

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 19, 2006
(9:00 A.M.)**

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

Present were: James E. Bryant, District 5, Chairman
Cyndi Stevenson, District 1, Vice Chair
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Ben W. Adams, Jr., County Administrator
Dan Bosanko, County Attorney
Terry Bulla, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

(09/19/06 - 1 - 9:09 a.m.)
CALL TO ORDER

Bryant called the meeting to order.

(09/19/06 - 1 - 9:09 a.m.)
ROLL CALL

Bryant stated that all five commissioners were present.

(09/19/06 - 1 - 9:09 a.m.)
Maguire gave the Invocation and Bryant led the Pledge of Allegiance.

(09/19/06 - 1 - 9:10 a.m.)
PUBLIC COMMENT

(9:10 a.m.) Dwight Hines, 150 Nesmith Ave., spoke regarding public record requests billing for records requested, and the lack of attorney records. He said he had turned some of those issues over to his attorney. He recommended a review of the department by a University professor, that the Florida Bar make recommendations, and that the Board should seek an ethics opinion from the Florida Commission on Ethics. He said the Board was getting bad legal advice. Bosanko responded that Hines frequently made requests for information, which needed extensive research, rather than actual records, and at the government's expense. He gave examples of the continuing dialogue they had with Mr. Hines.

(09/19/06 - 1 - 9:16 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

(09/19/06 - 1 - 9:16 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Stern, second by Maguire, carried 5/0 to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Minutes:
08/22/06 - BCC Regular Meeting
09/06/06 - BCC Special Meeting
3. Motion to approve the extension of the 2006 Tax Roll prior to completion and adjustments of the Property Value Adjustment Board parcels
4. Motion to adopt **Resolution No. 2006-304**, approving the terms, conditions, provisions, and requirements of St. Johns County's State Aid to Libraries Grant Application, and Grant Agreement, and authorize the Chairperson of the Board of County Commissioners to execute the Grant Application and Grant Agreement on behalf of the County

RESOLUTION NO. 2006- 304

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A STATE OF FLORIDA STATE AID TO LIBRARIES GRANT APPLICATION AND GRANT AGREEMENT, AND AUTHORIZING THE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

5. Motion to adopt **Resolution No. 2006-305**, approving a Final Plat for Murabella Unit Four

RESOLUTION NO. 2006-305

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISIONPLAT FOR MURABELLA UNIT FOUR

6. Motion to adopt **Resolution No. 2006-306**, approving a Final Plat for Murabella Unit Five

RESOLUTION NO. 2006-306

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISIONPLAT FOR MURABELLA UNIT FIVE

7. Motion to adopt **Resolution No. 2006-307**, approving the terms and authorizing the 3rd Amendment to the Purchase and Sale Agreement with New Beginnings Baptist Church extending the closing date an additional 14 days giving the Sellers time to close on their new Church site

RESOLUTION NO. 2006-307

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE 3RD AMENDMENT TO THE PURCHASE AND SALE AGREEMENT EXTENDING THE CLOSING DATE AN ADDITIONAL 14 DAYS GIVING THE SELLERS TIME TO CLOSE ON THEIR NEW CHURCH SITE

8. Motion to adopt **Resolution No. 2006-308**, approving the terms and authorizing the County Administrator to execute the FCT Option Agreement for Sale and Purchase as needed for a County Park, Museum, and Wildlife Preserve known as Beluthahatchee Park

RESOLUTION NO. 2006-308

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE FCT OPTION AGREEMENT FOR SALE AND PURCHASE AS NEEDED FOR A COUNTY PARK, MUSEUM, AND WILDLIFE PRESERVE KNOWN AS BELUTHAHATCHEE PARK

9. Motion to adopt **Resolution No. 2006-309**, accepting the terms of a Lease Agreement between St. Johns County and The Garden Club of St. Augustine, Inc., and authorizing the County Administrator to execute the Lease Agreement on behalf of the County

RESOLUTION NO. 2006-309

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS ACCEPTING THE TERMS OF A LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE GARDEN CLUB OF ST. AUGUSTINE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LEASE AGREEMENT ON BEHALF OF THE COUNTY

10. Motion to adopt **Resolution No. 2006-310**, approving the terms and conditions of a License Agreement to allow St. Johns River Water Management District to monitor an existing well located on County property and authorizing the County Administrator to execute the Agreement

RESOLUTION NO. 2006-310

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A LICENSE AGREEMENT TO ALLOW ST. JOHNS RIVER WATER MANAGEMENT DISTRICT TO MONITOR A WELL LOCATED ON COUNTY PROPERTY AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT

11. Motion to authorize the County Administrator, or his designee, to purchase furniture for the new St. Johns County Utility Department Building, from the Florida State Contract #420-420-02-1, # 425-001-01-1 & # 425-001-09-1, from Florida State Contract Vendors, Total Office Solutions in the amount of \$28,964.80, Perdue Office Interiors in the amount of \$230,162.78 and Office Environments & Services in the amount of \$161,655.43
12. Motion to authorize the County Administrator, or his designee, to enter into standby contracts with the top 5 firms on RFP 06-16, and the top 11 firms (excluding DRC Emergency Services Mobile, Alabama) on RFP 06-132, Small Scale Debris Removal
13. Motion to authorize the County Administrator, or his designee, to enter into a contract with H & H Liquid Sludge Disposal, Inc. for the transportation and disposal of Class B aerobic wastewater sludge in accordance with Bid No. 06-141 for a period of one (1) year with four (4) one-year renewal options
14. Motion to declare one (1) 1992 Ford F-450 surplus and approve the equipment donation to Northeast Florida Disaster Medical Assistance Team. For further information, please contact Joe Burch, Purchasing Manager, at 209-0152.
15. Motion to adopt **Resolution No. 2006-311**, approving the terms, provisions, conditions, and requirements of a second amended agreement between St. Johns County, Florida and the St. Augustine Humane Society, Inc., and authorizing the County Administrator to execute the amendment, on behalf of St. Johns County

RESOLUTION NO. 2006-311

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A SECOND AMENDED AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. AUGUSTINE HUMANE SOCIETY, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDMENT, ON BEHALF OF ST. JOHNS COUNTY

16. Motion to approve CDBG deferred payment loans to the individuals selected and in the amounts recommended by the County Consultants, Jordan and Associates under the required terms of the U.S. Dept. of HUD Community Development Block Grant Program
17. Motion to transfer \$305,033 from the County Commission Reserve [0083 - 59920] to Medicaid Participation Hospitals [0071 - 55706] to provide sufficient funding for the FY 06 utilization level of Medicaid hospital services
18. Motion to adopt **Resolution No. 2006-312**, approving the terms and conditions of a Non-Exclusive Franchise Agreement for Commercial/Industrial Solid Waste between St. Johns County, Florida and Construction Debris Removal Enterprises, Inc., and authorizing the County Administrator or designee to execute the Non-Exclusive Franchise Agreement on behalf of the County

RESOLUTION NO. 2006-312

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR COMMERCIAL/INDUSTRIAL SOLID WASTE BETWEEN ST. JOHNS COUNTY, FLORIDA, AND CONSTRUCTION DEBRIS REMOVAL ENTERPRISES, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDMENT TO THE COMMERCIAL/INDUSTRIAL SOLID WASTE FRANCHISE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

19. Motion to adopt **Resolution No. 2006-313**, approving the terms and conditions of the Non-Exclusive Franchise Agreements for Construction and Demolition Debris between St. Johns County, Florida and the twenty-five Franchise Haulers, and authorizing the County Administrator or designee to execute the Non-Exclusive Franchise Agreements on behalf of the County

RESOLUTION NO. 2006-313

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN ST. JOHNS COUNTY, FLORIDA, AND TWENTY-FIVE NON-EXCLUSIVE FRANCHISE HAULERS, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE EACH NON-EXCLUSIVE FRANCHISE AGREEMENT FOR CONSTRUCTION AND DEMOLITION DEBRIS ON BEHALF OF ST. JOHNS COUNTY

20. Proofs:
- a. Proof, Notice to Bidders, Bid No. 06-133R
 - b. Proof, Notice to Bidders, Bid No. 07-01
 - c. Proof, Notice to Bidders, Bid No. 06-137
 - d. Proof, Notice to Bidders, Bid No. 06-126
 - e. Proof, Notice to Bidders, Bid No. 07-02
 - f. Proof, Notice to Bidders, Bid No. 06-140
 - g. Proof, Notice of Meeting, Representatives of the Board of County Commissioners, Special Meeting, Bond Purchase Agreement, Friday, August 18, 2006 at 10:00 am
 - h. Proof, Notice of Meeting, Board of County Commissioners, Special Meeting, Private Meeting, Tuesday, August 22, 2006 at 8:00 am
 - i. Proof, Notice of Meeting, Board of County Commissioners/St. Johns County Community Redevelopment Agency, Satisfaction of Mortgages, Tuesday, August 22, 2006 at 9:00 am
 - j. Proof, Notice of Meeting, Local Government Workshop, Thursday, August 24, 2006 from 8:15 am to 3:15 pm

- k. Proof, Notice of Hearing, Board of County Commissioners, Business Incentive Ordinance, Tuesday, August 22, 2006 at 9:00 am
- l. Proof, Notice of Hearing, Board of County Commissioners, Solid Waste Ordinance, Tuesday, August 22, 2006 at 9:00 am
- m. Proof, Notice to Bidders, Bid No. 06-120
- n. Proof, Notice of Intent, Senior Management Service Class
- o. Proof, Notice to Bidders, Bid No. 06-136
- p. Proof, Notice to Bidders, Bid No. 06-117

(09/19/06 - 6 - 9:16 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams requested that Item No. 13 be rescheduled for October 3, 2006. He said the Attorney's office was going to pull Item No. 7 regarding access to Mrs. Boyer's property. Bryant asked to add the extension of the Primary Care Contract as Item No. A1 and the Alteration of the Florida State Contract as Item No. A2. Stevenson asked that Item No. 6, the presentation by Eric Draper, to Item No. 4, that Item No. 8, the presentation by Bill Hartman, become Item No. 5, that Item No. 5 become Item No. 8, the revised fee services provided by St. Johns County.

(09/19/06 - 6 - 9:19 a.m.)

APPROVAL OF REGULAR AGENDA

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

(09/19/06 - 6 - 9:19 a.m.)

A1. PRIMARY CARE CONTRACT EXTENSION

Dr. Colavito gave the presentation and introduced Judy Truett, Community Resource Director. She said they were asking for a 3-month extension of the Primary Care Contract, under current terms, in order to do a well-defined plan to present to the Board. The request was being made because the Health Department was no longer able to enter into a contract for the provision of the primary care services. Flagler Hospital currently provided the adult primary care services and was willing to enter into a contract with St. Johns County for a period of three months until such time that the County could obtain other health services, so that the medical care for low-income residents could continue uninterrupted.

(9:22 a.m.) Motion by Bryant, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2006-314 to approve the contract between St. Johns County, Florida and Flagler Hospital in the amount of \$369,105.51 to provide primary care clinics for low income residents of St. Johns County for a period of three months, beginning October 1, 2006, and authorizing the County Administrator to execute the Contract on behalf of the County.

RESOLUTION NO. 2006-314

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, AND FLAGLER HOSPITAL, AUTHORIZING THE

**CHAIRMAN OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY TO
EXECUTE THE AGREEMENT ON BEHALF OF THE
COUNTY**

(09/19/06 - 7 - 9:19 a.m.)

A2. FLORIDA STATE CONTRACT # DJ993

Sandra Sawhill, Community Based Care Finance Officer, gave the presentation and asked the Board's approval on the Ninth Amendment to Contract # DJ993 with the State of Florida.

(9:25 a.m.) **Motion by Stern, seconded by Stevenson, carried 5/0, to adopt Resolution 2006-315 approving the terms, conditions, and requirements of Amendment # 9 to the Community Based Care contract #DJ993 that St. Johns County, Florida has with the State of Florida, and authorizing the Chairman of the Board of County Commissioners of St. Johns County to execute Contract Amendment #9 on behalf of the County.**

RESOLUTION NO. 2006-315

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR TO
SIGN THE NINTH AMENDMENT TO THE CONTRACT
DJ993 BETWEEN ST. JOHNS COUNTY BOARD OF
COUNTY COMMISSIONERS AND THE DEPARTMENT
OF CHILDREN AND FAMILIES**

(9:26 a.m.) **Motion by Stern, seconded by Stevenson, carried 5/0, to adopt Resolution 2006-316 approving the terms, conditions, and requirements of Amendment # 10 to the Community Based Care contract #DJ993 that St. Johns County, Florida has with the State of Florida, and authorizing the Chairman of the Board of County Commissioners of St. Johns County to execute Contract Amendment #10 on behalf of the County.**

RESOLUTION NO. 2006-316

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR TO
SIGN THE TENTH AMENDMENT TO THE CONTRACT
DJ993 BETWEEN ST. JOHNS COUNTY BOARD OF
COUNTY COMMISSIONERS AND THE DEPARTMENT
OF CHILDREN AND FAMILIES**

(09/19/06 - 7 - 9:26 a.m.)

1. **CONSIDER THE APPEAL OF SMG REGARDING THE BCC MOTION OF AUGUST 8, 2006 TO AWARD THE MANAGEMENT AND OPERATIONAL SERVICE OF THE ST. AUGUSTINE AMPHITHEATRE, TO SIGNATURE ENTERTAINMENT**

Michael Hunt, Deputy County Attorney and Patrick McCormack, Assistant County Attorney, sat in on the item.

Joe Burch, Purchasing Manager, gave an overview of what had transpired on the issue. He noted that on August 8, the Board had rejected the proposal from SMG and directed

staff to negotiate a contract with Signature Entertainment. SMG filed an appeal of that decision and the purpose of the item was to consider that appeal.

(9:28 a.m.) SMG representative, Brian Kabatznik, Attorney, 701 Market St., Philadelphia, PA, gave a PowerPoint presentation, which he said contained the facts as they related to the operational, cultural and financial aspects of management of the St. Augustine Amphitheatre. He cited the reasons upon which the appeal was based.

(9:36 a.m.) Paul Fletcher, Ponte Vedra Beach, stated he was speaking on Signature Entertainment's behalf. He reviewed the qualifications of Signature's manager, Bruce Lucker, and stated that he was highly qualified to run the venue. He questioned if SMG would devote the necessary attention to such a small venue as the amphitheater.

(9:38 a.m.) Walter Rohrer, 2315 Clubview Court, Ponte Vedra Beach, member St. Johns County Civic Association Roundtable, noted that a resolution had been submitted by the Roundtable to the Board, and read it into the record. He reported that the Roundtable recommended going with SMG, the highest ranked firm.

(9:43 a.m.) Daniel McDonald, 24501 Deer Trace Dr., Ponte Vedra, said the letter of transmittal on the RFP had been violated by Signature but not by SMG. He questioned the submittals, the number of evaluators and said the RFP process needed to be fixed. He said Signature was a one-man operation and it was a high-risk decision.

(9:48 a.m.) Mary Kohnke, 29 South Roscoe, also of the Roundtable Finance Committee, addressed those who would be leaving the Board first and stated they would have a legacy in the amphitheatre. She said she had requested the two proposals, Signature's and SMG's, via public request, and learned that they had not been given to the Board prior to their vote, and that they had only received the evaluations. She said the Roundtable had evaluated the information and their results had been sent to the Board. She said there was no question that SMG was the company, which would be best prepared to make a success of the venture.

(9:51 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., said he was there as a birder. He said he was on the Board of the First Coast Nature Festival, which had been held at the amphitheatre for the last two years. He noted that bird watching was the fastest growing sport in the US, and they wanted the best possible venue for that festival, wanted it well run, and that based on the evidence SMG would be, by far, the best managers of the unit.

(9:53 a.m.) Phyllis Abbatiello, 1133 River Birch Rd., Fruitcove, commented on the RFP procedure. She said that in this case it was a flawed procedure since some members of the evaluation board had not shown up. She said applicants should be chosen because they qualified, and in this case the correct process was not followed. She suggested that the process be started over, and that the decision be based upon the best provider of service.

(9:58 a.m.) Clara Cowan, 244 Patrick Mill Circle, said she opposed the Board gambling with their tax money on a start-up company, and it was fiscal irresponsibility.

(10:00 a.m.) Lynn Wettach, 530 Lindsey Lane, operator of the Farmer's Market, emphasized the importance of the Farmer's Market to the community, stated they had been there for 10 years, and asked that it be allowed to remain at the amphitheatre. She said 35 to 40 vendors came to the market every week and there were thousands of customers who visited the quality market. She said it had been a stepping-stone for many small businesses in the county.

(10:04 a.m.) Tom Manuel, 505 Becker Branch Pl., Fruitcove, stated he supported the position of the Civic Roundtable, and urged the Board to reconsider and make the award to SMG.

(10:05 a.m.) Robert Papke, 6029 Wateredge Dr., Jacksonville, SMG employee, stated he was the national booking manager and was responsible for developing and maintaining strong relationships in the entertainment industry. He said the venues were managed from the ground up, and they had strong support. He said there was no conflict, perceived or otherwise, between the venues in St. Augustine and in Jacksonville.

(10:06 a.m.) John Bruegger, 999 Anastasia Blvd., Director of the St. Augustine Alligator Farm, spoke in support of Bruce Lucker and Signature Entertainment.

(10:03 a.m.) Josh LeMaster, 5004 Buttonwood Drive, Ponte Vedra Beach, CPA working with Signature on the project, said he oversaw Lucker's work at the World Golf Village and saw a great job of fiscal responsibility, integrity, and conservatism, and that he believed he would do an equally good job with the amphitheatre. He commented on the cost to the County, which would be determined by the success of the amphitheatre and not by management fees. He compared rental rates and objected to some of the examples given by SMG.

(10:11 a.m.) Kiki Tovey, 3313 Woodbury Court, said she worked for the Signature Entertainment team, and they had a passion for excellence. She gave her experience in the entertainment of industry and stated that she looked forward to being a key member of the success.

(10:14 a.m.) Derek Hankerson, 734 Medina Ave., spoke in support of Signature Entertainment and Ms. Tovey. He said he believed strongly in their ability. He stated that perceptions were not always accurate, and local businesses were often of equal value. He gave reasons why the local influence would be beneficial. He asked the Board to consider the impetus on the local economy.

(10:18 a.m.) Ken Bryan, 126 Oyster Catcher Circle, asked them to remember the purpose of an RFP was to do a fair evaluation of the company that would do the best job for the best value and in the best interest of the community. He said the evidence was clear that SMG was the company that should be considered.

(10:20 a.m.) Bill Puckett, 108 Oglethorpe Blvd., stated he supported Signature Entertainment and had known Lucker for many years. He explained that he had been a member of the evaluation board but had been unable to attend the meeting due to a schedule conflict with his vacation in Utah. He noted that he had called and expressed his preference for Signature Entertainment, but that his opinion would not be allowed because he had the necessary documents with him and they had not been officially turned in. He said he believed their expertise would allow them to do an outstanding job.

(10: 21 am.) Bruce Lucker, 545 Granada Terrace, stated he moved to St. Johns County 10 years ago by choice. He said Mary Kohnke had nominated him to the amphitheatre board, was passionate about the success of the facility and had been involved with it for 10 years. He said the fine print of their competitors proposal stated that 60 percent of their revenues came from 6 festivals with 15,000 people each and from parking fee revenues and Ticket Master charges. He said Signature's numbers were credible and would provide maximum exposure to the county. He said they believed the Farmer's Market was an important function and they would encourage their remaining at the present location. He noted SMG's concert ticket prices were \$15 higher than theirs. He

said the fundamental difference was the focus of 1 amphitheatre versus the 5 local facilities for SMG, and that Jacksonville had provided subsidies for the competitor.

(10:28 a.m.) Michael Hunt, Assistant County Attorney, said it was up to the Board's discretion to allow an appeal and/or rebuttal.

(10:28 a.m.) Bryant stated that he had spent a lot of time and research on the matter. He reviewed the subsidies to SMG by the City of Jacksonville in the amount of \$9.41 million and in the performing arts area they had received \$289,331. He said they needed the local dedicated sales staff for the unique venue in St. Augustine. He commented on the revenue stream and that 60% of the revenue was from 6 festival events for SMG and questioned the merit of that figure. He reviewed a letter from BK Corporation, which was willing to invest \$1 million in the amphitheatre. He said the first vote was the correct vote.

(10:31 a.m.) Rich asked if SMG was given an opportunity to respond. He said comments made by Lucker were performance based. He said that the contract would cover a failure to perform item within the contract. He said it was the responsibility of the board to follow the procedures by staff in the RFP process, and said that he believed the ranking process to be flawed since 40 percent of its membership was missing.

(10:34 a.m.) *Motion by Rich to approve the appeal and the original ranking by staff, and evaluation committee and allow staff to be in negotiation with the number one ranked firm, SMG, was seconded by Stevenson, but then withdrawn by Stevenson, in order to allow for more discussion. Motion died for lack of a second.*

(10:35 a.m.) Stern commented to Kohnke about the legacy they were leaving and that the Board was taking it seriously. She said a lot of work and effort had gone into the amphitheatre to make it the jewel that it is and will be. She noted they did not always choose the low bid as it would sometimes cost them as much as the next highest bidder in unforeseen costs. She said it was important for people to understand the process that led up to the decisions that they had made, and they had to look at the experience of SMG as well as Signature. She said the remarks about local businesses were very important. She acknowledged that ticket prices had weighed heavily on her. She said the local events needed to be protected, continued and given priority, and policy needed to be looked at for non-profit use of the facility. She affirmed that she favored Signature and the local experience provided by them.

(10:43 a.m.) Stevenson read a letter into the record from *The St. Augustine Record* in support of Signature Entertainment, signed by Derrick May, Publisher.

(10:44 a.m.) Maguire clarified the reason why he voted the way he did. He said they could not gamble, and they had a moral and legal responsibility. He expressed his displeasure with the members who had evaluated the project and had turned a blind eye to the numbers. He said they had to operate on reality, not promises. He reviewed projects for Jacksonville Performing Arts facility against those of the amphitheatre and questioned many of the projections being made. He said he had serious questions about the gross revenue coming from festivals and it was a gamble.

(10:47 a.m.) Stevenson asked Burch about the proposal regarding the legibility of the schedules. Burch said they had asked for enhanced and additional spreadsheets and additional information. She asked if fees and bonuses were identical. Burch said they were not identical and there were many assumptions on the part of both firms. He said the pricing structure was only a part of the RFP process. He said that all of the numbers were negotiable and it would be determined whether they were acceptable. He said

there were many issues yet to be negotiated. Stevenson said there were valid issues raised by the Signature group. She expressed concern that it was a local group that she didn't know well, it was not an operating organization and she had concerns about that. She expressed concern about the 15-year contract and that it would not be an acceptable term unless there was a performance based way to terminate the contract. Based on her knowledge, she said she felt more comfortable going with a known commodity and voted to support the award to Signature. She said she would not support changing the process and that she felt Signature would do a good job.

(10:54 a.m.) Motion by Bryant, seconded by Stern, carried 3/2 with Rich and Stevenson dissenting, to deny the appeal by SMG.

(10:54 a.m.) Motion by Bryant, seconded by Stern, carried 3/2 with Stevenson and Rich dissenting, to affirm the previous vote.

The mid-morning break was held at 10:54 a.m. and the meeting was reconvened at 11:03 a.m.

(09/19/06 - 11 - 11:03 a.m.)

2. PUBLIC HEARING - JACKMAN REPLACEMENT HOUSE WAIVER REQUEST FOR BALD EAGLE NEST SJ-010 - APPLICANT SEEKS A WAIVER TO SECTION 4.01.10.B.2 OF THE LAND DEVELOPMENT CODE (LDC), HABITAT MANAGEMENT FOR THE BALD EAGLE, TO CONSTRUCT A REPLACEMENT SINGLE FAMILY HOME IN THE SECONDARY ZONE OF BALD EAGLE NEST SJ-010 DURING THE NESTING SEASON. A BALD EAGLE MONITOR, APPROVED BY COUNTY STAFF, SHALL OBSERVE THE NEST DURING CONSTRUCTION TO WATCH FOR ANY SIGNS OF DISTURBANCE AND THE MONITOR SHALL HAVE THE AUTHORITY TO SUSPEND WORK ACTIVITIES THAT MAY BE RESPONSIBLE FOR ABNORMAL BEHAVIOR BY BALD EAGLES. THE LOT IS LOCATED AT 4710 STATE ROAD 13, NORTH

Proof of publication of a notice of public hearing on the Jackman Replacement House Waiver Request for Bald Eagle Nest SJ-0617 was received, having been published in *The St. Augustine Record* on September 6, 2006.

Jan Brewer, Environmental Planning Manager, gave the presentation and explained the waiver request at 4710 State Road 13 North. She explained that an existing home had been demolished in order to build a new home. She said they were asking that exterior construction be allowed to go forth during the eagle-nesting season. She said the nest would be monitored during the construction period. Mr. Adam Hoyles of Environmental Consulting was hired by the applicant to monitor the eagles. The contractor was to notify Hoyles when construction was beginning and the nest would be monitored to determine if there was any disturbance to the bald eagle during the construction activities.

(11:06 a.m.) Stevenson asked where the actual home site would be located. Brewer said it was in the general vicinity of the original home. She said interior construction was allowed during eagle nesting season.

(11:08 a.m.) Bryant stated that they normally received a letter from the Fish and Wildlife Service. Brewer said it was not required for this particular activity.

(11:09 a.m.) Lucy Seeds, 144 Camp Hill Circle, said she had monitored eagle nests in the past, but was not familiar with the nest in question. She said the nest was deep within a

swamp. She cited an example of eagles that had been disturbed by construction in which the fledglings were lost. Rich commented that eagles were very resilient. She acknowledged that the eagles were acclimating to the changes in their habitat, but the County should adhere to the eagle ordinance except in special circumstances. She said St. Johns County had a stronger ordinance than the US government and that our ordinance superceded the US ordinance.

(11:18 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., said he sympathized with the owner, but asked the builder to restrict loud noises that could disturb any nesting birds and especially during nest building time and to restrict bright lights, preferably no lights at all. He said it would help to keep the eagles established in one of the oldest occupied nests in St. Johns County. Rich commented that those concerns could be included in the waiver. Stevenson said Lucy Seeds was her next-door neighbor and that she had also watched the eagles with her and for her. She said she agreed that there was a distinct behavioral change in the eagles during the construction phase.

(11:23 a.m.) Motion by Rich, seconded by Maguire, carried 5/0, to approve the waiver to Section 4.01.10 B.2, providing the nest shall be monitored by a bald eagle monitor during construction to watch for any signs of disturbance and the monitor shall have the authority to suspend work activities that may be responsible for abnormal behavior by the bald eagles. The motion is to include noise and light restrictions during construction as referenced by Van Ghent.

(09/19/06 - 12 - 11:24 a.m.)

3. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE ISSUANCE BY ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY OF ITS HEALTH CARE REVENUE REFUNDING BONDS (GLENMOOR AT ST. JOHNS PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$64,900,000

Ron Brown, Attorney for the Industrial Development Authority, gave the presentation and stated he was there for Geoff Dobson who was on vacation. He said Ray Johnson, Executive Director of Life Care St. Johns was present, as was John McWilliams, the bond counsel, to answer any questions.

Dan Bosanko, County Attorney, said a resolution was in order and that Jean Mangué and County staff had reviewed the resolution and the documents associated with it.

(11:27 a.m.) Motion by Maguire, seconded by Stevenson, carried 5/0 to adopt Resolution No. 2006-317 approving the issuance by St. Johns County Industrial Development Authority of its Health Care Revenue Bonds (Glenmoor Project) in the aggregate principal amount not to exceed \$64,900,000.

RESOLUTION NO. 2006-317

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING, PURSUANT TO CHAPTERS 125 AND 159, FLORIDA STATUTES, AS AMENDED, AND SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF NOT EXCEEDING \$64,900,000 HEALTH CARE REVENUE BONDS (GLENMOOR PROJECT), BY THE ST. JOHNS COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY TO ADVANCE REFUND THE AUTHORITY'S OUTSTANDING BONDS ISSUED TO FINANCE THE

**GLENMOOR CONTINUING CARE FACILITY
LOCATED AT WORLD GOLF VILLAGE IN ST. JOHNS
COUNTY AND OWNED AND OPERATED BY LIFE
CARE ST. JOHNS, INC. AND TO FINANCE CERTAIN
CAPITAL EXPANSIONS THERETO, FUND
CAPITALIZED INTEREST AND A DEBT SERVICE
RESERVE, AND PAY COSTS OF ISSUANCE OF THE
BONDS; AND PROVIDING AN EFFECTIVE DATE**

(09/19/06 - 13 - 3:21 p.m.)

4. CONSIDER CAPITAL IMPROVEMENT PROJECTS FOR BOND FINANCING WITH SALES TAX REVENUE AND TRANSPORTATION IMPROVEMENT PROJECTS FOR BOND FINANCING WITH GAS TAX REVENUE (*This was formerly Item #6*)

Doug Timms, Director of the Office of Management & Budget, requested a slight change to the list, to add three projects. Timms updated the Board on the financial model to take to the financial market.

(3:26 p.m.) Jay Glover, Public Financial Management, reviewed the Comprehensive Report on Indentured Revenues and Capacity, Exhibit A.

(3:30 p.m.) Timms requested approval of the three projects, Exhibit B. Rich asked how the additional items were selected and if County staff put them together. Timms responded.

(3:33 p.m.) **Motion by Maguire, seconded by Stern, to approve projects attached, plus the three additional projects to be financed through Sales Tax Revenue and authorize staff to take all necessary steps to issue capital improvement revenue bonds in the approximate aggregate amount of \$50 million for the approved projects.** Stevenson asked, what the position was in the 2009 General Fund and what revenue projection assumption was used in that model. Timms responded. (3:39 p.m.) Rich submitted a letter on pool alteration estimates, Exhibit C. Maguire stated that he disagreed with Rich. Stern spoke on the importance of addressing this issue now, with Stephenson concurring. Rich spoke on safety of pools.

(3:56 p.m.) Sherry Russell, 1955 US 1 South, Health and Human Services, spoke on needing these programs for the children to reduce the abuse of children. Discussion followed on population in the county and on community centers.

(4:02 p.m.) Tom O'Hare, 618 Old Beach Road, spoke in favor of the pools.

(4:09 p.m.) Cintra McGauley, 8040 Merganser Drive, spoke in favor of the pools.

(4:13 p.m.) Barbara Hendy, 480 Diosa Court, spoke in favor of the pools.

(4:15 p.m.) Linda Wampler, 116 Loyola Road, spoke in favor of the pools.

(4:17 p.m.) Yvonne King entered the meeting; Lenora Newsome left the meeting.

(09/19/06 - 13 - 5:09 p.m.)

5. CONSIDER MOTION TO ADOPT A RESOLUTION IMPLEMENTING NEW AND/OR REVISED FEES FOR SERVICES PROVIDED BY ST. JOHNS COUNTY DEPARTMENTS

Dawn Cardenas, Office of Management & Budget, reviewed the FY 2007 Fee Schedule. Discussion followed regarding the fees for photocopies, beach driving, use of the Equestrian Center, and video copies. (5:16 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to adopt Resolution No. 2006-318, implementing new and/or revised fees for services provided by St. Johns County departments, to include the following changes: all photocopies at \$0.15; season pass presale until March 1st be increased from \$25.00 to \$30.00; season pass starting March 2nd be increased from \$35.00 to \$40.00; and unscheduled use of the Equestrian Center fees of no charge to be \$5.00.**

(5:17 p.m.) Bill Jones, 850 A1A Beach Blvd., commented in favor of the revised fees.

(5:19 p.m.) Andrea Samuels, 110 Mickler Blvd., Secretary of the St. Augustine Beach Civic Association, commented on the fees for the use of County property by nonprofit organizations.

(5:22 p.m.) Troy Blevins, Parks & Recreation, informed the Board that the Park Ordinance addressed the use of County property by nonprofit organizations.

(5:23 p.m.) Ken Bryan, 1126 Oyster Catcher Circle, addressed the cost for duplication of BCC meeting tapes.

(5:24 p.m.) **The motion carried 5/0.**

RESOLUTION NO. 2006-318

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE AMENDED SCHEDULE OF FEES FOR CERTAIN COUNTY DEPARTMENTS AND PROVIDING AN EFFECTIVE DATE

This became Item No. 4.

(09/19/06 - 14 - 11:29 a.m.)

6. PRESENTATION ON RURAL LAND STEWARDSHIP

Stevenson welcomed Draper and noted that she had attended two conferences at which Draper had done presentations. She noted there were important planning concepts, and the way we think about the way land gets used in those presentations. She said the benefits and costs to different aspects of our economy, the way our communities will live in the future and environmental considerations were all important factors in the concept. Stern also welcomed Draper and told of efforts being made by the Tri-County Growth Management Committee to promote rural land stewardship and preservation within St. Johns, Putnam and Flagler counties. She said she was glad he was there to add to their previous efforts.

(11:32 a.m.) Eric Draper, Deputy Director for Policy, Audubon of Florida, gave a PowerPoint presentation. He said his central mission was to protect Florida's landscape and that they were not just an advocacy organization but had other functions including eagle rehabilitation, and education. He said he was there to discuss Innovative Strategies for Saving Florida's Rural Lands, and noted that land costs were causing the saving of land to become unrealistic. He stated that 30,000 people were moving to Florida every year, and about 1/3 of the state was already preserved by some measure but that another third was under way to be developed and that left 1/3 of the land to be preserved. He said they were mostly rural agricultural areas including cattle,

timber and vegetation. He cautioned that there was a limited amount of money and many landowners would not sell to the State. He said they had to look long term at what they were trying to accomplish, and then gave examples of large areas that had been preserved by Rural Land Stewardship. He explained the concept of Rural Land Stewardship and said that it had resulted from legislation developed about 5 years ago. He reviewed the Collier County Rural Land Stewardship model, which included Ave Maria University and New Town, and which would protect 17,000 acres and protect development rights to approximately 200,000 acres. He also reviewed the St. Lucie County Stewardship model which will conserve more than 12,000 acres of Adams Ranch in St. Lucie County and will allow new development of a new town on Cloud Grove near Ft. Pierce. He said it promoted a sustainable rural future and an agricultural economy for the state, and also promoted the preservation of wildlife, including the endangered Florida Panther and bald eagles. He noted the more the environmental resources on the land that was preserved, the more development credits that were given on the development area. He said this had resulted in developers hiring very expensive biologists to find every wetland, every endangered species and any other feature that would add to the value of the environmental credits, which turned into money for the developers. He stated that all land was not valued the same and it depended on how much the landowner wanted to retain in terms of agricultural use. He explained that with rural land stewardship, sprawl was discouraged, growth paid its fair share, incentives were provided for education, research and public benefit uses, and more efficient land development reduced impact. He noted that stewardship was embraced by leading planning and environmental organizations and was widely regarded as a new tool for sustainable rural development in Florida. (12:01 p.m.) Bryant left the meeting.

(12:02 p.m.) Rich asked if the development rights had a conclusion date or continue on into perpetuity with deed of the land. Draper explained once they became a part of the receiving area, they became permanent. Stern asked about the amount of land required to establish a rural stewardship program. Draper said the legislature set a minimum amount of 10,000 acres and the town part had to be about 15,000 acres because of the infrastructure needed. She asked if the town portion was set up as a special district. Draper said it was a special taxing district, legislatively authorized. Maguire said it was a great program. Stevenson commented about density issues versus open space. She said they needed to focus on contiguous density, maintaining agriculture and its implications for the future.

(12:10 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., said having Draper there was a very good idea, and that he had been very supportive of land preservation in St. Johns County, especially the Matanzas and Faver-Dykes park expansion. He said they had an opportunity to put that plan in play with the Greenway/Blueway Trails plan, which could be preserved and for which that idea of saving rural land could be implemented. He asked them to start thinking in those terms, as they could make an impact over the next decade in preserving environmentally sensitive lands in the community.

The meeting was recessed for lunch at 12:12 p.m. and reconvened at 1:30 p.m. with Bryant, Stevenson, Maguire, Rich, Stern, Adams, McCormack and Deputy Clerk Lenora Newsome.

(09/22/06 - 15 - 5:24 p.m.)

7. DISCUSSION OF BARBARA BOYER'S ACCESS TO HER LAND ACROSS RAYONIER CORPORATION'S LAND

This item was pulled.

(09/22/06 - 16 - 5:24 p.m.)

8. PROPORTIONATE FAIR SHARE PROGRAM WORKSHOP

This item was renumbered as Item #5. Bill Hartmann, Transportation Planning Manager, gave a general overview of the fair share program. (4:26 p.m.) William Rolls, consultant from Tindale-Oliver & Associates, Inc., reviewed the highlights of Senate Bill 360 as it related to concurrency management; also, reviewed the proportionate fair share ordinance. The review also included: the impacts of SB 360, the directives of SB 360, the concurrency process as it relates to proportionate fair share, the application of proportionate fair share, proportionate fair share options, examples of proportionate fair share, a summary of the ordinance, and reviewed proportionate fair share follow-up actions.

(4:49 p.m.) M. Lynn Pappas, 245 Riverside Avenue, Jacksonville, representing Wells Farm, commented in favor of the proposed ordinance.

(4:50 p.m.) John Metcalf, 1104 Mill Creek Drive, commented in favor of the proposed ordinance; then, suggested language be added at the end of Section 11.09.04(A)(2), that "the improvements may be either on the impacted facility or on another facility demonstrated to provide relief to the impacted facility." Metcalf also suggested removing the first sentence in Section 11.09.06(D)(2) regarding reimbursement of proportionate fair share payments.

(4:57 p.m.) Cleve Dryden, 245 Riverside Avenue, representing the Cumberland Industrial Park, commented in favor of the proposed ordinance.

(5:01 p.m.) Doug Burnett, 170 Malaga Street, commented in favor of the proposed ordinance; then, requested some language changes: 1) regarding whether improvements are already in the CIP element, 2) to amend the CIE in order to add improvements to allow individuals to do proportionate share, and 3) identify improvements that have significance in order to allow the developer to construct improvements.

(5:07 p.m.) Motion by Maguire, seconded by Stern, carried 5/0, to establish October 17, 2006 at 5:30 p.m. and November 1, 2006 at 9:00 a.m. as public hearing dates to consider amendments to the Land Development Code, Article 11, Concurrency Management, to meet the requirements of Chapter 163.3180(16) providing for a Proportionate Fair Share Program.

(5:08 p.m.) Maguire requested the changes recommended by the two attorneys, Doug Burnett and George McClure, be presented to the commissioners later in the week.

The meeting started with Item 9.

(09/19/06 - 16 - 1:37 p.m.)

9. PUBLIC HEARING - PUD 2006-06 SEBASTIAN CROSSING - THIS PUD WAS CONTINUED FROM THE JULY 11 BCC MEETING. SINCE THAT MEETING, THE APPLICANT HAS REDUCED THE NUMBER OF UNITS FROM 127 TO 110. THIS REQUEST SEEKS TO REZONE APPROXIMATELY 28.2 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP A RESIDENTIAL COMMUNITY OF 110 MULTI-FAMILY RESIDENTIAL TOWNHOME UNITS, WHICH WILL BE ACCESSED FROM CERVANTES AVENUE. THE SITE IS LOCATED ON THE WEST SIDE OF MASTERS DRIVE BETWEEN CERVANTES AVE. AND CROOKSHANK DRIVE. THE MASTER DEVELOPMENT PLAN PROPOSES ONE ACCESS

POINT OFF CERVANTES AVE. THERE WILL BE A FOUR-FOOT SIDEWALK ALONG INTERNAL ROADWAY SIDEWALK AS DEPICTED ON THE MASTER DEVELOPMENT PLAN MAP. THE PROJECT HAS MINIMUM OF 13.99 ACRES OF OPEN SPACE OR FORTY TWO PERCENT (49%) OF THE OVERALL SITE, WELL ABOVE THE PUD MINIMUM REQUIREMENT OF 25%. OPEN SPACE TOTALS INCLUDE WETLANDS, WETLAND BUFFERS, AND ACTIVE RECREATION. CENTRAL WATER AND SEWER WILL BE PROVIDED BY THE CITY OF ST. AUGUSTINE. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: OPEN RURAL (OR). THE SURROUNDING FUTURE LAND USE IS RESIDENTIAL-D (D) AND RESIDENTIAL-C (C). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, WHICH FAILED WITH A 4-2 VOTE; THEREFORE CONSTITUTING A PZA RECOMMENDATION OF DENIAL. THE PZA EXPRESSED THE PROPOSED PROJECT IS INCOMPATIBLE WITH THE SURROUNDING AREA AND PROVIDED SAFETY CONCERNS WITH THE SURROUNDING ROADWAYS. SINCE THE PZA HEARINGS, THE APPLICANT REDUCED THE NUMBER OF UNITS FROM 127 TO 110

Proof of publication of a notice of public hearing on PUD 2006-06, Sebastian Crossing was received, having been published in *The St. Augustine Record* on September 1, 2006.

Laura Pierle, St. Augustine Court Reporter, was present.

Teresa Bishop, Planning Director, reviewed this item, turning in the Adjacent Property Owners' Response Forms, Exhibit A.

(1:38 p.m.) Gary Davenport, 5378 Soundview Avenue, gave the history and background of the site plan. Patrick McCormack mentioned that the amount of people in favor of or opposed to the project was not one of the criteria, it was basically the competent and substantial evidence. Davenport spoke on the density, water and sewer, and willingness to work with the community. Bryant asked where the Board stood on the PUD and RS-3 zoning issue. McCormack responded. Davenport stated that they were willing to compromise with the neighbors. Stern asked Davenport if they could work with the neighbors on compromising. Stern disclosed exparte communication with Gary Davenport, Jessie Killebrew, and Don Davis regarding that project and the number of units, what the possibilities were for compromise and parts of the application. Maguire disclosed exparte communication with Mr. Killebrew and Mr. Davenport regarding their presentation of reduction and the resulting development plan. Stevenson disclosed exparte communication with Gary Davenport and Jessie Killebrew being the same as Maguire's. Rich disclosed exparte communication with Mr. Killebrew regarding the reduction of units.

(1:56 p.m.) Maureen Ortagus, 1445 Masters Drive, spoke in opposition of the development. She stated that they needed sidewalks and that the road was unsafe. Rich spoke on safety issues regarding transportation. Ortagus mentioned that there was a lot of documentation about the safety issues on Masters Drive. McCormack mentioned that it was the record that was formed that day that counted. He spoke on the width of the road being an unsafe factor.

(2:08 p.m.) Joe Stephenson, Public Works Director, reviewed what the County was doing to improve the safety on Masters Drive. Rich asked if Masters Drive was at its capacity. Stephenson replied that it was near capacity. Stern spoke on Cervantes and Monterey in connection with Masters Drive. Stephenson spoke on sidewalks and continuous speed humps on Masters Drive. He stated that they could devise a safer

intersection than the one that was there now. Discussion followed on alternatives for Masters Drive. Ortagus stated that there had to be something done to make Masters Drive safe.

(2:17 p.m.) Bob Suttle, 3512 Caroline Blvd., spoke on Masters Drive being neglected for about twenty years, and on the land developing around him. He was in favor of this development.

(2:22 p.m.) Richard Powers, 280 Cervantes Avenues, spoke in opposition of rezoning and asked for denial on rezoning this PUD.

(2:31 p.m.) Robert Frawley, 286 Monterey Ave., spoke in opposition of rezoning to the PUD, but stated that he would consider RS-3 zoning.

(2:35 p.m.) Robert Burchfield, 262 Cervantes Avenue, addressed the fact that the project had only one access road and asked the Board to deny it.

(2:38 p.m.) Nick Mariani, 415 Avilla Avenue, submitted for the record, copies of signatures of people in opposition of rezoning to the PUD, Exhibit B, and he spoke in opposition of the rezoning.

(2:42 p.m.) Diane Mills, 3455 Lewis Speedway, spoke in opposition of rezoning to PUD. She asked the Board not to grant this request and to deny this PUD. She showed pictures of lots on Hibiscus Street, Exhibit C.

(2:53 p.m.) Carl Burchfield, 355 Armas Avenue, spoke in opposition of the request utilizing maps, Exhibit D.

(2:56 p.m.) Davenport responded to comments made by the public. Stern spoke about Avilla Street, addressing the access. Davenport addressed the concerns by Stern.

(3:08 p.m.) Rich said the reason why the Board asked them to go back originally and discuss this with the people and work it out, was because of the applicant wanting to change the PUD. He stated that the people there that day had taken a tremendous amount of time out of their lives to come down to address the issue as it was being proposed to the Board. He stated that he was not prepared to impose any kind of changes or anything to the PUD that day, however, if the Board rejected the Proposal, and they decided to resubmit it to the Board, he would be happy to discuss it at the appropriate time. Rich mentioned that it was important to recognize the safety concerns that presently existed, which could be overcome in the future. However there was testimony of both staff and citizens that lived in the area, that Masters Drive was currently unsafe and was under consideration by St. Johns County for improved safety efforts. He said approval of increased density in that area, absent dramatic road safety improvements, would certainly result in an even lower level of safety to the existing citizens. He noted that Cervantes Avenue safety considerations were simply additional reasons not to consider a zoning change at this time. He stated that he considered that particular proposal, as it stood, to be incompatible with the surrounding area land uses, and that testimony regarding it before the PZA was as valid today as it was then. (3:09 p.m.) *Rich stated that based upon the two considerations of Title 11, Section 163.3161(3) [Florida Statute] regarding safety of the transportation issues, as well as the incompatibility of this project to the surrounding area.* (3:10 p.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to deny rezoning application PUD 2006-06, adopting those findings of fact as stated to support the motion.** McCormack spoke on Section 8.13.12.2 and 12.2 being included in the discussion.

The meeting recessed at 3:12 p.m. and reconvened at 3:21 p.m., with the meeting returning to Item 6. Deputy Clerk Yvonne King entered the meeting and Deputy Clerk Lenora Newsome left the meeting at 4:17 p.m.

(4:20 p.m.) Pamela Kessler, 1136 Salt Creek Drive, Ponte Vedra Beach, President of the Ponte Vedra Athletic Association, urged the Board to support the community centers and pools.

(4:22 p.m.) **The motion carried 3/2, with Rich and Stevenson dissenting.**

(4:22 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to approve the projects listed on the attached sheet, to be financed through gas tax revenue and authorize staff to take all necessary steps to issue transportation improvements revenue bonds in the approximate aggregate amount of \$34 million for the approved projects.**

(09/19/06 - 19 - 7:07 p.m.)

10. PUBLIC HEARING - PROPOSED AMENDMENT TO ARTICLE III - ENVIRONMENTALLY SENSITIVE OVERLAY ZONE - THIS IS A PROPOSED AMENDMENT TO ARTICLE III, SPECIAL DISTRICTS, OF THE LAND DEVELOPMENT CODE. SPECIFICALLY, THIS PROPOSAL IS TO ADD PART 3.11.00, TITLED ENVIRONMENTALLY SENSITIVE OVERLAY ZONE (ESOZ). THE ST. JOHNS COUNTY COMPREHENSIVE PLAN POLICY E.2.2.17 READS THAT BY 2005 OR SOONER, THE COUNTY SHALL CONSIDER ADOPTION OF AN ENVIRONMENTALLY SENSITIVE OVERLAY ZONE (ESOZ) FOR AREAS DESIGNATED ON THE ENVIRONMENTALLY SENSITIVE LANDS MAP. THE BASIC CONCEPT WITH THE ESOZ IS TO MAINTAIN THE QUALITY OF THE ENVIRONMENT AND THE QUALITY OF THE RECREATIONAL EXPERIENCE ON THE SENSITIVE PUBLIC LAND. THIS IS ACCOMPLISHED BY REGULATING THE TYPE AND MANNER OF DEVELOPMENT ALLOWED TO OCCUR ON LAND IMMEDIATELY ADJACENT TO THE SENSITIVE PUBLIC LAND

Proof of publication of a notice of public hearing on a proposed amendment to Article III, Environmentally Sensitive Overlay Zone, was received, having been published in *The St. Augustine Record* on September 9, 2006.

Jan Brewer, Environmental Manager, explained the proposed amendment to Article III of the Land Development Code to create an environmentally sensitive overlay zone. Discussion followed regarding the environmentally sensitive lands map.

(7:18 p.m.) George McClure, 81 King Street, encouraged the Board to continue this issue until after the environmentally sensitive lands map was completed and after a workshop was held.

(7:21 p.m.) Chris Beladi, 208 Ponte Vedra Blvd., commented in opposition to the proposed amendment.

(7:23 p.m.) Jeannie Fewell, 6504 Burnham Cir., suggested the ordinance be tabled until a later time.

(7:24 p.m.) Sarah Owen, 201 Owens Avenue, commented in favor of the proposed ordinance.

(7:26 p.m.) John Metcalf, 1104 Mill Creek Drive, commented in opposition to the proposed ordinance.

(7:32 p.m.) Ned Ross, 4675 Wolfe Rd., commented in opposition to the proposed ordinance.

(7:34 p.m.) Lynn Pappas, 245 Riverside Avenue, Jacksonville, commented in opposition to the proposed ordinance.

(7:36 p.m.) Ed Paucek, 970 Irma Way, commented in opposition to the proposed ordinance.

(7:37 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, Fruit Cove, commented in favor of the proposed ordinance.

(7:38 p.m.) Motion by Rich, seconded by Stevenson, carried 5/0, to table this item to a date uncertain in the future after the environmentally sensitive lands map has been developed by staff.

(09/19/06 - 20 - 7:38 p.m.)

11. PUBLIC HEARING - PUD 2006-04, OLD MOULTRIE BLUFF PLANNED UNIT DEVELOPMENT - THIS ITEM WAS PREVIOUSLY DENIED BY THE BOARD OF COUNTY COMMISSIONERS AT THE JULY 25TH MEETING, BY A VOTE OF 4 TO 1, BASED ON INTENSITY OF THE DEVELOPMENT AND COMPATIBILITY WITH THE ADJACENT USES. THE APPLICANTS HAVE BEEN GRANTED A WAIVER TO THE ONE-YEAR REFILEING REQUIREMENT. THE REVISED PLAN OF DEVELOPMENT HAS ELIMINATED TWO BUILDINGS AND REDUCED THE UNITS FROM 136 TO 119. THIS REQUEST SEEKS TO REZONE APPROXIMATELY 11.53 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO CONSTRUCT UP TO 119 MULTI-FAMILY UNITS. THE SITE IS LOCATED ON THE EAST SIDE OF OLD MOULTRIE RD. AND ON THE WEST SIDE OF US 1. THE MASTER DEVELOPMENT PLAN PROPOSES ONE ACCESS POINT OFF OF OLD MOULTRIE RD. THERE WILL BE A FOUR FOOT INTERNAL SIDEWALK AND A FIVE FOOT SIDEWALK ALONG OLD MOULTRIE RD. A 10 FOOT PERIMETER BUFFER IS PROVIDED AROUND THE PERIMETER OF THE PROJECT AND A 50 FOOT BUILDING SETBACK IS PROVIDED ALONG OLD MOULTRIE RD. THERE WILL BE A MINIMUM OF 2.88 ACRES OF OPEN SPACE OR 25% OF THE SITE. OPEN SPACE TOTALS INCLUDE WETLAND BUFFERS, PERIMETER BUFFERS AND RECREATION. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR SEPTEMBER 7, 2006 HEARING BY A VOTE OF 6/0

Proof of publication of a notice of public hearing on PUD 2006-04, Old Moultrie Road, was received, having been published in *The St. Augustine Record* on August 22, 2006.

Michael Blackford, Planner II, explained the request to rezone approximately 11.53 acres of property from OR to PUD, in order to construct up to 119 multi-family units. Stevenson declared ex-parte communication; she spoke with Mr. Mahertis and Mr. Davenport to discuss the nature of the project, the changes to the project, and that the applicant had met with the manager from the adjacent automotive establishment to discuss compatibility and noise issues. (7:40 p.m.) Stern declared ex-parte communication; he spoke with Gary Davenport and Nick Mahertis to discuss the project, the decrease in density, the surrounding development, and the impact of those.

(7:41 p.m.) Rich declared ex-parte communication; he spoke with Mr. Mahertis and Mr. Davenport in reference to this issue. (7:42 p.m.) Maguire declared ex-parte communication; she spoke with Gary Davenport and Nick Mahertis to discuss the project, the decrease in density, the surrounding development, and the impact of those. Discussion followed regarding the buffers. (7:45 p.m.) Gary Davenport, 5378 4th Street, representing the applicant, addressed the buffering. Discussion followed regarding signaling, buffering, and concurrency. (7:55 p.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2006-108, known as PUD 2006-04, Old Moultrie Bluff PUD, adopting findings of fact 1-7 to support the motion, and including the revised language on page 7, add a sentence after #3, to read, "a 40 foot undisturbed buffer shall be maintained along the southern boundary except where 40 ft. is unavailable, a minimum of 30 foot undisturbed buffer shall be maintained."**

ORDINANCE NO. 2006-108

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

(09/19/06 - 21 - 7:55 p.m.)

12. PUBLIC HEARING - PUD 2006-03, ASHLEY OAKS PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 80.2 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO CONSTRUCT UP TO 75 SINGLE FAMILY UNITS. THE SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROAD 16 AND ON THE EAST SIDE OF COUNTY ROAD 13 N. THE MASTER DEVELOPMENT PLAN PROPOSES ONE ACCESS POINT FROM STATE ROAD 16. THERE WILL BE A FOUR FOOT INTERNAL SIDEWALK AND A FIVE FOOT SIDEWALK ALONG COUNTY ROAD 13 N. A 75 FOOT SCENIC EDGE IS PROVIDED ALONG COUNTY ROAD 13 N. AND ALONG STATE ROAD 16, THE REMAINING PROJECT BOUNDARY HAS A 35 FOOT DEVELOPMENT EDGE. THERE IS A TOTAL OF 21.85 ACRES OF OPEN SPACE OR 28% OF THE SITE. OPEN SPACE TOTALS INCLUDE WETLANDS, WETLAND BUFFERS, DEVELOPMENT EDGES, SCENIC EDGES AND RECREATION. A MINIMUM OF 3.43 ACRES OF ACTIVE RECREATION WILL BE PROVIDED. AMENITIES INCLUDE A TOT LOT, A JOGGING TRAIL WITH EXERCISE STATIONS, AND A GRASSED FIELD. CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: OPEN RURAL (OR), RESIDENTIAL SINGLE-FAMILY (RS-2), AND PLANNED UNIT DEVELOPMENT (PUD). THE SURROUNDING FUTURE LAND USE IS RESIDENTIAL-A, RURAL SILVICULTURE, AND SAINT JOHNS DRI. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST, BUT DID NOT RECOMMEND APPROVAL OF WAIVER #2, AT THEIR AUGUST 3, 2006 HEARING BY A VOTE OF 7/0

Proof of publication of a notice of public hearing on PUD 2006-03, Ashley Oaks, was received, having been published in *The St. Augustine Record* on September 1, 2006.

Michael Blackford, Planner II, explained the request to rezone approximately 80.2 acres of property from OR to PUD in order to construct up to 75 single-family units.

Discussion followed regarding compatibility. (8:01 p.m.) **Motion by Stern, seconded by Stevenson, carried 5/0, to enact Ordinance No. 2006-109, known as PUD 2006-03, Ashley Oaks PUD, adopting findings of fact 1-7 to support the motion.**

ORDINANCE NO. 2006-109

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

(09/19/06 - 22 - 5:24 p.m.)

13. PUBLIC HEARING - PNZVAR 2006-05 VILANO TOWN CENTER GROCERY STORE/MIXED USE PROJECT

This item was continued until October 3, 2006.

(09/19/06 - 22 - 5:24 p.m.)

14. PROPOSED COUNTY ATTORNEY CONTRACT

Dan Bosanko, County Attorney, reviewed a change to the contract regarding outside activities of the County Attorney. (5:26 p.m.) Bob Peters, Human Resources Director, addressed the salary of \$120,000, the term limit in the contract, and the severance benefit. Discussion followed regarding the severance benefit. (5:33 p.m.) Doug Burnett, 170 Malaga Street, commented on severance; then, suggested the severance benefit be increased. Discussion followed on the salary and the severance benefit. (5:43 p.m.) John Dickinson, of Constangy, Brooks, P.A., clarified the severance benefit. (5:51 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to continue this issue to September 26, 2006.**

(09/19/06 - 22 - 8:02 p.m.)

15. PRESENTATION BY ST. JOHNS VISION ON THE INFRASTRUCTURE FORUM PLAN OF ACTION

Bonnie Barnes, Executive Director of St. Johns Vision, requested the Board help fund a study to identify projects citizens might be willing to invest in to improve the quality of life in St. Johns County. Discussion followed regarding the membership of the Visioning Committee. (8:08 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to approve \$25,000, subject to approval of the team members next week; funding to come from the General Fund Reserves.**

(09/19/06 - 22 - 5:52 p.m.)

16. PUBLIC HEARING - ADOPTION OF FINAL MILLAGE RATES & BUDGET FOR FY 2007 - FLORIDA STATUTES 129.03 AND 200.065 REQUIRE THE BOARD OF COUNTY COMMISSIONERS (BCC) TO ADOPT ITS MILLAGE RATES AND BUDGET FOR THE NEXT FISCAL YEAR (FY) AT A PUBLIC HEARING. THAT HEARING MUST BE HELD AFTER 5:00 PM IF SCHEDULED ON A DAY OTHER THAN SATURDAY. THE SEPTEMBER 19, 5:30 PM HEARING DATE HAS BEEN NOTICED, AS REQUIRED, AND CONSTITUTES THE FINAL HEARING ON THE COUNTY'S MILLAGE RATES AND BUDGET FOR FY 2007. FLORIDA STATUTES PRESCRIBE A SPECIFIC ORDER FOR THE CONSIDERATION OF ITEMS AT THE PUBLIC HEARING.

THE FIRST SUBSTANTIVE ISSUE OF DISCUSSION MUST BE THE PERCENTAGE INCREASE IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE. THE ROLLED-BACK RATE IS DEFINED AS THE AGGREGATE MILLAGE RATE THAT WOULD GENERATE THE SAME LEVEL OF PRIOR YEAR TAX REVENUES LESS CERTAIN DEFINED ALLOWANCES (SUCH AS NEW CONSTRUCTION). THE PERCENTAGE INCREASE FOR FY 2007 IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE IS 19.7526%. INCLUDED IN THE DISCUSSION MUST BE THE SPECIFIC PURPOSES FOR WHICH THE AD VALOREM TAX REVENUES ARE BEING INCREASED OVER THE ROLLED-BACK RATE. THE GENERAL PUBLIC SHALL BE ALLOWED TO SPEAK AND TO ASK QUESTIONS PRIOR TO ADOPTION OF ANY MEASURES BY THE BCC. THE BCC SHALL ADOPT, BY RESOLUTION, ITS FINAL MILLAGE RATES PRIOR TO ADOPTING ITS FINAL BUDGET FOR FY 2007

Proof of Publication of the notice of public hearing on the adoption of the final millage rates and budget for FY 2007 was received, having been published in *The St. Augustine Record* on September 15, 2006.

Doug Timms, Director of the Office of Management & Budget, announced that the budget procedures were prescribed by Florida Statute; said the percentage increase over the rolled-back rate was 19.7526%; the total over the rolled-back rate was \$25,358,367; then, explained the reasons for the increase.

(5:58 p.m.) Carl Kumpf, 7830 A1A South, commented in opposition to funding the swimming pools at this time.

(6:04 p.m.) Claudette Papich, 3429 Haley Point Rd., commented in opposition to the budget increase.

(6:06 p.m.) James Meeks, 2807 South Ponte Vedra Blvd., commented in opposition to the increase in the budget.

(6:08 p.m.) Bert Watson, 1699 Bishop Estates Road, representing the Parks & Recreation Advisory Committee and Creeks Athletic Association, commented in favor of the budget.

(6:09 p.m.) Bill Timmerman, 5 Willard Drive, commented in opposition to the increase in the budget.

(6:12 p.m.) B.J. Kalaidi, 8 Newcomb Street, commended the Board on the budget process.

(6:14 p.m.) Yena Agler, 1108 Sole Creek Drive, commented in favor of the pools being funded.

(6:17 p.m.) Steven Crooms, 936 Ervin Street, commented in favor of the pools being funded.

(6:19 p.m.) Rev. Eugene Israel, 175 N. Orange St., Pastor of Mt. Carmel Primitive Baptist Church, commented in favor of the budget.

(6:24 p.m.) Jerry Norton, 105 Old Ponte Vedra Drive, requested the Board approve funding of the Cornerstone Community project.

(6:34 p.m.) Mike Mc Quiston, 216 Rivers Edge Road S., commented in opposition to the budget increase.

(6:43 p.m.) Timms publicly announced that the taxing authority was St. Johns County; the rolled-back rate was 5.8119; the percentage in property taxes over the rolled-back rate was 19.7526%; and the tentative aggregate millage rate was 6.9599. (6:44 p.m.) **Motion by Stern, seconded by Bryant, to adopt Resolution No. 2006-319, establishing the final millage rates for FY 2007.** Rich commented on salary increases, and the increase in health insurance. (6:49 p.m.) **The motion carried 3/2 with Rich and Stevenson dissenting.**

RESOLUTION NO. 2006-319

RESOLVED, THAT THE FOLLOWING FINAL MILLAGE RATE IS HEREBY SET BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, FOR ALL PROPERTY IN ST. JOHNS COUNTY, AS OF JANUARY 1, 2006

General Fund	4.9275
County Transportation Trust Fund	.900
County Health Unit Trust Fund	.020
Fire District, County-wide Except City of St. Augustine	1.200
Vilano Street Lighting District	.069
St. Augustine South Street Lighting District	.158
AGGREGATE MILLAGE RATE	6.9599
 Rolled-back Rate	5.8119
 Percentage increase in Property Taxes over rolled-back rate:	19.7526%

(6:49 p.m.) Timms announced that the budget resolution must be adopted second. Timms then reviewed the changes from the tentative budget; said they did not carry over grant funds related to the amphitheatre construction to recognize the expense in 2007. Also recognized was additional interest income to accommodate the bid on the personnel renovation. (6:50 p.m.) **Motion by Stern, seconded by Bryant, carried 3/2 with Rich and Stevenson dissenting, to adopt Resolution No. 2006-320, establishing the final budget for FY 2007.**

RESOLUTION NO. 2006-320

RESOLVED, THAT THE FOLLOWING FISCAL YEAR 2007 FINAL BUDGET OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DEVELOPED USING THE CERTIFIED TAXABLE VALUE OF \$22,090,021,586, GENERATING AN ESTIMATED \$153,743,363 IN TAXES, IS HEREBY ADOPTED, RESULTING IN A TOTAL BUDGET OF \$732,745,219 AS FOLLOWS:

GENERAL FUND \$182,463,186

SPECIAL REVENUE FUNDS

County Health Unit Trust Fund	\$451,717
Court Facilities Trust Fund	\$1,276,089
Building Service Fund	\$11,460,890
Law Enforcement Trust Fund	\$72,792
State Housing Init. Partnership (SHIP) Fund	\$4,991,478
Mental Health Fund	\$4,939,637
Community Based Care Fund	\$4,347,027
Utility Authority Fund	\$337,746
County Transportation Trust Fund	\$54,566,093
Beach Services Fund	\$2,232,680
County Pier Fund	\$193,035
Tourist Development Tax Fund	\$7,206,991
Tree Bank Fund	\$1,290,619
Galimore Memorial Center Fund	\$0
Alcohol & Drug Abuse Trust Fund	\$13,097
Communication Surcharge Fund	\$709,161
Choose Life License Fund	\$14,587
Drivers' Safety Education Fund	\$226,723
West Augustine CRA Fund	\$612,763
Flagler Estates CRA Fund	\$805,642
Vilano Beach CRA Fund	\$10,259,365
Florida Boating Improvement Fund	\$769,805
Housing Abatement Fund	\$84,123
Impact Fee Funds	\$39,292,097
Florida Arts License Plate Fund	\$27,162
Davis Park Fund	\$154,914
E-911 Communications Fund	\$10,048,013
Fire District Fund	\$36,653,564
Sidewalk Mitigation Fund	\$26,455
World Commerce Center DRI Fund	\$50,790
Vilano Street Lighting District Fund	\$67,881
Elkton Drainage District Fund	\$30,969
St. Augustine South Lighting District Fund	\$42,164
Treasure Beach M.S.B.U. Fund	\$4,346
Thompson Bailey Road M.S.B.U. Fund	\$19,489
Private Roads M.S.B.U. Fund	\$22,955
C.H. Arnold Road M.S.B.U. Fund	\$11,724
Deerwood Lane M.S.B.U. Fund	\$9,578
Rusty Anchor/Wendover Rd. M.S.B.U. Fund	\$3,631
Northwest Tower Fund	\$129,793
Crimes Prevention Trust Fund	\$72,148
Court Innovation Fund	\$116,221
Court Technology Fund	\$3,064,896
Juvenile Alternative Programs Fund	\$45,250
Legal Aid Fund	\$287,748
Law Library Fund	\$91,316

DEBT SERVICE FUNDS

Transportation Debt Service Fund	\$1,107,250
03 Transportation Improvement Debt Service	\$3,542,153
06 Transportation Improvement Debt Service	\$2,107,264
Refunded Courthouse Debt Service Fund	\$1,543,131
Ponte Vedra MSD Sewer Debt Service Fund	\$1,410,049

Commercial Paper Debt Service Fund	\$5,554,005
04 Sales Tax Bonds Debt Service Fund	\$2,106,287
06 Sales Tax Bonds Debt Service Fund	\$3,575,763
GE Capital Debt Service Fund	\$158,557
04 Flagler Estates CRA Debt Service Fund	\$148,712
05 Revenue Sharing Debt Service Fund	\$1,252,794

CAPITAL PROJECT FUNDS

Northwest Road Project Fund	\$3,276,019
Library Expansion Fund	\$85,000
Park Projects Fund	\$4,949,692
Recreation Projects Fund	\$1,995,964
N. Holmes Blvd. Fund	\$541,846
03 Bond Transportation Projects Fund	\$2,966,507
Sewer Construction Fund	\$0
Detention Facility Lighting Fund	\$0
04 Sales Tax Bond Projects Fund	\$17,156,220
Southeast Annex Construction Fund	\$2,450,000
Transit System Capital Project Fund	\$3,049,897
05 Revenue Sharing Projects Fund	\$15,379,003
06 Bond Transportation Projects Fund	\$33,389,213
03 Sales Tax Bond Projects Fund	\$41,940,000

ENTERPRISE FUNDS

Solid Waste Fund	\$31,061,893
St. Johns County Utility Services Fund	\$140,050,008
Convention Center Fund	\$2,662,715
St. Johns County Golf Course Fund	\$2,659,170
Amphitheater Fund	\$3,621,963
Ponte Vedra Utility Fund	\$9,025,282

INTERNAL SERVICE FUNDS

Worker Compensation Fund	\$6,059,101
Group Health Insurance Fund	\$17,193,103
F.S.A - Medical	\$108,601
F.S.A - Dependent	\$19,707

The meeting recessed at 6:51 p.m. and reconvened at 7:07 p.m.

(09/19/06 - 26 - 8:12 p.m.)

COMMISSIONERS' REPORTS

Commissioner Stern:

Stern congratulated David Dinkins, St. Johns County Agriculture Extension Agent, as a recipient of a National Achievement Award for his work in the agricultural extension area.

Stern congratulated the Bartram Trail Branch Library for their reopening.

Stern reported that the Regional Cooperation Summit, held on August 9, was taped by WJXT, and would be aired in its entirety on September 23, 2006 on PBS stations throughout the State of Florida. Stern said that because of the Summit, the Regional Planning Council was invited to make a presentation at the State Housing Summit.

Stern said she received a notice from a group she has supported over the years called the "World Jewish Congress." They were requesting support on a draft resolution to the United Nations on Anti-Semitism. She then addressed Semitism.

(8:18 p.m.)

Commissioner Maguire:

No report.

(8:18 p.m.)

Commissioner Bryant:

Bryant relayed that the Town of Hastings had requested a joint meeting with the Board of County Commissioners regarding the Mariposa development. Adams offered to schedule the meeting.

Bryant relayed a request from the Deputy Court Administrator, to use the auditorium on the 1st and 2nd Friday mornings of each month.

(8:20 p.m.)

Commissioner Stevenson:

Stevenson commended Stern on her leadership in the affordable housing area and Maguire on his work with the Metropolitan Planning Organization as a regional entity.

Stevenson addressed Stern's comments regarding inflammatory comments to incite violence against anyone; commented on the reopening of the Bartram Trail Branch Library; and reported on her attendance at the MS 150 event.

Stevenson requested Staff be authorized to preserve right-of-way necessary for the extension of the Nocatee Parkway Extension west of US 1, the proposed extension of SR 9B.

(8:26 p.m.)

Commissioner Rich:

Rich congratulated Patrick McCormack on his appointment as County Attorney.

(09/19/06 - 27 - 8:27 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams reported that October 11, 2006 at 9:00 a.m. had been tentatively set aside for the joint meeting with the School Board. The location would be announced at a later time.

Maguire questioned the access to school parking lots after hours. The Board directed Adams to report back on this issue.

(09/19/06 - 27 - 8:30 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko reported that due to his retirement, this was the last regular meeting he would be attending.

(09/19/06 - 27 - 8:30 p.m.)

CLERK OF COURT'S REPORT

No report.

(8:30 p.m.) **Motion by Maguire, seconded by Stern, carried 5/0 to adjourn.** With there being no further business to come before the Board, the meeting adjourned at 8:30 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners' Check Register, Check #389447 through 389838, totaling \$3,025,483.71 (08/29/06)
2. St. Johns County Board of County Commissioners' Check Register, Check #389839 totaling, \$236,159.48 (08/30/06)
3. St. Johns County Board of County Commissioners' Check Register, Check #389840 through 389863, totaling \$37,565.27 (09/01/06)
4. St. Johns County Board of County Commissioners' Check Register, Check #389864 through 390094, totaling \$1,825,347.63 (09/05/06)
5. St. Johns County Board of County Commissioners' Check Register, Check #390096 through 390101, totaling \$157,800.30 (09/06/06)

CORRESPONDENCE:

1. Letter from Eric Dailey regarding a copy of Resolution No. 2006-07, identifying the Fiscal Year 2006-07 meeting schedule for the World Commerce Community Development District (08/30/06)
2. Letter from Eric Dailey regarding a copy of Resolution No. 2006-08, identifying the Fiscal Year 2006-07 meeting schedule for the World Commerce Community Development District (08/30/06)
3. Letter from Eric Dailey regarding a copy of Resolution No. 2006-24, identifying the Fiscal Year 2006-07 meeting schedule for the World Commerce Community Development District (08/30/06)
4. Letter to Liz Cloud, Program Administrator, filing St. Johns County Ordinances Number 2006-103 through 2006-107 (09/08/06)

Approved _____ October 17 _____, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Udenna King
Deputy Clerk