTY SUPPORT OF THE PROGRAM

The meeting recessed for lunch at noon and reconvened at 1:39 p.m. with Stern, Maguire, Jacalone, Bryant, Meiszer, Zebrowsky, Bosanko, Barrow, and Deputy Clerk Lenora Newsome present.

(11/03/04 - 10 - 1:39 p.m.)

4. **PUBLIC HEARING - REZ 2004-25 2119 S.R. 16 - THIS REQUEST SEEKS TO REZONE .29 ACRES FROM COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI) TO MOVE AN EXISTING CAR LOT NEXT DOOR TO A SMALLER LOT. THE PARCEL IS LOCATED ON THE SOUTH SIDE OF S.R. 16 APPROXIMATELY 3/4 MILE EAST OF I-95 AND IS IN THE MIXED USE LAND USE AREA AS DEPICTED ON THE FUTURE LAND USE MAP. ST. JOHNS COUNTY UTILITIES WILL PROVIDE CENTRAL WATER**

AND SEWER. ADJACENT ZONINGS ARE PUD AND CI. THE PARCELS TO THE NORTH ARE ALSO ZONED CI. FINAL CERTIFICATE OF CONCURRENCY CONMINPDRA2004-23 APPROVED FOR THE DEVELOPMENT OF 500 SQ. FT. OF USED CAR SALES AND 1,300 SQ. FT. AUTO REPAIR/DETAILING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 6 TO 0 AT THEIR SEPTEMBER 2, 2004 MEETING.

Proof of publication of the Notice of Proposed Rezoning on REZ 04-25 State Road 16, was received, having been published in *The St. Augustine Record* on October 18, 2004.

Joy Kluckhohn, 2125 SR 16, spoke on moving their car lot next door and having a smaller car lot to enhance the property value of their lot with a four bay repair shop. (1:41 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to enact Ordinance No. 2004-87, known as REZ 2004-025, 2119 S.R. 16, adopting Findings contained in the package to support the motion.**

ORDINANCE NO. 2004-87

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

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

5. PUBLIC HEARING - PUD 2004-13 MARINA CLUB PV PUD - THIS REQUEST SEEKS TO REZONE 2.45 ACRES OF LAND FROM COMMERCIAL GENERAL (CG) AND COMMERCIAL HIGHWAY AND TOURIST (CHT) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW THE REDEVELOPMENT OF THE SITE WITH A MARINA CONSISTING OF A 17,400 SQUARE FOOT OF DRY BOAT STORAGE, A 3,500 SQUARE FOOT TWO STORY RETAIL BUILDING WITH A SHIP SUPPLY STORE AND EITHER A DELI-CAFÉ OR A DOCK-MASTER'S RESIDENCE, AND A 1,200 SQUARE FOOT TWO STORY DOCK MASTERS OFFICE. THE EXISTING PARCEL CONSISTS OF A VACANT 6,500 SQUARE FOOT RESTAURANT, A 650 SQUARE FOOT BAIT SHOP, A FENCED 35 BOAT STORAGE AREA AND 150 FEET OF STATIONARY DOCK ON THE INTRACOASTAL WATERWAY. THE SUBJECT PROPERTY IS SITUATED ON THE NORTH SIDE OF THE C.R. 210 BRIDGE AT PALM VALLEY BETWEEN ROSCOE BOULEVARD ON THE EAST AND THE INTRACOASTAL WATERWAY ON THE WEST. CURRENTLY THE SITE IS SERVED BY A WELL AND A SEPTIC SYSTEM, HOWEVER THE PROPOSED PROJECT WILL BE SERVED WITH CENTRAL WATER AND SEWER SERVICE BY JEA. THE SUBJECT PROPERTY IS DESIGNATED AS COMMERCIAL ON THE FUTURE LAND USE MAP.

Proof of publication of the Notice of a Proposed Rezoning in the matter of PUD 04-13 Marina Club, was received, having been published in *The St. Augustine Record* on October 18, 2004.

Bruce Ford, Chief Planner, mentioned that there were five waivers instead of four, which were in the PUD text, but not on the coversheet.

(1:43 p.m.) Gary Davenport, 3266 Pacetti Road, and Karen Taylor, 3070 Harbor Drive, were representing the applicant. Davenport gave the historical background on this item, Exhibit A, utilizing the overhead projector. Taylor reviewed the site plans, stating that they had combined two buildings into one, and provided for the average buffer around the lagoon area. Davenport made two final points regarding water usage and Comprehensive Plan changes. Discussion followed on this item being improved with the waivers included, and the zero setback issue.

(1:59 p.m.) Randy McNeal, 117 Old Ponte Vedra Drive, explained the Army Corp of Engineers (ACOE) main concern. Discussion followed on the waiver requests regarding buffers and setbacks. Maguire mentioned receiving an email from Mr. Antonopoulos regarding setbacks. Maguire voiced concern about the intensity of use. Taylor spoke on boat usage. (2:08 p.m.) Bryant left the meeting.

(2:09 p.m.) Maguire read a note from Carl Stoudemire, 189 San Juan Drive, stating that he was in favor of this project.

(2:09 p.m.) Maguire also read a note from Doug Barran, 1062 Ponte Vedra Drive, stating that he was in favor of this project.

(2:10 p.m.) Michael Antonopoulos read a statement from Marcy Silkebaken, 1145 Neck Road, voicing her concerns.

(2:13 p.m.) Bosanko stated that Florida laws did not allow the number of people that are for or against land use items to be considered in the decision.

(2:16 p.m.) Michael Antonopoulos, 216 Clatter Bridge Road, mentioned that he was not opposed to the Marina, but was opposed to the way it was designed. Jacalone asked if the Board had the latitude to go outside of the boundaries of the applicant's property and what they are being asked to rezone, aka ACOE activity is not in this application. Bosanko responded that they were not permitted to direct what happened on the ACOE property, but the Board could consider the compatibility of the PUD as a whole on the surrounding properties. Meiszer asked about new construction being on the ACOE's property. Antonopoulos responded. Stern mentioned that activity being shown on the ACOE's property was on the old site plan, which was replaced by another site plan that did not include it. Davenport replied that there would not be any construction on the ACOE's property. Discussion followed on the size of the building and the boat ramp.

(2:37 p.m.) Maguire mentioned that Ted Galloway, 109 Old Ponte Vedra Drive, had to leave, but wanted to let everyone know that he was in support of this item.

(2:37 p.m.) Ronald Case, 363 South Roscoe Blvd., stated that he was opposed to the size of the project and what was going on with this item. He also spoke on the waivers. Meiszer spoke on having a recommendation from the Architectural Review Committee. Taylor addressed requirements in PUDs.

(2:53 p.m.) Davenport spoke on changing the site plan. Taylor mentioned that there wasn't any vertical building activity within the ACOE's property.

(2:56 p.m.) Stern disclosed ex-parte communication regarding the site plan and working with the community. Maguire disclosed ex-parte communication with Karen Taylor, Randy, and Greg Leonard. (2:59 p.m.) **Motion by Maguire, seconded by Jacalone, to enact Ordinance No. 2004-88, known as PUD 2004-13 Marina Club PV PUD adopting Findings of Fact to support the motion with the additional waiver.** Jac disclosed ex-

parte communication with Taylor and McNeal. Meiszer disclosed ex-parte communication the same as Jacalone. **The motion carried 4/0 with Bryant absent.**

ORDINANCE NO. 2004-88

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

The meeting recessed at 3:01 p.m. and reconvened at 3:08 p.m.

(11/03/04 - 13 - 3:08 p.m.)

6. PUBLIC HEARING - 1. WAIVER OF SECTION 9.04.05.B OF THE LAND DEVELOPMENT CODE, ENTITLED LIMITATIONS ON REZONING LAND IN ORDER TO HEAR PUD 2004-27 SURFSIDE LODGE PUD 2. PUD 2004-27 SURFSIDE LODGE PUD - 1. WAIVER OF SECTION 9.04.05.B OF THE LAND DEVELOPMENT CODE, ENTITLED LIMITATIONS ON REZONING LAND: SECTION 9.04.05.B OF THE LAND DEVELOPMENT CODE, ENTITLED LIMITATIONS ON REZONING LAND PROVIDES THAT WHENEVER THE BCC HAS DENIED AN APPLICATION FOR THE REZONING OF LAND, NO FURTHER APPLICATION SHALL BE FILED FOR THE SAME REZONING CATEGORY OF ANY PART OR ALL OF THE SAME THE LAND FOR A PERIOD OF ONE YEAR FROM THE DATE OF SUCH ACTION. THE BCC HEARD AND DENIED PUD 2003-21-SURFSIDE LODGE PUD ON APRIL 27, 2004, CITING CONCERNS WITH THE REQUESTED WAIVERS, PROPOSED SETBACKS AND PROTECTION OF THE EXISTING COMMUNITY. ON SEPTEMBER 10, 2004, THE APPLICANT SUBMITTED PUD 2004-27 LOCATED ON THE SAME PROPERTY AS PUD 2003-21 AND FOR THE SAME PROPOSED USE. SECTION 9.04.05.C OF THE LAND DEVELOPMENT CODE ALLOWS THE BCC TO WAIVE THE ONE YEAR TIMEFRAME. BEFORE PUD 2004-27 MAY BE CONSIDERED BY THE BCC, THE BCC MUST WAIVE THE ONE-YEAR TIMEFRAME. 2. PUD 2004-27 SURFSIDE LODGE PUD. THIS IS A REQUEST TO REZONE APPROXIMATELY 0.66 ACRE OF LAND FROM CHT TO PUD TO ALLOW THE DEVELOPMENT OF A 20-UNIT EXTENDED STAY HOTEL. THE SUBJECT PROPERTY IS DESIGNATED AS COMMERCIAL ON THE FUTURE LAND USE MAP. PREVIOUS TO THE SUBMITTAL OF PUD 2004-27, THE APPLICANT HAD SUBMITTED PUD 2003-21 THAT WAS SUBSEQUENTLY DENIED BY THE BCC ON APRIL 27, 2004. IN SEPTEMBER, PUD 2004-27 WAS SUBMITTED. DURING THE BCC'S REVIEW OF 2003-21, THEY EXPRESSED CONCERN WITH THE PROJECT'S IMPACT TO THE ADJACENT COMMUNITY AND ASKED THE APPLICANT TO LOOK INTO DEVELOPING THE PROJECT WITHOUT THE WAIVERS. WITH THIS PROPOSED PUD 2004-27, THE APPLICANT HAS TRIED TO ADDRESS THE BCC'S CONCERNS BY MOVING THE PARKING AND BUILDINGS A MINIMUM 20 FEET FROM THE NORTH PROPERTY LINE. FENCING, LANDSCAPING AND RETENTION AREA ARE LOCATED ADJACENT TO THE NORTH PROPERTY LINE.

Proof of publication of Notice of a Proposed Rezoning in the matter of PUD 04-27 Surfside, was received, having been published in *The St. Augustine Record* on October 14, 2004.

Laura Pierle, Court Reporter was present. Teresa Bishop, AICP, Planning Director, reviewed this item, stating that this application was submitted last year and denied. She mentioned since then, the applicant had resubmitted the application and it had gone through for review, but before any action could be taken on this application, the Board would need to waive the time for filing an application that had been denied and the time limit was one year before they could re-file. Bosanko gave a brief background history on this item. Meiszer voiced a procedural complaint. Bishop explained PUD's. Jacalone spoke on minimum standards with PUD's on minimum requirements. Bishop responded. Meiszer read the one sentence listed on page 9-8 of the Land Development Code, Section 9.04.05c; *the time limits in 9.04.05a and 9.04.05b may be waived by an affirmative vote of a majority of the Board of County Commissioners, when such action is deemed necessary to present injustice or to facilitate the proper development of the County.* Bosanko stated that his position on this was to recommend to the Board to reconsider it to try to facilitate settlement of the multi-year litigation, if bringing back a package with no waivers.

(3:25 p.m.) George McClure, 170 Malaga Street, spoke on coming up with a non-waiver PUD. He gave a brief history of this item, utilizing the overhead projector. Discussion followed on reconsidering the merits of this item and why this item should be granted.

(3:41 p.m.) Deborah Andrews, 11 North Roscoe Blvd., spoke against this item asking for it not to be reconsidered and not to grant the waiver. Stern asked to see the site plan and asked if this plan conformed to the code. Bishop replied that in her opinion this plan didn't conform to code without a variance. Meiszer asked what the difference would be if the applicant proceeded under the building permit that they were entitled to under CH or if the PUD was approved and proceeded under it. McClure explained the differences utilizing the overhead projector. Maguire recused himself because his family owned property within 200 feet of the adjacent property. (3:54 p.m.) **Motion by Stern, seconded by Meiszer, carried 2/1, with Maguire recusing himself, Jacalone opposing and Bryant absent, to deny a waiver to Section 9.04.05b of the Land Development Code for PUD 2004-27, known as the Surfside Lodge PUD.** Bosanko and Barrow left the meeting. Isabelle Lopez, Senior County Attorney, entered the meeting.

(11/03/04 - 14 - 3:56 p.m.)

7. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN TEXTUAL AMENDMENT ACPA # 2004-04 TOWN CENTER MIXED USE DISTRICT GOAL A.3 AND RELATED OBJECTIVES AND POLICIES AND A FUTURE LAND USE MAP (FLUM) TO CHANGE THE VILANO BEACH TOWN CENTER LAND USE DESIGNATIONS FROM COMMERCIAL AND RESIDENTIAL C TO VILANO BEACH TOWN CENTER MIXED USE DISTRICT - THIS REQUEST IS ADOPT THE NEW LAND USE DESIGNATION KNOWN AS TOWN CENTER MIXED USE DISTRICT GOAL A.3 AND RELATED OBJECTIVES AND POLICIES TO THE ST. JOHN COUNTY COMPREHENSIVE PLAN. THIS IS ALSO A REQUEST TO ADOPT THE MAP AMENDMENT TO CHANGE VILANO BEACH TOWN CENTER LAND USE DESIGNATIONS FROM COMMERCIAL AND RESIDENTIAL C TO TOWN CENTER MIXED USE DISTRICT. THE PURPOSE FOR THE NEW LAND USE DESIGNATION TOWN CENTER MIXED USE DISTRICT IS TO ALLOW FOR THE MIX OF COMMERCIAL AND RESIDENTIAL USES AND DESIGN CONCEPTS TO ALLOW THE TOWN CENTER TO BE REDEVELOPED AS ENVISIONED BY

THE VILANO BACH TOWN CENTER PARTNERSHIP GROUP. FURTHER TO CREATE A DESIGNATION THAT WILL ALLOW OTHER AREAS TO BE REDEVELOPED IN A SIMILAR MANNER IF DESIRED, E.G. WEST ST. AUGUSTINE OR TO BE RETROFITTED TO A MORE COMPACT SUSTAINABLE GROWTH PATTERN AND FOR USE AS A MODEL FOR OTHER WATERFRONTS FLORIDA COMMUNITIES LOCATED THROUGHOUT THE STATE OF FLORIDA.

Proof of publication of Notice of Public Hearing to consider adoption of an ordinance of the County of St. Johns, State of Florida amending 2015 Comprehensive Plan, was received, having been published in *The St. Augustine Record* on October 6, 2004.

Georgia Katz, Special Projects Manager, reviewed Items 7 through 13. She stated that all seven items were interrelated and the only addition was Item #8. All these items were related to the active and the pro-active Vilano Beach Town Center Redevelopment Partnership. She stated that there was only one new amendment, Item #8, that adds Policy A.3.2.6 to the Vilano Beach Town District Objective 3.2. Meiszer asked Katz to briefly identify the permitted uses in each of the three classifications. Katz responded. (4:06 p.m.) **Motion by Jacalone, seconded by Maguire, to enact Ordinance No. 2004-89.**

(4:06 p.m.) Vivian Browning, 40 Beachcomber Way, spoke in favor of all these items.

(4:09 p.m.) Barbara Jenness, 4300 Coastal Hwy., stated that she wanted to make sure in the actual Policy A.3.2.6, it said that they transferred development rights. **Jacalone added Findings of Fact to support the motion, carried 4/0 with Bryant absent.**

ORDINANCE NO. 2004-89

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, A TEXT AMENDMENT TO THE ST. JOHNS COUNTY COMPREHENSIVE PLAN TO ADD THE TOWN CENTER MIXED USED DISTRICT GOALS, OBJECTIVES AND POLICIES AND CHANGES TO GOAL A.1 OBJECTIVES A.1.11.1 AND A.11.3 AND THE FUTURE LAND USE MAP DESIGNATION FROM COMMERCIAL AND RESIDENTIAL C TO TOWN CENTER MIXED USE DISTRICT FOR PROPERTY LOCATED ALONG VILANO ROAD AND SHOWN ON THE ATTACHED EXHIBIT A; PROVIDING FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 15 - 4:12 p.m.)

8. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN TEXTUAL AMENDMENT ACPA #2004-04 TO ADD POLICY A.3.2.6 TO OBJECTIVE A.3.2 TO PROVIDE AN OPTION FOR HISTORIC PRESERVATION FOR STRUCTURES WITHIN THE VILANO BEACH TOWN CENTER MIXED USE DISTRICT - THIS IS A REQUEST TO ADOPT VILANO BEACH TOWN CENTER POLICY A.3.2.6. SINCE THE TRANSMITTAL OF THE AMENDMENT IN MAY 2004 TO THE DEPARTMENT OF COMMUNITY AFFAIRS POLICY A. 3.2.6 BEEN ADDED TO VILANO BEACH TOWN CENTER OBJECTIVE TO ALLOW AN OPTION TO FOUR HISTORIC "OLD FLORIDA" STRUCTURE PROPERTY OWNERS WITHIN THE TOWN CENTER

TO PROTECT THEM AND PRESERVE THE AUTHENTICITY AND ESSENCE OF THE "PLACE" THAT IS THE BASE AND LONG RANGE GOAL OF THE TOWN CENTER TO CREATE A "ONE OF KIND" EXPERIENCE WHEN BLENDED WITH THE NEW IN CONTRAST TO A TYPICAL STRIP SHOPPING CENTER BUT A LIFESTYLE CENTER AND DOWNTOWN FOR THE SURROUNDING RESIDENTS AND VISITORS, ALIKE.

Proof of publication of Notice of Public Hearing to Consider Adoption of an Ordinance of the County of St. Johns, State of Florida, was received, having been published in *The St. Augustine Record* on October 6, 2004.

Motion by Jacalone, seconded by Maguire, to enact Ordinance No. 2004-90 approving the text amendment to add Policy 3.2.6 to Objective A.3.2 to provide an option or incentive for historic preservation for several historic structures within the Vilano Beach Town Center Mixed use District, adopting Findings of Fact in support of the motion that was contained in the package and to reword the policy from density rights to development rights. Maguire mentioned that the last sentence in Exhibit A didn't fit the rest of the exhibit. Katz explained why it was placed there and stated that she would just delete the last sentence. **The maker of the motion accepted deleting the last sentence and so did the second and the motion carried 4/0 with Bryant absent.**

ORDINANCE NO. 2004-90

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED A TEXT AMENDMENT TO THE ST. JOHNS COUNTY COMPREHENSIVE PLAN TO ADD POLICY 1.3.2.6 TO THE VILANO BEACH TOWN CENTER MIXED USE DISTRICT OBJECTIVE A.3.2 THAT WILL ALLOW AN OPTION TO HISTORIC STRUCTURE PROPERTY OWNERS, AS LISTED IN THIS POLICY A ONE TIME OPPORTUNITY TO OBTAIN TRANSFER OF DEVELOPMENT RIGHTS IN RETURN FOR PRESERVATION OF THE SUBJECT HISTORIC STRUCTURES LOCATED WITHIN THE TOWN CENTER FOR PRESERVING THE CHARACTER OR SENSE OF PLACE IN THE TOWN CENTER; PROVIDING FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 16 - 4:15 p.m.)

9. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT ACPA #2004-05 TO DESIGNATE THE VILANO BEACH FISHING PIER PAVILION AS PARKS AND OPEN SPACE - THIS PROPOSED FUTURE LAND USE MAP AMENDMENT IS ONE OF 5 THAT OFFSET OR SHIFT THE DENSITY IN THE AREA TO REDUCE OR LIMIT ITS DENSITY BY DESIGNATING THE SUBJECT PROPERTY TO PARKS AND OPEN SPACE AND SHIFT THE DENSITY TO ALLOW FOR THE INCREASE IN DENSITY PROPOSED IN THE TOWN CENTER MIXED USE DISTRICT LAND USE DESIGNATION. DCA REQUESTED THIS TO ENSURE THAT THE PROPOSED AMENDMENT DOES NOT INCREASE DENSITY IN THE COASTAL HIGH HAZARD AREA. THAT THE COUNTY OFFSET PROPERTIES IN THE AREA TO ALLOW FOR THE INCREASE IN DENSITY IN THE TOWN CENTER AREA. THIS IS ALSO NECESSARY TO ENSURE CONSISTENCY WITH THE COUNTY

COMPREHENSIVE PLAN THAT RESTRICTS ADDITIONAL DENSITY IN THE COASTAL AREA. THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL (NEFRPC) COMPLETED A HURRICANE EVACUATION ANALYSIS AND IT CONCLUDED THERE ARE NO NEGATIVE IMPACTS TO HURRICANE EVACUATION TIMES OR SHELTER NEEDS AS A RESULT OF THE PURPOSED INCREASE IN DENSITY.

Proof of publication of Notice of Public Hearing to consider adoption of an Ordinance of the County of St. Johns, State of Florida, was received, having been published in *The St. Augustine Record* on October 6, 2004.

Motion by Jacalone, seconded by Maguire, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-91, approving ACPA #2004-05, a Future Land Use Map amendment to designate Vilano Beach Fishing Pier Pavilion as Recreation and Open Space and adopting Findings of Fact to support the motion contained in the package.

ORDINANCE NO. 2004-91

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN #ACPA 2004-05, ORDINANCE NO. 2000-34, AS AMENDED, TO DESIGNATE THE VILANO BEACH TOWN CENTER FISHING PIER PAVILION, COUNTY OWNED AND LOCATED AT THE WEST END OF VILANO ROAD ON THE INTRACOASTAL AS PARKS AND OPEN SPACE ON THE FUTURE LAND USE MAP; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 17 - 4:16 p.m.)

10. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT ACPA # 2004-06 TO DESIGNATE THE VILANO BEACH BEACH PAVILION AS PARKS AND OPEN SPACE - THIS PROPOSED FUTURE LAND USE MAP AMENDMENT IS ONE OF 5 THAT OFFSET OR SHIFT THE DENSITY IN THE AREA TO REDUCE OR LIMIT ITS DENSITY BY DESIGNATING THE SUBJECT PROPERTY TO PARKS AND OPEN SPACE AND SHIFT THE DENSITY TO ALLOW FOR THE INCREASE IN DENSITY PROPOSED IN THE TOWN CENTER MIXED USE DISTRICT LAND USE DESIGNATION. DCA REQUESTED THIS TO ENSURE THAT THE PROPOSED AMENDMENT DOES NOT INCREASE DENSITY IN THE COASTAL HIGH HAZARD AREA. THAT THE COUNTY OFFSET PROPERTIES IN THE AREA TO ALLOW FOR THE INCREASE IN DENSITY IN THE TOWN CENTER AREA. THIS IS ALSO NECESSARY TO ENSURE CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN THAT RESTRICTS ADDITIONAL DENSITY IN THE COASTAL AREA. THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL (NEFRPC) COMPLETED A HURRICANE EVACUATION ANALYSIS AND IT CONCLUDED THERE ARE NO NEGATIVE IMPACTS TO HURRICANE EVACUATION TIMES OR SHELTER NEEDS AS A RESULT OF THE PURPOSED INCREASE IN DENSITY.

Proof of publication of Notice of Public Hearing to consider adoption of an Ordinance of the County of St. Johns, State of Florida amending 2015 Comprehensive Plan, was received, having been published in *The St. Augustine Record* on October 6, 2004.

Motion by Maguire, seconded by Meiszer, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-92, approving ACPA #2004-06, Future Land Use Map amendment to designate Vilano Beach Pavilion as Parks and Open Space adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-92

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, ACPA #2004-06, TO DESIGNATE THE VILANO BEACH PAVILION, A COUNTY OWNED PROPERTY LOCATED ON THE EAST END OF VILANO ROAD ON THE BEACH, AS PARKS AND OPEN SPACE ON THE FUTURE LAND USE MAP DESIGNATION TO PARKS AND OPEN; PROVIDING FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 18 - 4:16 p.m.)

11. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT ACPA # 2004- 07 TO CHANGE THE VILANO BEACH TOWN CENTER REFUGE AREA FROM COMMERCIAL TO PARKS AND OPEN SPACE - THIS PROPOSED FUTURE LAND USE MAP AMENDMENT IS ONE OF 5 THAT OFFSET OR SHIFT THE DENSITY IN THE AREA TO REDUCE OR LIMIT ITS DENSITY BY CHANGING THE LAND USE DESIGNATATION FOR THE VILANO BEACH TOWN CENTER REFUGE AREA FROM COMMERCIAL TO PARKS AND OPEN TO RESULTS IN A DECREASE IN DENSITY TO ALLOW FOR THE INCREASE IN DENSITY PROPOSED IN THE PROPOSED TOWN CENTER MIXED USE DISTRICT LAND USE DESIGNATION. DCA REQUESTED THIS TO ENSURE THAT THE PROPOSED AMENDMENT DOES NOT INCREASE DENSITY IN THE COASTAL HIGH HAZARD AREA. THAT THE COUNTY OFFSET PROPERTIES IN THE AREA TO ALLOW FOR THE INCREASE IN DENSITY IN THE TOWN CENTER AREA. THIS IS ALSO NECESSARY TO ENSURE CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN THAT RESTRICTS ADDITIONAL DENSITY IN THE COASTAL AREA. THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL (NEFRPC) COMPLETED A HURRICANE EVACUATION ANALYSIS AND IT CONCLUDED THERE ARE NO NEGATIVE IMPACTS TO HURRICANE EVACUATION TIMES OR SHELTER NEEDS AS A RESULT OF THE PURPOSED INCREASE IN DENSITY.

Proof of publication of Notice of Public Hearing to consider adoption of an Ordinance of the County of St. Johns, State of Florida, amending the 2015 Comprehensive Plan, was received, having been published in *The St. Augustine Record* on October 6, 2004.

Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-93, approving ACPA #2004-07, a Future Land Use Map amendment to change the designation for the Vilano Beach Town Center Refuge Area from Commercial to Parks and Open Space and adopting Findings of Fact to support the motion.

ORDINANCE NO. 2004-93

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, ACPA #2004-07 TO DESIGNATE THE VILANO BEACH TOWN CENTER REFUGE AREA PARK, COUNTY OWNED PROPERTY LOCATED AT THE WEST END ON THE NORTHSIDE OF VILANO ROAD, AS PARKS AND OPEN SPACE ON THE FUTURE LAND; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND EFFECTIVE DATE

(11/03/04 - 19 - 4:17 p.m.)

12. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT ACPA #2004- 08 TO CHANGE LAND USE DESIGNATION FOR NORTH SHORES IMPROVEMENT ASSOCIATION COMMUNITY CENTER FROM RESIDENTIAL C TO PARKS AND OPEN SPACE - THIS PROPOSED FUTURE LAND USE MAP AMENDMENT IS ONE OF 5 THAT OFFSET OR SHIFT THE DENSITY IN THE AREA TO REDUCE OR LIMIT ITS DENSITY BY CHANGING THE LAND USE DESIGNATION FOR THE NORTH SHORES IMPROVEMENT ASSOCIATION COMMUNITY CENTER FROM RESIDENTIAL C TO PARKS AND OPEN THAT RESULTS IN A DECREASE IN DENSITY TO ALLOW FOR THE INCREASE IN DENSITY PROPOSED IN THE TOWN CENTER MIXED USE DISTRICT LAND USE DESIGNATION. DCA REQUESTED THIS TO ENSURE THAT THE PROPOSED AMENDMENT DOES NOT INCREASE DENSITY IN THE COASTAL HIGH HAZARD AREA THAT THE COUNTY OFFSET PROPERTIES IN THE AREA TO ALLOW FOR THE INCREASE IN DENSITY IN THE TOWN CENTER AREA. THIS IS ALSO NECESSARY TO ENSURE CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN THAT RESTRICTS ADDITIONAL DENSITY IN THE COASTAL AREA. THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL (NEFRPC) COMPLETED A HURRICANE EVACUATION ANALYSIS AND IT CONCLUDED THERE ARE NO NEGATIVE IMPACTS TO HURRICANE EVACUATION TIMES OR SHELTER NEEDS AS A RESULT OF THE PURPOSED INCREASE IN DENSITY

Proof of publication of Notice of Public Hearing on amendment ACPA #2004-08, North Shores Improvement Association Community Center was received, having been published in *The St. Augustine Record* on October 6.

Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-94, approving ACPA #2004-08, a Future Land Use map amendment to change the land use designation for North Shores Improvement Association Community Center from Residential C to Parks and Open Space and adopting Findings of Fact to support the motion.

ORDINANCE NO. 2004-94

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, ACPA #2004-08 TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL

DENSITY - C TO PARKS AND OPEN SPACE FOR PROPERTY LOCATED AT 120 MEADOW AVENUE KNOWN AS THE NORTH SHORES IMPROVEMENT ASSOCIATION COMMUNITY CENTER AND PARK AND RELATED PROPERTIES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 20 - 4:18 p.m.)

13. PUBLIC HEARING - PUBLIC HEARING TO ADOPT COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT ACPA #2004- 09 TO CHANGE THE LAND USE DESIGNATION FOR SURFSIDE PARK FROM RESIDENTIAL C TO PARKS AND OPEN SPACE - THIS PROPOSED FUTURE LAND USE MAP AMENDMENT IS ONE OF 5 THAT OFFSET OR SHIFT THE DENSITY IN THE AREA TO REDUCE OR LIMIT ITS DENSITY BY CHANGING THE LAND USE DESIGNATION FOR THE SURFSIDE PARK FROM RESIDENTIAL C TO PARKS AND OPEN THAT IS A DECREASE DENSITY TO ALLOW FOR THE INCREASE IN DENSITY PROPOSED IN THE TOWN CENTER MIXED USE DISTRICT LAND USE DESIGNATION. DCA REQUESTED THIS TO ENSURE THAT THE PROPOSED AMENDMENT DOES NOT INCREASE DENSITY IN THE COASTAL HIGH HAZARD AREA. THIS IS ALSO NECESSARY TO ENSURE CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN THAT RESTRICTS ADDITIONAL DENSITY IN THE COASTAL AREA. THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL (NEFRPC) COMPLETED A HURRICANE EVACUATION ANALYSIS AND IT CONCLUDED THERE ARE NO NEGATIVE IMPACTS TO HURRICANE EVACUATION TIMES OR SHELTER NEEDS AS A RESULT OF THE PURPOSED INCREASE IN DENSITY

Proof of publication of Notice of Public Hearing on amendment ACPA #2004-09, Surfside Park was received, having been published in *The St. Augustine Record* on October 6.

Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-95, approving Future Land Use Map amendment ACPA #2004-09 to change the designation for Surfside Park from Residential C to Parks and Open Space and adopt the Findings of Fact in support of this motion.

ORDINANCE NO. 2004-95

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, ACPA #2004-09, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - C TO PARKS AND OPEN SPACE (P) FOR PROPERTY LOCATED AT COUNTY OWNED SURFSIDE PARK ON A1A NORTH IN VILANO BEACH; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 20 - 4:18 p.m.)

14. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-01: PALMO COVE BOAT RAMP (PUBLIC SITE #1) - FILE #ACPA-2003-01, KNOWN AS PUBLIC SITE #1, PALMO COVE BOAT RAMP, IS A PROPOSED

ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO PUBLIC (P) DESIGNATION. SUBJECT PROPERTY CONTAINS 0.87 ACRES LOCATED AT THE BASE OF PALMO FISH CAMP ROAD, AT PALMO COVE ON THE ST. JOHNS RIVER. THE PROPERTY IS ZONED OR (OPEN RURAL) AND RMH (RESIDENTIAL, MANUFACTURED/MOBILE HOME) DISTRICTS

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-01, Palmo Cove Board Ramp, Public Site #1 was received, having been published in *The St. Augustine Record* on October 6.

Donna Godfrey, AICP, Senior Planner, gave a brief overview of Items #14 through 25. (4:27 p.m.) **Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No 2004-96, approving Application File #ACPA-2003-01 to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) to Public (P) Designation, for the Palmo Cove Boat Ramp (Public Site #1), adopting the Findings of Fact in support of the motion.**

ORDINANCE NO. 2004-96

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO PUBLIC (P) FOR PROPERTY LOCATED AT THE BASE OF PALMO FISH CAMP ROAD AT PALMO COVE ON THE ST. JOHNS RIVER; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 21 - 4:28 p.m.)

15. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-02: MITIGATION SITE AT SR 13, SR 16 AND CR 16A (PUBLIC SITE #2) - FILE #ACPA-2003-02, KNOWN AS PUBLIC SITE #2, MITIGATION SITE AT SR 13, SR 16 AND CR 16A, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) AND AGRICULTURAL-INTENSIVE (A-I) TO PUBLIC (P) DESIGNATION. SUBJECT PROPERTY CONTAINS 376.56 ACRES LOCATED NORTH OF STATE ROAD 16, BETWEEN STATE ROAD 13 NORTH AND COUNTY ROAD 16A. THE PROPERTY IS ZONED OR (OPEN RURAL)

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-02, Mitigation Site at SR 13, SR 16 and CR 16A, Public Site #2 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-97, approving Application #ACPA-2003-02, to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) and Agricultural-Intensive (A-I) to Public (P) designation, for Mitigation Site at SR13, SR 16 and CR 16A (Public Site #2), adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-97

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND US MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) AND AGRICULTURAL-INTENSIVE (A-I) TO PUBLIC (P) FOR PROPERTY LOCATED NORTH OF STATE ROAD 16 BETWEEN STATE ROAD 13 NORTH AND COUNTY ROAD 16A; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 22 - 4:28 p.m.)

16. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-03: UTILITY SITES NEAR SR 16 AND INTERNATIONAL GOLF PARKWAY (PUBLIC SITES #3A AND 3B) - FILE #ACPA-2003-03, KNOWN AS PUBLIC SITES #3A AND 3B, UTILITY SITES NEAR SR 16 AND INTERNATIONAL GOLF PARKWAY, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) AND AGRICULTURAL-INTENSIVE (A-I), RESPECTIVELY, TO PUBLIC (P) DESIGNATION. EACH SITE CONTAINS 0.49 ACRES LOCATED NORTHWEST OF STATE ROAD 16 AND INTERNATIONAL GOLF PARKWAY. THE PROPERTIES ARE ZONED OR (OPEN RURAL)

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-03, Utility Sites near SR 16 and International Golf Parkway, Public Sites #3A and 3B was received, having been published in *The St. Augustine Record* on October 6.

Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-98, approving Application #ACPA-2003-03, to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) and Agricultural-Intensive (A-I) to Public (P) designation, for the Utility Sites (Public Sites #3A and 3B), adopting Findings of Fact in support of the motion.

ORDINANCE NO. 2004-98

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) AND AGRICULTURAL INTENSIVE (A-I), RESPECTIVELY, TO PUBLIC (P) FOR PROPERTY LOCATED NORTHWEST OF STATE ROAD 16 AND INTERNATIONAL GOLF PARKWAY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 22 - 4:29 p.m.)

17. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-04: MITIGATION SITE NEAR TURNBULL WOODS (PUBLIC SITE #4) - FILE #ACPA-2003-04, KNOWN AS PUBLIC SITE #4, MITIGATION SITE AT TURNBULL WOODS, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO

THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO PUBLIC (P) DESIGNATION. THE SUBJECT PROPERTY CONTAINS 748.04 ACRES LOCATED SOUTH OF STATE ROAD 16 NEAR TURNBULL DRIVE. THE PROPERTY IS ZONED OR (OPEN RURAL)

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-04, Mitigation Site near Turnbull Woods, Public Site #4 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Maguire, seconded by Jacalone, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-99, approving Application #ACPA-2003-04, to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) to Public (P) designation, for the Mitigation site near Turnbull Woods (Public Site #4), adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-99

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO PUBLIC (P) FOR PROPERTY LOCATED ON THE SOUTH SIDE STATE ROAD 16 NEAR TURNBULL DRIVE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 23 - 4:29 p.m.)

18. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-05: ROAD & BRIDGE COMPLEX (PUBLIC SITE #7) - FILE #ACPA-2003-05, KNOWN AS PUBLIC SITE #7, ROAD AND BRIDGE COMPLEX, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM MIXED USE DISTRICT (MD) TO PUBLIC (P) DESIGNATION. THE PROPERTY CONTAINS 19.54 ACRES LOCATED SOUTH OF STATE ROAD 16 ADJACENT TO THE ST. JOHNS COUNTY ROAD AND BRIDGE COMPLEX. THE SITE IS ZONED OR (OPEN RURAL)

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-05, Road and Bridge Complex, Public Site #7 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Maguire, seconded by Meiszer, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-100, approving Application #ACPA-2003-05, to amend the 2015 Future Land Use Map from Mixed Use District (MD) to Public (P) Designation, for the Road and Bridge Complex Expansion (Public Site #7), adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-100

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE

MAP DESIGNATION FROM MIXED USE DISTRICT (MD) TO PUBLIC (P) FOR PROPERTY LOCATED SOUTH OF STATE ROAD 16 ON THE EAST SIDE OF THE ST. JOHNS COUNTY ROAD AND BRIDGE COMPLEX; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 24 - 4:30 p.m.)

19. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-06: OFFICE COMPLEX (PUBLIC SITE #9)- FILE #ACPA-2003-06, KNOWN AS PUBLIC SITE #9, OFFICE COMPLEX, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM MIXED USE DISTRICT (MD) TO PUBLIC (P) DESIGNATION. THE SUBJECT PROPERTY CONTAINS 9.984 ACRES LOCATED SOUTH OF LEWIS SPEEDWAY ADJACENT TO THE ST. JOHNS COUNTY OFFICE COMPLEX. THE SITE IS ZONED IW (INDUSTRIAL, WAREHOUSING)

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-06, Office Complex Public Site #9 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Jacalone, seconded by Maguire, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-101, approving Application #ACPA-2003-06 to amend the 2015 Future Land Use Map from Mixed Use District (MD) to Public (P) Designation, for the Office Complex Expansion (Public Site #9), adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-101

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM MIXED PROPERTY LOCATED SOUTH OF LEWIS SPEEDWAY ADJACENT TO THE ST. JOHNS COUNTY OFFICE COMPLEX; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 24 - 4:30 p.m.)

20. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-07: WINDSWEPT ACRES PARK (PUBLIC SITE #11) - FILE #ACPA-2003-07, KNOWN AS PUBLIC SITE #11, WINDSWEPT ACRES PARK, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - C TO PUBLIC (P) DESIGNATION

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-07, Windswept Acres Park Public Site #11 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Jacalone, seconded by Maguire, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-102, approving Application #ACPA-2003-07, to amend the 2015

Future Land Use Map from Residential Density - C to Public (P) designation, for the Windswept Acres Park (Public Site #11) adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-102

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - C TO PUBLIC (P) FOR PROPERTY LOCATED ON THE WEST SIDE OF STATE ROAD A1A, BETWEEN MICKLER AND WEFF ROADS; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 25 - 4:31 p.m.)

21. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-08, COUNTY LANDFILL (PUBLIC SITE #12) - FILE #ACPA-2003-08, KNOWN AS PUBLIC SITE #12, ST. JOHNS COUNTY LANDFILL, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO PUBLIC (P) DESIGNATION

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-08 County Landfill Public Site #12 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Jacalone, seconded by Meiszer, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-103, approving Application #ACPA-2003-08, to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) to Public (P) designation, for County Landfill Site (Public Site #12), adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-103

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO PUBLIC (P) FOR PROPERTY LOCATED ON THE WEST SIDE OF ALLEN NEASE ROAD APPROXIMATELY ¾ MILE SOUTH OF COUNTY ROAD 214; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 25 - 4:31 p.m.)

22. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2003-09: EQUESTRIAN CENTER (PUBLIC SITE #13) - FILE #ACPA-2003-07, KNOWN AS PUBLIC SITE #13, EQUESTRIAN CENTER, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURAL-INTENSIVE (A-I) TO PUBLIC (P) DESIGNATION. THE PROPERTY CONTAINS 20.15 ACRES LOCATED ON THE EAST SIDE OF

SMITH ROAD, APPROXIMATELY ¼ MILE SOUTH OF GEORGE MILLER ROAD. THE SITE IS ZONED OR (OPEN RURAL)

Proof of publication of Notice of Public Hearing on amendment ACPA #2003-09, Equestrian Center Public Site #13 was received, having been published in *The St. Augustine Record* on October 6.

Motion by Stern, seconded by Maguire, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-104, approving Application #ACPA-2003-09, to amend the 2015 Future Land Use Map from Agricultural-Intensive (A-I) to Public (P) Designation, for the Equestrian Center (Public Site #13), adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-104

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURAL-INTENSIVE (A-I) TO PUBLIC (P) FOR PROPERTY LOCATED ON THE EAST SIDE OF SMITH ROAD APPROXIMATELY ¼ MILE SOUTH OF GEORGE MILLER ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 26 - 4:32 p.m.)

23. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2004-01, STRATTON ROAD PUBLIC SITE - FILE #ACPA-2004-01, KNOWN AS THE STRATTON ROAD TRANSFER STATION SITE, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) AND RURAL SILVICULTURE OWNED BY ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (R/S/SJRWMD) TO PUBLIC (P) DESIGNATION. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 15.46 ACRES OF MOSTLY WOODED AND UNDEVELOPED LAND LOCATED WEST OF THE FEC RAILROAD RIGHT-OF-WAY, NORTHWEST OF STRATTON ROAD, US HIGHWAY 1 NORTH, AND PINE ISLAND DRIVE

Proof of publication of Notice of Public Hearing on amendment ACPA #2004-01, Stratton Road Public Site was received, having been published in *The St. Augustine Record* on October 6.

Motion by Stern, seconded by Maguire, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-105, approving Application #ACPA-2004-01, to amend the 2015 Future Land Use Map from R/S and R/S/SJRWMD to Public (P) Designation, for the Stratton Road Public Site, adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-105

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE

(R/S) AND RURAL SILVICULTURE OWNED BY ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (R/S/SJRWMD) TO PUBLIC (P) FOR PROPERTY LOCATED WEST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY, NORTH AND WEST OF THE INTERSECTION OF STRATTON ROAD, US HIGHWAY 1 NORTH, AND PINE ISLAND ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 27 - 4:32 p.m.)

24. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2004-02, RAVENSWOOD PARK PUBLIC SITE - FILE #ACPA-2004-02, KNOWN AS THE RAVENSWOOD PARK PUBLIC SITE, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - C TO PUBLIC (P) DESIGNATION. THE SUBJECT PROPERTY CONTAINS JUST OVER 25 ACRES LOCATED ON THE NORTH SIDE OF PACIFIC BOULEVARD, SOUTH OF KINSINGTON COURT. THE SITE IS ZONED OR (OPEN RURAL). THE SOUTHWEST CORNER OF THE SITE FACING PACIFIC BOULEVARD CONTAINS THE FORMER COLLECTION SITE WHICH LATER FUNCTIONED AS A DROP-OFF CENTER AFTER THE LANDFILL WAS CLOSED, AND NOW SITS IDLE BEHIND CHAIN-LINK FENCING AND LOCKED GATES. PACIFIC BOULEVARD FORMS PART OF THE NORTHERN BOUNDARY OF THE WEST AUGUSTINE COMMUNITY REDEVELOPMENT AREA. THIS IS THE ESTABLISHED DANCY TRACT SUBDIVISION UNDERGOING MANY CRA IMPROVEMENTS, INCLUDING STREET PAVING AND OTHER PUBLIC INFRASTRUCTURE. PURSUANT TO OBJECTIVE A.1.3 OF THE FUTURE LAND USE ELEMENT, ADAPTIVE REUSE OF THE COUNTY'S FORMER LANDFILL SITE AS A PASSIVE NEIGHBORHOOD PARK WITH CONTROLLED ACCESS WOULD PROVIDE AREA RESIDENTS WITH RECREATIONAL OPPORTUNITIES WHILE ALSO CONTRIBUTING TOWARDS THE REVITALIZATION OF THE ADJACENT WEST AUGUSTINE COMMUNITY REDEVELOPMENT AREA, THEREBY ADVANCING OTHER OBJECTIVES RELATED TO HOUSING AND NEIGHBORHOOD IMPROVEMENT INITIATIVES, SUCH AS THOSE FOUND IN THE HOUSING ELEMENT AT POLICIES C.1.2.6(C), C.1.3.7, C.1.5.2, AND OBJECTIVE C.1.7

Proof of publication of Notice of Public Hearing on amendment ACPA #2004-02, Ravenswood Park Public Site was received, having been published in *The St. Augustine Record* on October 6.

Motion by Jacalone, seconded by Maguire, carried 4/0 with Bryant absent, to enact Ordinance No. 2004-106, approving Application #ACPA-2004-02, to amend the 2015 Future Land Use Map from Residential Density - C to Public (P) Designation, for the Ravenswood Park Public Site, adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-106

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE

MAP DESIGNATION FROM RESIDENTIAL DENSITY - C TO PUBLIC (P) FOR THE RAVENSWOOD PARK PUBLIC SITE LOCATED BETWEEN PACIFIC BOULEVARD AND KINSINGTON COURT; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(11/03/04 - 28 - 4:33 p.m.)

25. PUBLIC HEARING - ADOPTION HEARING FOR FILE #ACPA-2004-03, MIZELL ROAD PUBLIC SITE - FILE #ACPA-2004-03, KNOWN AS THE MIZELL ROAD PUBLIC SITE, IS A PROPOSED ADMINISTRATIVE AMENDMENT TO THE 2015 COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL COASTAL DENSITY - B TO PUBLIC (P) DESIGNATION. THE SUBJECT PROPERTY CONTAINS APPROXIMATELY 37.68 ACRES LOCATED ON THE WEST SIDE OF MIZELL ROAD, BETWEEN WEST POPE ROAD AND WEST 16TH STREET. THE PROPERTY IS ZONED OR (OPEN RURAL). OWNERS OF THE PROPERTY INCLUDE ST. JOHNS COUNTY, ANASTASIA SANITARY DISTRICT AND THE CITY OF ST. AUGUSTINE BEACH. THE 37.68-ACRE SITE FRONTS ONTO MIZELL ROAD, AND IS OCCUPIED BY THE ST. JOHNS COUNTY UTILITY DEPARTMENT OFFICES, AND THE GENE LEMAY PUBLIC WORKS FACILITY, BELONGING TO THE CITY OF ST. AUGUSTINE BEACH. THE COUNTY'S ASSOCIATED USES ARE ACCESSED BY WEST 16TH STREET AND INCLUDE WAREHOUSES, NURSERY AND LANDSCAPE FACILITIES, WASTEWATER TREATMENT PLANT AND ENVIRONMENTAL LABORATORIES, AND UTILITY MAINTENANCE FACILITIES. IN THE SHORT-TERM, THE COMPREHENSIVE PLAN AMENDMENT AS PROPOSED WOULD PROVIDE A MORE ACCURATE DESCRIPTION OF THE EXISTING PUBLIC LAND USE. IN THE LONG-TERM, THE PUBLIC FLUM DESIGNATION WOULD ALSO SUPPORT THE ADAPTIVE REUSE OF THE FACILITIES FOR THE RECREATION DEPARTMENT, AND PROVIDE FOR THE CITY'S EXPANSION OF ITS PUBLIC WORKS FACILITY

Proof of publication of Notice of Public Hearing on amendment ACPA #2004-03, Mizell Road Public Site was received, having been published in *The St. Augustine Record* on October 6.

Motion by Stern, seconded by Jacalone, carried 4/0, with Bryant absent, approving Application #ACPA-2004-03, to amend the 2015 Future Land Use Map from Residential Density - B to Public (P) Designation, for the Mizell Road Public Site, adopting the Findings of Fact in support of the motion.

ORDINANCE NO. 2004-107

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - B TO PUBLIC (P) FOR PROPERTIES LOCATED ON THE WEST SIDE OF MIZELL ROAD BETWEEN WEST POPE ROAD AND WEST 16TH STREET; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

The meeting recessed at 4:32 p.m. and reconvened at 4:40 p.m. Deputy Clerk Lenora Newsome left the meeting, and Deputy Clerk Yvonne King entered the meeting.

(11/03/04 - 29 - 4:40 p.m.)

26. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE WORLD COMMERCE CENTER IMPACT FEE CREDIT AGREEMENT IN THE AMOUNT OF \$3,171,100 IN ROAD IMPACT FEE CREDITS AND \$500,000 IN PARK IMPACT FEE CREDITS, EXECUTE THE MAINTENANCE AGREEMENT, ATTACHED AS EXHIBIT B TO THE IMPACT FEE AGREEMENT AND TO ACCEPT THE SPECIAL WARRANTY DEED CONVEYING THE PARK PROPERTY

Nicole Cubbedge, Planner III, explained the request for approval of an impact fee credit agreement, establishing both road and park credits for the World Commerce Center PUD/DRI. Cubbedge said the applicant requested road impact fee credits in the amount of \$3,171,200, and park impact fee credits in the amount of \$500,000. (4:47 p.m.) Bosanko expressed concern with paragraph 13 of the Impact Fee Credit Agreement regarding access to Mill Creek Elementary School; then, reviewed the Board's options: 1) approve the impact fee agreement without paragraph 13; 2) approve the agreement with paragraph 13 in it; or 3) continue this matter for two weeks. Discussion followed regarding: density; the construction plans; the parking area; the impact fee credit; and the Letter of Credit.

(5:06 p.m.) George McClure, 170 Malaga Street, addressed Florida Statute Chapter 380, which addresses credits against local impact fees. McClure then addressed the impact fee credits and access to the school.

(5:19 p.m.) Sid Ansbacher, Upchurch, Bailey, & Upchurch, 780 N. Ponce de Leon Blvd., addressed the educational impact fee issue and paragraph 13 of the agreement.

Discussion followed regarding the interlocal agreement; the traffic flow pattern of school buses at the school; the median openings on International Golf Parkway; and paragraph 13 in the agreement regarding access to the school.

(6:03 p.m.) Motion by Jacalone, seconded by Maguire, to adopt Resolution No. 2004-334 authorizing the County Administrator to execute the World Commerce Center Impact Fee Credit Agreement in the amount of \$3,171,200 in Road Impact Fee Credits and \$500,000 in Park Impact Fee Credits, execute the Maintenance Agreement, attached as Exhibit B to the Impact Fee Agreement and to accept the Special Warranty Deed conveying the Park property; not include the additional paragraph 13, but to direct staff to work with the School Board to address the access to Mill Creek Elementary School via another agreement that both parties can sign. Discussion followed on whether to continue this issue for two weeks. (6:05 p.m.) Cubbedge requested Jacalone add to his motion the inclusion of the revised documents as received today, which are the revised agreement without paragraph 13, the revised addition to the Letter of Credit, and the revised typical sections and alignment plans. Jacalone accepted the language to add in the motion. Discussion followed regarding paragraph 13. (6:09 p.m.) Jacalone amended his motion to include the language: "that this agreement is contingent upon a future agreement that addresses the access to Mill Creek School." Discussion followed regarding a date the agreement would be finalized. (6:11 p.m.) Jacalone amended his motion to include that the agreement regarding access to the school would be finalized and approved by all parties, the School Board, the County, and the developer within 30 days of this date. Discussion followed on whether to continue this issue for two weeks. (6:15 p.m.) Jacalone withdrew his motion in total. Maguire withdrew his second to the

motion. (6:15 p.m.) **Motion by Stern, seconded by Jacalone, carried 5/0, to continue this item to November 17, 2004.**

(6:17 p.m.) Jacalone left the meeting.

At this juncture, the Board moved to agenda item #28.

(11/03/04 - 30 - 6:57 p.m.)

27. WORKSHOP ON NONCONFORMING USES AND VESTING

Teresa Bishop, Planning Director, explained that staff was requesting direction regarding nonconforming uses and vesting. Discussion followed regarding nonconforming residential uses, and the rebuilding of nonconforming structures. (7:08 p.m.) George McClure, 170 Malaga Street, addressed non-conforming uses and the rebuilding of non-conforming structures. (7:20 p.m.) Kathryn Whittington, 2945 Kings Road, commented further on non-conforming uses. (7:23 p.m.) *It was the consensus of the Board to direct Staff to review this issue further and report back to the Board at a later date.*

At this juncture, the Board moved to agenda item #30.

(11/03/04 - 30 - 6:18 p.m.)

28. CONSIDER MOTION TO GRANT OR DENY FREE USE OF SPACE AT THE ST. JOHNS COUNTY CONVENTION CENTER TO THE ST. GERARD CAMPUS TO HOLD THEIR ANNUAL FASHION SHOW ON SATURDAY, DECEMBER 4, 2004 FROM NOON UNTIL 4:00 P.M.

Dena Masters, Tourist Development Council Office Manager, relayed the request from The St. Gerard Campus for free use of space at the St. Johns County Convention Center to hold their annual fashion show on Saturday, December 4, 2004 from noon to 4:00 p.m. (6:19 p.m.) **Motion by Bryant, seconded by Meiszer, carried 4/0 with Jacalone absent, to grant free use of space at the St. Johns County Convention Center to the St. Gerard Campus to hold their annual fashion show on Saturday, December 4, 2004 from noon until 4:00 p.m.**

(11/03/04 - 30 - 6:20 p.m.)

29. CONSIDER MOTION TO GRANT OR DENY FREE USE OF SPACE AT THE ST. JOHNS COUNTY CONVENTION CENTER TO THE BETTY GRIFFIN HOUSE ON SATURDAY, JANUARY 22, 2005, FROM 6:00 P.M. UNTIL 12:00 A.M.

Dena Masters, Tourist Development Council Office Manager, relayed the request from the Betty Griffin House for free use of space at the St. Johns County Convention Center to hold a "Super Bowl Tailgate Party" Gala and Silent Auction on Saturday, January 22, 2005 from 6:00 p.m. to 12:00 midnight. (6:20 p.m.) **Motion by Maguire, seconded by Meiszer, carried 4/0 with Jacalone absent, to grant free use of space at the St. Johns County Convention Center to the Betty Griffin House on Saturday, January 22, 2005 from 6:00 p.m. until 12:00 midnight.**

At this juncture, the Board moved to agenda item #32.

(11/03/04 - 30 - 7:24 p.m.)

30. REPORT ON COUNTY GATEWAY ENHANCEMENTS

Chuck Moore, Nursery/Landscape Manager for the Recreation Department, gave a status report on three construction projects: 1) SR 16 & I-95; 2) US 1 North across from

the St. Augustine Airport; and 3) US 1 North at Durbin Creek, between Racetrack Road and CR 210. Discussion followed regarding the second project across from the airport.

At this juncture, the Board moved to Commissioners' Reports.

(11/03/04 - 31 - 10:47 a.m.)

31. DISCUSSION OF THE PROPOSED REPLACEMENT BRIDGES FOR RATTLESNAKE ISLAND (SUMMER HAVEN)

This agenda item was considered during the morning session of the meeting.

(11/03/04 - 31 - 6:21 p.m.)

32. CONSIDER FUNDING OF CRIME PREVENTION PROGRAMS

Daniel Bosanko, County Attorney, explained the funding for the Crime Prevention Programs. (6:30 p.m.) Motion by Bryant, seconded by Maguire, to table this item. Discussion followed regarding the trust fund. (6:31 p.m.) John DiCesear, 6156 Shoreline Drive, Port Orange, Executive Director of Crime Stoppers of Northeast Florida, requested support to represent St. Johns County in providing Crime Stoppers in St. Johns County. DiCesear then submitted a letter regarding Crime Stoppers of Volusia County, Inc. (Exhibit A). (6:35 p.m.) Robert Wheeler, 1155 Buena Vista, Chief Investigator, State Attorney's Office, representing State Attorney John Tanner, requested the Board support Crime Stoppers of Volusia, Inc., to represent St. Johns County. (6:38 p.m.) Bryant withdrew his motion; Maguire withdrew his second to the motion. (6:41 p.m.) **Motion by Stern, seconded by Meiszer, carried 3/1 with Maguire opposing and Jacalone absent, to designate Crime Stoppers of Northeast Florida to apply for the Section 16.556 F.S. Florida Attorney General's Crime Stoppers Trust Fund program funding for St. Johns County.** (6:43 p.m.) **Motion by Maguire, seconded by Meiszer, carried 4/0 with Jacalone absent, to direct County Staff to publish a formal request for proposals to be the County Agent to apply for the Section 775.083 F.S. Crime Prevention Program funding in St. Johns County, and to return all responses to the Board with staff evaluation.**

(6:45 p.m.) Bryant reported on some emergency money that the Federal Government appropriated for beach renourishment.

(6:46 p.m.) Bryant left the meeting.

(11/03/04 - 31 - 6:46 p.m.)

33. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE ISSUANCE BY ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS (RULON COMPANY PROJECT), SERIES 2004, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000

Geoff Dobson, 66 Cuna Street, Attorney for the IDA, reviewed the resolution, which approved the IDA issuing its bonds for the Rulon project. Dobson added that the resolution authorized an amount not in excess of \$8,000,000; the bonds had been sized at \$7,000,000; Rulon would put in an extra \$1,000,000 of their own money. (6:49 p.m.) **Motion by Maguire, seconded by Meiszer, carried 3/0 with Jacalone and Bryant absent to adopt Resolution No. 2004-334, approving the issuance by St. Johns County Industrial Development Authority of its Industrial Development Revenue Bonds (Rulon Company Project), Series 2004, in an aggregate principal amount not to exceed \$8,000,000.**

RESOLUTION NO. 2004-334

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ISSUANCE BY THE ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS (RULON COMPANY PROJECT), SERIES 2004, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000, FOR THE PURPOSE OF OBTAINING FUNDS TO LOAN TO RULON COMPANY ("RULON"), TO FINANCE THE COSTS OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF AN "INDUSTRIAL OR MANUFACTURING PLANT" TO BE LOCATED IN ST. JOHNS COUNTY, FLORIDA, TO BE OWNED AND OPERATED BY RULON, INCLUDING THE COSTS OF ISSUING THE BONDS; AND PROVIDING AN EFFECTIVE DATE

(11/03/04 - 32 - 6:50 p.m.)

33a. APPROVAL OF THE CASH REQUIREMENT REPORT (This Item was removed from the Consent Agenda and added to the Regular Agenda.)

Motion by Maguire, seconded by Stern, carried 3/0 with Jacalone and Bryant absent, to accept the Cash Requirement Report, as presented today.

(11/03/04 - 32 - 6:51 p.m.)

33b. TINA WILSON REQUEST FOR WAIVER OF TUP FEES

Bruce Ford, Chief Planner, explained that the Wilson's had requested assistance in replacing their home that was destroyed by fire. Ford said their property was located in an industrial land use category. Staff was working on a small-scale land use amendment to remove their nonconforming status. The Wilson's have requested a temporary use permit to live on their property, in a recreational vehicle, until such time the land use change was approved. (6:52 p.m.) **Motion by Maguire, seconded by Stern, carried 3/0 with Jacalone and Bryant absent, to approve the request by Tina Wilson for waiver of Temporary Use Permit fees.**

(11/03/04 - 32 - 6:53 p.m.)

33c. AUTHORIZE EXECUTION OF A GRANT CONTRACT AGREEMENT (GCA) BETWEEN THE COUNTY AND THE FLORIDA COMMUNITIES TRUST (FCT) FOR JOINT ACQUISITION OF CANOPY SHORES

Shorty Robbins, Recreation Administration Manager, explained the request. (6:56 p.m.) **Motion by Maguire, seconded by Stern, carried 3/0 with Jacalone and Bryant absent, to authorize the County Administrator to execute the FCT Grant Contract Agreement for the Canopy Shores property and Shorty Robbins be authorized to serve as Key Contact for the project.**

(11/03/04 - 32 - 6:56 p.m.)

33d. AUTHORIZE EXECUTION OF A GRANT CONTRACT AGREEMENT (GCA) BETWEEN THE COUNTY AND THE FLORIDA COMMUNITIES TRUST (FCT) FOR JOINT ACQUISITION OF WILDWOOD TRAILS

Motion by Maguire, seconded by Stern, carried 3/0 with Jacalone and Bryant absent, to authorize the County Administrator to execute the FCT Grant Contract Agreement

for the Wildwood Trails property and Shorty Robbins be authorized to serve as Key Contact for the project.

At this juncture, the Board considered Item #27.

(11/03/04 - 33 - 7:34 p.m.)

COMMISSIONERS' REPORTS

Stern reminded the Board of the re-organizational meeting of the Board of County Commissioners scheduled for November 16, 2004 at 9:00 a.m.

(7:34 p.m.) Maguire commended voters for the enormous turnout this election year.

(11/03/04 - 33 - 7:35 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Ted Zebrowski, on behalf of County Administration, expressed thanks to Commissioners Meiszer and Jacalone for their support during their tenure as County Commissioners and wished them well on their future endeavors.

Stern announced that on Friday, November 5, 2004 at 10:00 a.m. the St. Ambrose Parish Historical Marker event would take place.

Stern commented on a letter she received from Carl Blessing, President of the Ponte Vedra Beaches Coalition, commending the Board on some action that they recently took regarding the licensing requirement for specialty contractors.

(11/03/04 - 33 - 7:38 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko relayed a request from the Flagler Estates District for the County to assist them in financing the paving of an additional nine miles of road. (7:40 p.m.) *It was the consensus of the Board to direct the County Attorney to prepare the proper documentation and bring it back to the Board as soon as possible.*

(11/03/04 - 33 - 7:42 p.m.)

CLERK OF COURT'S REPORT

No report.

(7:42 p.m.) **Motion by Maguire, seconded by Meiszer, carried 3/0 with Jacalone and Bryant absent, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 7:42 p.m.

REPORTS:

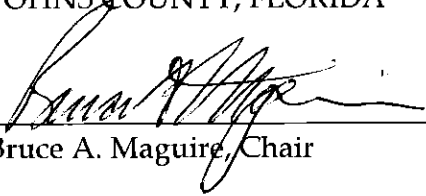
1. St. Johns County Board of County Commissioners Check Register, Checks Number 359131 through 359187, totaling \$1,029,444.61 (10/28/04)
2. St. Johns County Board of County Commissioners Check Register, Checks Number 359188 through 359218, totaling \$46,403.13 (10/28/04)
3. St. Johns County Board of County Commissioners Check Register, Check Number 359222, totaling \$50,002.78 (10/29/04)

CORRESPONDENCE:

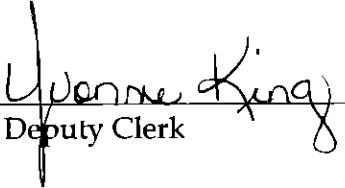
1. Letter to Liz Cloud, Department of State, Bureau of Administrative Code, filing St. Johns County Ordinance Number 2004-86 (10/22/04)

Approved December 15, 2004

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Bruce A. Maguire, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

