

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
OCTOBER 31, 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: 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
 Patrick McCormack, County Attorney
 Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

(10/31/06 - 1 - 9:11 a.m.)
CALL TO ORDER

Stevenson called the meeting to order.

(10/31/06 - 1 - 9:11 a.m.)
ROLL CALL

Stevenson stated that four commissioners were present, with Bryant absent.

(10/31/06 - 1 - 9:11 a.m.)
Maguire gave the invocation and Rich led the Pledge of Allegiance.

(10/31/06 - 1 - 9:13 a.m.)
SPECIAL RECOGNITIONS PRESENTED BY PATRICK F. MCCORMACK, COUNTY ATTORNEY

Patrick McCormack presented a certificate to Dan Bosanko, County Attorney Emeritus, for 13 years of service to the County, with the Commissioners commenting. Bosanko thanked everyone for the recognition and stated that he appreciated the opportunity to work at the County for 13 years.

(9:18 a.m.) McCormack presented a certificate to Isabelle Lopez for over six years of service to the County, with the Commissioners commenting. Lopez thanked everyone and stated that she enjoyed working for the County.

(10/31/06 - 1 - 9:27 a.m.)
PUBLIC COMMENT

Phil McDaniel, 51 Water Street, spoke on the amphitheater. (9:28 a.m.) Bryant entered the meeting. Maguire spoke on the Cultural Council. McDaniel responded.

(9:40 a.m.) John Valdez, 1395 US 1 S., voiced his concern on adding more traffic to the SR 207 Corridor, Item 22.

(9:44 a.m.) Gerry Lord, 4832 Innisbrook South, representing the Cypress Lakes Homeowners, spoke in opposition to the modification of the PUD at Cypress Lakes.

(9:49 a.m.) Sherry D'Agustino, 5001 Datil Pepper Road, spoke in opposition to Item 22, Cypress Lakes PUD.

(9:52 a.m.) Mike Gilbert, 1013 Deer Chase Drive, spoke in opposition to Item 22, Cypress Lakes PUD.

(9:53 a.m.) Ronald Couato, 4552 Golf Ridge Drive, spoke in opposition to Item 22, Cypress Lake PUD.

(9:55 a.m.) Tyler Shearer, 105 Formosa Place, Ponte Vedra Beach, was opposed to a crematorium being next to residential property. McCormack advised the Board not to consider any evidence presented on Item 17 because the applicant was not present. He recommended the public speaker present it during the item.

(10/31/06 - 2 - 9:59 a.m.)
DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

(10/31/06 - 2 - 10:00 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Rich, seconded by Maguire, carried 5/0, to approve the Consent Agenda, as submitted.

1. Approval of the Cash Requirement Report
2. Sheriff's Office Bonds:

Approve: Russell Roy	Kari Spurlock	Gabe Bagby
Quentin Beckton	Allen Lapkovitch	Matthew Bellamy
Jason Kroul	Taime Viner	Leigh Skelton
Francis Herbert	Craig Maguire	Dwight Cole
David Garns	Michael Chapman	Laura Duffey
Leah Biesiada	Linda Morrow	Sandra Nasca
Earl Burchfield	Quanda Jones	William Jones
Ronald Hines	Gregory Leithauser	Shanna Roberts
Judy McPartland	Jessica Morgan	John Lang
Becki Ferguson	Dwala Willis	

Cancel: Matthew Barnes

3. Motion to approve a transfer in the amount of \$61,275 from General Fund Reserves (0083-59920) to the Elections Department - Federal Grant Expenditure (0030-55304) to carry forward the balances of the Supervisor of Elections grants
4. Motion to adopt **Resolution No. 2006-365** and **Resolution No. 2006-366**, authorizing the County Administrator, or his designee, to submit a long range Beach Erosion Control Budget Plan with the Department of Environmental Protection

RESOLUTION NO. 2006-365

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A LONG-RANGE BEACH EROSION CONTROL BUDGET PLAN WITH THE DEPARTMENT OF ENVIROMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS

RESOLUTION NO. 2006-366

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT A LONG-RANGE BEACH EROSION CONTROL BUDGET PLAN WITH THE DEPARTMENT OF ENVIROMENTAL PROTECTION, BUREAU OF BEACHES AND COASTAL SYSTEMS

5. Motion to authorize the County Administrator, or his designee, to purchase sign posts, sign hardware and sign blanks from Universal Signs & Accessories, in accordance with Bid No. 07-16, in the amount of \$108,139.85
6. Motion to authorize the County Administrator, or his designee, to award a contract to Mil-Con Construction Corp. for Bid #06-126R, Roberts Road Sidewalk, for the firm price base bid of \$427,000
7. Motion to adopt **Resolution No. 2006-367**, approving the terms, provisions, conditions, and requirements of a contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc.; and authorizing the Chairman to execute the contract renewal on behalf of the County (Trout Creek Senior Program)

RESOLUTION NO. 2006-367

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONTRACT RENEWAL FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE ST. JOHNS COUNTY COUNCIL ON AGING, INC., AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE CONTRACT RENEWAL ON BEHALF OF THE COUNTY

8. Motion to adopt **Resolution No. 2006-368**, approving the terms, provisions, conditions, and requirements of a contract renewal for the provision of financial assistance to the St. Johns County Council on Aging, Inc.; and authorizing the Chairman to execute the contract renewal on behalf of the County (Palm Valley Senior Program)

RESOLUTION NO. 2006-368

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A

**CONTRACT RENEWAL FOR THE PROVISION OF
FINANCIAL ASSISTANCE TO THE ST. JOHNS
COUNTY COUNCIL ON AGING, INC., AND
AUTHORIZING THE CHAIRMAN TO EXECUTE THE
CONTRACT RENEWAL ON BEHALF OF THE COUNTY**

9. Motion to authorize the County Administrator, or his designee, to enter into contract with Lennar to reimburse up to, but not to exceed, \$40,000 for the addition of the air-conditioned concrete block building to the Las Calinas master lift station site
10. Motion to authorize the County Administrator, or his designee, to enter into contract with Vallencourt Construction Co. Inc. for \$66,110 to upsize the proposed force main and provide water main stub outs along Vermont Blvd.
11. Motion to adopt **Resolution No. 2006-369**, approving the term of, and authorizing the County Administrator to execute, a Lease Agreement for office space needed for the St. Johns County Sheriff's Office off site video visitation

RESOLUTION NO. 2006-369

**A RESOLUTION APPROVING THE TERMS AND
AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE A LEASE AGREEMENT FOR OFFICE SPACE
NEEDED FOR THE ST. JOHNS COUNTY SHERIFF'S
OFFICE OFF SITE VIDEO VISITATION**

12. Motion to adopt **Resolution No. 2006-370**, approving the terms of, and authorizing the County Administrator to execute, the First Addendum for the Ponte Vedra Annex tower site to modify their antenna loading

RESOLUTION NO. 2006-370

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING THE TERMS AND AUTHORIZING THE
COUNTY ADMINISTRATOR TO EXECUTE THE FIRST
ADDENDUM FOR THE PONTE VEDRA ANNEX
TOWER SITE TO MODIFY THEIR ANTENNA
LOADING**

13. Motion to adopt **Resolution No. 2006-371**, accepting an Easement for Utilities for water service to the High Tide Office Complex, located in Sea Grove Subdivision on A1A South

RESOLUTION NO. 2006-371

**A RESOLUTION BY THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
ACCEPTING AN EASEMENT FOR UTILITIES FOR
WATER SERVICE TO THE HIGH TIDE OFFICE
COMPLEX IN SEA GROVE SUBDIVISION**

14. Motion to adopt **Resolution No. 2006-372**, approving the terms of, and authorizing the County Administrator to execute, a certain Purchase and Sale

Agreement for property needed for the West King Street Improvement Project (seventh and eighth of 16 parcels)

RESOLUTION NO. 2006-372

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE WEST KING STREET IMPROVEMENT PROJECT

15. Motion to adopt **Resolution No. 2006-373**, accepting the terms and conditions of a lease agreement between St. Johns County and Chandler A. Martin; and authorizing the County Administrator to execute the Lease agreement on behalf of the County

RESOLUTION NO. 2006-373

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE TERMS AND CONDITIONS OF A LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY AND CHANDLER A. MARTIN AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LEASE AGREEMENT ON BEHALF OF THE COUNTY

16. Motion to adopt **Resolution No. 2006-374**, approving the terms of, and authorizing the County Administrator to execute, a Modification to the Lease for Children and Families for space located at the Health and Human Services Center

RESOLUTION NO. 2006-374

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A MODIFICATION TO THE LEASE FOR CHILDREN AND FAMILIES FOR SPACE LOCATED AT THE HEALTH AND HUMAN SERVICES CENTER

17. Motion to adopt **Resolution No. 2006-375**, approving the terms of, and authorizing the County Administrator to execute, the Lease Agreement for Therapeutic Learning Center to renew their lease for space in the Health and Human Services Center

RESOLUTION NO. 2006-375

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LEASE AGREEMENT FOR THERAPEUTIC LEARNING CENTER

**TO RENEW THEIR LEASE FOR SPACE IN THE HEALTH
AND HUMAN SERVICES CENTER**

18. Motion to adopt **Resolution No. 2006-376**, approving a contract between St. Johns County and Project Special Care; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-376

A RESOLUTION BY 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 PROJECT SPECIAL CARE, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

19. Motion to adopt **Resolution No. 2006-377**, approving a contract between St. Johns County and the ARC of St. Johns County; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-377

A RESOLUTION BY 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 THE ASSOCIATION FOR RETARDED CITIZENS AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

20. Motion to adopt **Resolution No. 2006-378**, approving a contract between St. Johns County and the Children's Home Society; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-378

A RESOLUTION BY 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 THE CHILDREN'S HOME SOCIETY, BUCKNER DIVISION AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

21. Motion to adopt **Resolution No. 2006-379**, approving the contract between St. Johns County and the Boys and Girls Clubs of Northeast Florida; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-379

A RESOLUTION BY 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 THE BOYS AND GIRLS CLUBS OF NORTHEAST FLORIDA, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

22. Motion to adopt **Resolution No. 2006-380**, approving the contract between St. Johns County and the St. Johns Housing Partnership; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-380

A RESOLUTION BY 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 THE ST. JOHNS HOUSING PARTNERSHIP AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

23. Motion to adopt **Resolution No. 2006-381**, approving the contract between St. Johns County and the St. Gerard Campus, Inc.; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-381

A RESOLUTION BY 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. GERARD CAMPUS, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

24. Motion to adopt **Resolution No. 2006-382**, approving the contract between St. Johns County and Learn to Read of St. Johns County, Inc.; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-382

A RESOLUTION BY 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 LEARN TO READ OF ST. JOHNS COUNTY, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

25. Motion to adopt **Resolution No. 2006-383**, approving the contract between St. Johns County and the St. Johns Welfare Federation, Inc.; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-383

A RESOLUTION BY 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 THE ST. JOHNS WELFARE FEDERATION; AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

26. Motion to adopt **Resolution No. 2006-384**, approving the contract between St. Johns County and Kid's Bridge, Inc; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-384

A RESOLUTION BY 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 KID'S BRIDGE, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

27. Motion to adopt **Resolution No. 2006-385**, approving the contract between St. Johns County and St. Johns County Council on Aging, Inc.; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-385

A RESOLUTION BY 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 COUNCIL ON AGING; AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

28. Motion to adopt **Resolution No. 2006-386**, approving the contract between St. Johns County and EPIC Community Services - Drug Court Program; and

authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-386

A RESOLUTION BY 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 EPIC COMMUNITY SERVICES FOR THE DRUG COURT PROGRAM, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

29. Motion to adopt **Resolution No. 2006-387**, approving the contract between St. Johns County and Alpha Omega Miracle Home; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-387

A RESOLUTION BY 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 ALPHA OMEGA MIRACLE HOME, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

30. Motion to adopt **Resolution No. 2006-388**, approving the contract between St. Johns County and EPIC Community Services - THINK Program; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-388

A RESOLUTION BY 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 EPIC COMMUNITY SERVICES, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

31. Motion to adopt **Resolution No. 2006-389**, approving the contract between St. Johns County and EPIC Community Services - Community Prevention Program; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-389

A RESOLUTION BY 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 EPIC COMMUNITY SERVICES, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

32. Motion to adopt **Resolution No. 2006-390**, approving the contract between St. Johns County and the Salvation Army; and authorizing the BCC chair to execute the contract and resolution on behalf of St. Johns County

RESOLUTION NO. 2006-390

A RESOLUTION BY 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 THE SALAVATION ARMY, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

33. Motion to adopt **Resolution No. 2006-391**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Valene Horn household

RESOLUTION NO. 2006-391

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: VALENE HORN; AND SETTING AN EFFECTIVE DATE

34. Motion to adopt **Resolution No. 2006-392**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Lawrence Williams household

RESOLUTION NO. 2006-392

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY

DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: LAWRENCE WILLIAMS; AND SETTING AN EFFECTIVE DATE

35. Motion to adopt **Resolution No. 2006-393**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Minnie Davis household

RESOLUTION NO. 2006-393

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: MINNIE DAVIS; AND SETTING AN EFFECTIVE DATE

36. Motion to adopt **Resolution No. 2006-394**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Anna Nichols household

RESOLUTION NO. 2006-394

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: ANNA NICHOLS; AND SETTING AN EFFECTIVE DATE

37. Motion to adopt **Resolution No. 2006-395**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Luiza Bennett household

RESOLUTION NO. 2006-395

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: LUIZA BENNETT; AND SETTING AN EFFECTIVE DATE

38. Motion to adopt **Resolution No. 2006-396**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Joan Kendall household

RESOLUTION NO. 2006-396

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: JOAN KENDALL; AND SETTING AN EFFECTIVE DATE

39. Motion to adopt **Resolution No. 2006-397**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Myra Mills household

RESOLUTION NO. 2006-397

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: MYRA MILLS; AND SETTING AN EFFECTIVE DATE

40. Motion to adopt **Resolution No. 2006-398**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Helen Dennis household

RESOLUTION NO. 2006-398

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: HELEN DENNIS; AND SETTING AN EFFECTIVE DATE

41. Motion to adopt **Resolution No. 2006-399**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Johnnie Pasco household

RESOLUTION NO. 2006-399

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: JOHNNIE PASCO; AND SETTING AN EFFECTIVE DATE

42. Motion to adopt **Resolution No. 2006-400**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Douglas Robinson household

RESOLUTION NO. 2006-400

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: DOUGLAS ROBINSON; AND SETTING AN EFFECTIVE DATE

43. Motion to adopt **Resolution No. 2006-401**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Doris Major household

RESOLUTION NO. 2006-401

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: DORIS MAJOR; AND SETTING AN EFFECTIVE DATE

44. Motion to adopt **Resolution No. 2006-402**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Ducre household

RESOLUTION NO. 2006-402

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE

**HOUSING INITIATIVES PARTNERSHIP (SHIP)
REHABILITATION STRATEGY MAXIMUM AWARD
PER UNIT AMOUNT FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) MATCH
FUNDS FOR RECIPEINT: JOSEPH AND BETTY DUCRE;
AND SETTING AN EFFECTIVE DATE**

45. Motion to adopt **Resolution No. 2006-403**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Peggy Joiner household

RESOLUTION NO. 2006-403

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A ONE-TIME EXCEPTION TO THE STATE
HOUSING INITIATIVES PARTNERSHIP (SHIP)
REHABILITATION STRATEGY MAXIMUM AWARD
PER UNIT AMOUNT FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) MATCH
FUNDS FOR RECIPEINT: PEGGY JOINER; AND
SETTING AN EFFECTIVE DATE**

46. Motion to adopt **Resolution No. 2006-404**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Rosa Williams household

RESOLUTION NO. 2006-404

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A ONE-TIME EXCEPTION TO THE STATE
HOUSING INITIATIVES PARTNERSHIP (SHIP)
REHABILITATION STRATEGY MAXIMUM AWARD
PER UNIT AMOUNT FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) MATCH
FUNDS FOR RECIPEINT: ROSA WILLIAMS; AND
SETTING AN EFFECTIVE DATE**

47. Motion to adopt **Resolution No. 2006-405**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Reese household

RESOLUTION NO. 2006-405

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A ONE-TIME EXCEPTION TO THE STATE
HOUSING INITIATIVES PARTNERSHIP (SHIP)
REHABILITATION STRATEGY MAXIMUM AWARD
PER UNIT AMOUNT FOR COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) MATCH**

**FUNDS FOR RECIPEINT: HENRY AND JOYCE REESE;
AND SETTING AN EFFECTIVE DATE**

48. Motion to adopt **Resolution No. 2006-406**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Dolan Murray household

RESOLUTION NO. 2006-406

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: DOLAN AND CATRINA MURRAY; AND SETTING AN EFFECTIVE DATE

49. Motion to adopt **Resolution No. 2006-407**, approving a one-time exception, not to exceed an additional \$10,000 per unit, to the maximum award amount per unit for the SHIP Rehabilitation Strategy for CDBG grant matching funds for the Beatrice Murray household

RESOLUTION NO. 2006-407

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A ONE-TIME EXCEPTION TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION STRATEGY MAXIMUM AWARD PER UNIT AMOUNT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MATCH FUNDS FOR RECIPEINT: BEATRICE MURRAY; AND SETTING AN EFFECTIVE DATE

50. Motion to adopt **Resolution No. 2006-408**, approving the final plat for Vernon Estates

RESOLUTION NO. 2006-408

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

51. Motion to adopt **Resolution No. 2006-409**, approving the final plat for County Road 244 West

RESOLUTION NO. 2006-409

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR COUNTY ROAD 244 WEST

52. Motion to adopt **Resolution No. 2006-410**, approving the final plat for County Road 223-North Segment

RESOLUTION NO. 2006-410

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR COUNTY ROAD 223 NORTH SEGMENT

53. Motion to adopt **Resolution No. 2006-411**, approving the final plat for Marshall Creek DRI Unit MV-3 Replat

RESOLUTION NO. 2006-411

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR MARSHALL CREEK DRI UNIT MV-3 REPLAT

54. Motion to adopt **Resolution No. 2006-412**, approving the final plat for South Tuscany Village

RESOLUTION NO. 2006-412

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR SOUTH TUSCANY VILLAGE

55. Motion to adopt **Resolution No. 2006-413**, approving a final plat for Durbin Crossing North Phase I-Unit 4

RESOLUTION NO. 2006-413

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR DURBIN CROSSING NORTH PHASE 1-UNIT 4

56. Motion to adopt **Resolution No. 2006-414**, approving a final plat for Durbin Crossing South Phase I

RESOLUTION NO. 2006-414

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR DURBIN CROSSING SOUTH PHASE 1

57. Motion to adopt **Resolution No. 2006-415**, approving a final plat for Austin Park at Nocatee Phase One

RESOLUTION NO. 2006-415

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR AUSTIN
PARK AT NOCATEE PHASE ONE**

58. Motion to adopt **Resolution No. 2006-416**, approving a final plat for Coastal Oaks at Nocatee Phase One

RESOLUTION NO. 2006-416

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
APPROVING A SUBDIVISION PLAT FOR COASTAL
OAKS AT NOCATEE-PHASE ONE**

59. Proofs:
- a. Proof, Notice to Bidders, Bid No. 07-21
 - b. Proof, Notice to Bidders, RFQ No. 07-11
 - c. Proof, Notice to Bidders, Bid No. 07-12
 - d. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Utility Ordinance, Tuesday, October 17, 2006 at 9:00 a.m.
 - e. Proof, Notice to Bidders, Bid No. 07-18
 - f. Proof, Display Advertisement, Budget Summary FY 2006-2007
 - g. Proof, Display Advertisement, Notice of Proposed Tax Increase
 - h. Proof, Notice of Public Disclosure, St. Johns County full cost accounting for solid waste management services
 - i. Proof, Display Advertisement, Notice of St. Johns County Administrative Budget Hearings
 - j. Proof, Notice to Bidders, Bid No. 06-129
 - k. Proof, Notice to Bidders, Bid No. 06-101
 - l. Proof, Notice to Bidders, RFQ No. 06-130
 - m. Proof, Notice to Bidders, RFP No. 06-125
 - n. Proof, Notice to Bidders, Bid No. 06-128
 - o. Proof, Notice of Hearing Cancellation, St. Johns County Board of County Commissioners, PUD 06-06 Sebastian Crossing, Tuesday, June 27, 2006 at 9:00 a.m.
 - p. Proof, Notice of Meeting, Representatives of St. Johns County Board of County Commissioners, Special Meeting, Bond Purchase, Thursday, February 9, 2006 at 1:00 p.m., Friday, February 10, 2006 at 2:30 p.m. and Tuesday, February 14, 2006 at 10:00 a.m.
 - q. Proof, Notice of Meeting, Rescheduled Meeting of the St. Johns County Insurance Committee, Rescheduled the meeting of Thursday, March 16th to Thursday, March 30, 2006 at 2:00 p.m.
 - r. Proof, Notice of Meeting, County Commission District 2 Town Meeting, Tuesday, February 28, 2006 at 7:00 p.m.
 - s. Proof, Certificate of Liability, SP Newsprint Company, Sp Recycling Corporation
 - t. Proof, Certificate of Liability, Alphastaff Group
 - u. Proof, Certificate of Liability, Oasis Outsourcing Holdings, Inc., Alt.Emp: Lightning Master Corporation
 - v. Proof, Certificate of Liability, Builder Services of North FL
 - w. Proof, Certificate of Liability, TLR of Bonita, Inc dba Enterprise HR
 - x. Proof, Certificate of Liability, Sawl Enterprises, Inc. dba ABC Rolloff

(10/31/06 - 18 - 10:00 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Adams requested to have Item 22, SR 207, follow Item 16. Stevenson stated that Item 22 would be changed to Item 16a. Rich requested to pull Item 22. Bryant mentioned that the applicant would have to ask for a continuance. McCormack spoke on pulling Item 22. Rich gave reasons to continue this item. Stevenson stated that she would prefer to leave it on the agenda and consider it when the item came up. Stevenson requested to remove Item 14, Stonehurst Plantation. Stevenson requested to add for consideration for approval, a letter to the St. Johns River Water Management District as Item 22a.

(10/31/06 - 18 - 10:09 a.m.)

APPROVAL OF REGULAR AGENDA

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

(10/31/06 - 18 - 10:10 a.m.)

1. REPORT OF EXCESS FEES COLLECTED FOR THE 2005-2006 FISCAL YEAR

Dennis Hollingsworth, St. Johns County Tax Collector, gave a report on excess fees collected for the 2005-2006 fiscal year.

(10/31/06 - 18 - 10:13 a.m.)

2. CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE OF THE COUNTY'S SOLID WASTE DISPOSAL REVENUE BOND, SERIES 2006, IN A PRINCIPAL AMOUNT OF \$4,155,000

Patrick McCormack, County Attorney, stated that this item referred to the solid waste disposal revenue bond and introduced Jean Mangu.

(10:13 a.m.) Jean Mangu, Bond Counsel, reviewed the changes. (10:16 a.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to adopt Resolution No. 2006-417, authorizing the issuance of the County's Solid Waste Disposal Revenue Bond, Series 2006, in a principal amount of \$4,155,000.**

RESOLUTION NO. 2006-417

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, PROVIDING FOR THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE COUNTY'S SOLID WASTE DISPOSAL SYSTEM; AUTHORIZING THE ISSUANCE BY THE COUNTY OF \$4,155,000 IN PRINCIPAL AMOUNT OF A SOLID WASTE DISPOSAL REVENUE BOND, SERIES 2006, TO FINANCE THE COST OF SUCH PROJECT AND PAY THE COSTS OF ISSUANCE OF SUCH BOND; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BOND THE GROSS REVENUES OF THE COUNTY'S SOLID WASTE DISPOSAL SYSTEM, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS CREATED HEREUNDER AND THE EARNINGS OF SUCH INVESTMENTS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE

**BENEFIT OF THE HOLDER OF SUCH BOND;
AUTHORIZING A NEGOTIATED SALE OF SUCH
BOND; AWARDING SUCH BOND TO THE
PURCHASER THEREOF; AND PROVIDING AN
EFFECTIVE DATE**

(10/31/06 - 19 - 10:17 a.m.)

3. DISCUSSION OF DRAFT RESOLUTION PERTAINING TO MARIPOSA DRI

Patrick McCormack, County Attorney, reviewed this item stating that he would like direction on it. Maguire spoke on the last whereas and the whereas above that one. Stern concurred with Maguire and requested to bring the changes back tomorrow at the special meeting. McCormack stated that they could adopt it tomorrow, but would need to send a draft of it to Hastings.

(10/31/06 - 19 - 10:25 a.m.)

4. CONSIDER A MOTION TO AUTHORIZE STAFF TO TAKE ALL NECESSARY STEPS TO PREPARE DOCUMENTS TO ENABLE THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY TO PREPARE AND SUBMIT A COMPREHENSIVE WORKFORCE HOUSING INNOVATION PILOT PROGRAM (CWHIP) APPLICATION TO THE FLORIDA HOUSING FINANCE CORPORATION AND DEVELOP THE RELATED WORKFORCE HOUSING FOR ST. JOHNS COUNTY RESIDENTS

Tom Crawford, Director of Housing and Community Services, reviewed this item, stating that it would probably benefit 104 households in the county.

(10:28 a.m.) Wayne Flowers, Chair of the Housing Finance Authority, spoke on having land set aside for affordable housing. (10:32 a.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to authorize Staff to take all necessary steps to prepare documents to enable the Housing Finance Authority of St. Johns County to prepare and submit a CWHIP application to the Florida Housing Finance Corporation and develop the related workforce housing for St. Johns County residents.**

(10/31/06 - 19 - 10:34 a.m.)

5. CONSIDER A MOTION TO AUTHORIZE STAFF TO TAKE ALL NECESSARY STEPS TO PREPARE DOCUMENTS TO IMPLEMENT THE COMMUNITY EXPRESS REVOLVING LINE OF CREDIT PROGRAM

Tom Crawford, Manager, Housing and Community Services, reviewed this item, stating that it was an opportunity to participate in a community express loan program that Fannie Mae had nationally.

(10:37 a.m.) Yvette Francis, Senior Deputy Director for the Fannie Mae Office in North Florida, 106 East College Avenue, Tallahassee, spoke on the Fannie Mae revolving line of credit. Crawford stated that their plan was to utilize this product now in the West Augustine area. (10:41 a.m.) **Motion by Maguire, seconded by Stern, to authorize Staff to take all necessary steps to prepare documents to implement the Community Express Revolving Line of Credit program.** Stevenson spoke on the cost of the homes. Crawford mentioned that the estimated savings on the homes would be about \$4,300. Discussion followed. (10:51 a.m.) **The motion carried 5/0.**

The meeting recessed at 10:51 a.m. and reconvened at 11:08 a.m.

(10/31/06 - 20 - 11:09 a.m.)

6. PUBLIC HEARING - APPEAL TO THE PLANNING AND ZONING AGENCY DENIAL OF TOWER APPLICATION FILED BY VERTICALITY, INC., MR. WILLIAM K. RAND - THE APPEAL IS FILED BY MR. WILLIAM K. RAND, VERTICALITY, INC. THE APPLICATION IS A REQUEST TO APPROVE THE PLACEMENT OF A TELECOMMUNICATION TOWER ON PROPERTY LOCATED AT 278 ROSCOE BOULEVARD, ON PROPERTY OCCUPIED BY LORD OF LIFE LUTHERAN CHURCH. ON JUNE 1, 2006 THE PLANNING AND ZONING AGENCY DENIED THE APPLICATION FOR SPECIAL USE TO ALLOW CONSTRUCTION OF A 150 FOOT COMMUNICATION TOWER, WITH 5 FOOT ANTENNA EXTENSION, AND A WAIVER TO THE REQUIRED SETBACKS FROM OR PROPERTY LINE. THE PROPERTY IS CURRENTLY ZONED OR, IS 7.5 ACRES IN SIZE, AND IS OCCUPIED BY A CHURCH. THE FINDINGS PRESENTED FOR DENIAL WERE: (1) THE REQUEST IS NOT CONSISTENT WITH SECTION 2.03.25, CONDITIONS FOR APPROVAL OF A SPECIAL USE PERMIT, (2) THE REQUEST IS NOT CONSISTENT WITH PROVISIONS OF SECTION 6.08.12, (3) THE REQUEST FOR WAIVER TO REQUIRED SETBACKS IS DETRIMENTAL TO THE AREA AND DOES NOT PROTECT THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE AREA, (4) THE CONSTRUCTION OF A 150 FT. TOWER IN THIS LOCATION IS NOT COMPATIBLE WITH THE SURROUNDING AREA, (5) THE PLACEMENT OF A COMMUNICATION TOWER IN THIS LOCATION DOES NOT PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE CITIZENS IN THE AREA, (6) THE ANTENNA TOWER IS NOT NECESSARY TO PROVIDE TELECOMMUNICATION SERVICE TO A PARTICULAR AREA AND DENYING THE REQUEST DOES NOT UNREASONABLY DISCRIMINATE AMONG PROVIDERS OF FUNCTIONALLY EQUIVALENT SERVICES OR PROHIBIT, OR HAVE THE EFFECT OF PROHIBITING, THE PROVISION OF PERSONAL WIRELESS SERVICES, AND (8) THERE ARE ADVERSE IMPACTS TO ENVIRONMENTALLY SENSITIVE AREAS OR AREAS JUDGED TO POSSESS UNIQUE ENVIRONMENTAL OR CULTURAL PROPERTIES

Proof of publication of the notice of public hearing regarding ZADMAPL 2006-04, N. Roscoe Blvd., was received, having been published in *The St. Augustine Record* on September 28, 2006.

Court Reporter Cathy Ardito was present.

Rosemary Yeoman, Zoning Manager, gave a presentation and noted that it was an application for an appeal. Rich disclosed exparte communication, by phone, with many people in the area, regarding their opposition to this particular project. He asked why this was denied. Yeoman replied. Rich asked what the reason for denial was from the PZA. McCormack listed them one by one from the agenda packet and explained what the findings were. Stevenson disclosed exparte communication with Mr. Rand regarding the need for cell-service in the area, and the functioning of cell phone towers over time.

(11:21 a.m.) Kent Safriet, Hopping Green and Sams, Tallahassee, representing the applicant, reviewed this item, stating that he would have witnesses and would cross-examine them.

(11:25 a.m.) William Rand, 26 Ponte Vedra Circle, gave a presentation. He presented Beth-el Board Meeting Minutes of November 9, 2006, Exhibit A, and photos, Exhibit B. He stated that they would provide landscaping to hide the tower. He spoke on cell

phones. McCormack stated that the applicant was not required to demonstrate the general need for cell service. Rand showed a map of the locations where cell phones were needed. He spoke on towers being compatible with the area and showed additional photos of views of towers, Exhibit C. Rand stated that the waiver was reasonable and he explained. Stevenson asked about a balloon study. Rand stated that they conducted a balloon study and spoke on property value. He submitted letters and petitions for and against the cell tower, Exhibit D.

(11:59 a.m.) Gerald Muldowny, 19 Southwest Second Street, Gainesville, gave his credentials, submitted a letter dated September 18, 2006 from T-Mobile, Exhibit E. Safriet asked if the application before the commission met all the requirements of the County's Land Development Code. Muldowny responded.

(12:02 p.m.) Hayden Burns, 4395 Sea Breeze Drive, designated MAI Appraiser, was asked by Safriet, about being retained by the applicant to conduct a market survey with respect to property values and the impact of those values as a result of cell towers. Burns responded that he did a general market study within the Ponte Vedra area and submitted a report for the record, Exhibit F. Rich spoke on homes being sold. Burns responded. Safriet summarized the evidence and presented, the NEPA Report, Exhibit G.

(12:11 p.m.) McCormack recommended that the applicant's counsel cross-examine each speaker as he or she finished speaking.

(12:15 p.m.) Carl Crist, 148 Waters Edge Drive, asked how many towers would be enough.

(12:17 p.m.) Bruce Bowman, 145 Waters Edge Drive, stated that one could not landscape the tower out of the picture.

(12:18 p.m.) Robert Di Salle, 149 Waters Edge Drive, spoke on the setback waiver.

(12:19 p.m.) Bob Berwonger, 2929 South Ponte Vedra Blvd., spoke in opposition to the cell tower.

(12:21 p.m.) Tina McGough, 120 S. Bend Drive, spoke in opposition to the cell tower, showing a map, Exhibit H.

(12:24 p.m.) Mary Anne Boczek, 196 El Dorado Way, spoke in opposition to the cell tower. Safriet asked questions and Boczek responded.

(12:28 p.m.) John Wilson, 273 N. Roscoe Blvd., spoke in opposition to the tower and asked for denial of this application.

(12:30 p.m.) Eileen Ferrell McVeigh, 117 North Cove Drive, spoke on cell phone towers impacting property value.

(12:32 p.m.) Elaine Gustetic, 8253 Seven Mile Drive, spoke in opposition to the cell phone tower.

(12:34 p.m.) Liz Dixon, 9086 Cypress Green Drive, Jacksonville, spoke in opposition to the cell tower.

(12:35 p.m.) Kay M. Sertzinger, 24 Turtleback Trail, spoke in opposition to the cell tower. Discussion ensued.

(12:37 p.m.) Daniel MacDonald, 24501 Deer Trace Drive, spoke in opposition to the cell tower, handing in a resolution by the Ponte Vedra Beaches Coalition, Exhibit I.

(12:42 p.m.) Bertha Neeson, 105 Alta Mar Drive, spoke in favor to the cell tower.

(12:42 p.m.) Monica Romine, 144 South Bend Drive, spoke in opposition to the cell tower.

(12:45 p.m.) Marcy Silkebacken, 1145 Neck Road, spoke in opposition of the cell tower.

(12:46 p.m.) Christopher Maier, 3705 S. Forest Street, Orlando, Verizon Wireless, spoke on exploring areas for a cell tower previously.

(12:48 p.m.) Vernon Kelly, 5895 CR 214, spoke in opposition to the cell tower.

(12:54 p.m.) Muldowny spoke on the design of the cell tower. Rand rebutted saying that it was a necessary site. Safriet gave a brief summary. He stated that the PZA gave no reasons for denying the cell tower, just stated that it wasn't needed, spoke on the waiver to the setbacks, and environmental issues. Safriet stated that the church was aware of not being able to build within 150 feet of the tower. McCormack briefly covered criteria and gave his opinion. (1:20 p.m.) **Motion by Maguire, seconded by Rich, to deny the application, denying the location of the tower (upholding the PZA decision), adopting Findings of Fact 1 through 8 to support the motion.** McCormack asked the maker of the motion to consider rephrasing "the request is not consistent with Section 2.03.01-A particularly pertaining to ascetic qualities on Finding 1, and reference to Section 2.03.25, should be Section 2.03.26, and also include authorizing the County Attorney to include in the order other code sections, if applicable, to support these findings. **The maker of the motion agreed.**

(1:25 p.m.) Bob Berwanger, 2929 South Ponte Vedra Beach Blvd., suggested buying two parcels if this one wasn't big enough. Safriet stated that they moved to strike the comment by the last speaker because the public hearing was actually closed. **The motion carried 5/0.**

The meeting recessed at 1:27p.m. and reconvened at 2:19 p.m. with Rich, Stevenson, Stern and Bryant present. Also present were Adams, McCormack and Terry Bulla, Deputy Clerk.

(10/31/06 - 22 - 2:19 p.m.)

7. CONSIDER OFFERING ECONOMIC INCENTIVES TO BELMARM

Karen Johnson, Intergovernmental Relations Specialist, gave the presentation. She said the applicant had been approved for incentives in January of 2006, but it had been resubmitted with updated information. She said the applicant qualified for \$465,748 to be paid out over a 10-year period.

(2:21 p.m.) **Motion by Rich, seconded by Stern, carried 4/0 with Maguire absent, to adopt the incentive calculation not to exceed \$465,748 and to instruct the attorney's office to prepare an agreement and place the agreement on a future consent agenda.**

(10/31/06 - 22 - 2:22 p.m.)

8. CONSIDER OFFERING ECONOMIC INCENTIVES TO GRAHAM & COMPANY SOUTHEAST, LLC

Johnson gave the presentation. She said they had acquired six points, which qualified them for the expedited permitting and a grant equal to \$1,848,531 to be paid out over a ten-year period. Stevenson clarified that it would be limited to the ad valorem taxes and could be less than the projected grant amount.

(2:24 p.m.) Motion by Bryant, seconded by Stern, carried 4/0 with Maguire absent, to adopt the incentive calculation not to exceed \$1,848,531 and to instruct the attorney's office to prepare an agreement and place the agreement on a future consent agenda.

(10/31/06 - 23 - 2:24 p.m.)

9. CONSIDER OFFERING ECONOMIC INCENTIVES TO R & D DEVELOPMENT

Johnson gave the presentation. She said they had acquired five points and qualified for expedited permitting with a grant equal to \$219,643 to be paid out over a ten-year period.

(2:25 p.m.) Motion by Bryant, seconded by Stern, carried 4/0 with Maguire absent, to adopt the incentive calculation not to exceed \$219,643 and to instruct the attorney's office to prepare an agreement and place the agreement on a future consent agenda.

(10/31/06 - 23 - 2:26 p.m.)

10. CONSIDER OFFERING ECONOMIC INCENTIVES TO ROB A. MATTHEWS III, P.E.

Johnson gave the presentation. She said they had acquired four points and qualified him for expedited permitting with a grant equal to \$24,723 to be paid out over a 6-year period. Bryant stated it was good to show that small business people also qualified for business incentives to encourage economic development.

(2:28 p.m.) Motion by Bryant, seconded by Stern, carried 4/0 with Maguire absent, to adopt the incentive calculation not to exceed \$24,723 and to instruct the attorney's office to prepare an agreement and place the agreement on a future consent agenda.

(10/31/06 - 23 - 2:28 p.m.)

11. CONSIDER OFFERING ECONOMIC INCENTIVES TO DAVE MANCINO, ARCHITECT

Johnson gave the presentation. She said he had acquired three points, which qualified him for expedited permitting and a total incentive package of \$24,796 to be paid out over a five-year period.

(2:29 p.m.) Motion by Stern, seconded by Bryant, carried 4/0 with Maguire absent, to adopt the incentive calculation not to exceed \$24,796 and to instruct the attorney's office to prepare an agreement and place the agreement on a future consent agenda.

(10/31/06 - 23 - 2:30 p.m.)

12. CONSIDER OFFERING ECONOMIC INCENTIVES TO B & B FAMILY, LLC

Johnson gave the presentation. She said they had acquired five points and was eligible for the expedited permitting and an economic development grant of \$19,720 to be paid out in four annual installments.

(2:32 p.m.) Motion by Bryant, seconded by Stern, carried 4/0 with Maguire absent, to adopt the incentive calculation not to exceed \$19,720 and instruct the attorney's office to prepare an agreement and place the agreement on a future consent agenda.

(10/31/06 - 24 - 2:33 p.m.)

13. CONSIDER MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO AWARD THE LUMP SUM BID AMOUNT OF \$6,920,000.00 TO R.B. GAY CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION OF ST. JOHNS COUNTY FIRE RESCUE ADMINISTRATION BUILDING

Mike Rubin, Construction Manager, gave the presentation. He said the recommendation was to go to R. B. Gay Construction Company, Inc. for the St. Johns County Fire Rescue Administration Building. Rubin stated that R. B. Gay had done work successfully for the County and it was always of good quality and on time. There was discussion regarding the range of the bids and why and how they were made.

(2:40 p.m.) Maguire entered the meeting.

(2:40 p.m.) Motion by Bryant, seconded by Stern, carried 5/0, to authorize the County Administrator or his designee to award the Lump Sum Bid amount of \$6,920,000.00 to R.B. Gay Construction Company, Inc. for construction of St. Johns County Fire Rescue Administration Building.

(10/31/06 - 24 - 10:00 a.m.)

14. WORKSHOP ON STONEHURST PLANTATION CONNECTIVITY TO CR 2209 VIA FERNCREEK DRIVE

This item was pulled from the agenda.

(10/31/06 - 24 - 2: 41 p.m.)

15. PUBLIC HEARING - REZ 2005-56 DIMARE TRACTOR SUPPLY REZONING - THIS ITEM WAS CONTINUED FROM THE OCTOBER 17, 2006 MEETING IN ORDER TO CONFIRM THAT THE ADJACENT RESIDENTIAL PROPERTY OWNERS ARE SATISFIED WITH THE NEW PROPOSAL AND TO ALLOW REVIEW OF THE DEED RESTRICTIONS PLACED ON THE PROPERTY. THIS IS A REQUEST TO REZONE 5.0 ACRES FROM COMMERCIAL GENERAL (CG) AND RESIDENTIAL SINGLE FAMILY (RS-3) TO COMMERCIAL INTENSIVE (CI) FOR THE CONSTRUCTION OF A TRACTOR SUPPLY COMPANY. THE PROPERTY IS CURRENTLY OCCUPIED BY A SINGLE FAMILY RESIDENCE. THE PARCEL IS LOCATED ON THE WEST SIDE OF US 1 SOUTH, JUST NORTH OF OLD MOULTRIE RD AND IS LOCATED WITHIN THE MIXED USE DISTRICT (MD) LAND USE AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY. ADJACENT ZONINGS ARE RS-3, CI, AND CG. THE REQUEST WAS TECHNICALLY DENIED BY THE PLANNING AND ZONING AGENCY AT THEIR JULY 20TH MEETING WHEN A MOTION TO DENY FAILED BY A 3 TO 3 VOTE AND A MOTION TO APPROVE FAILED BY A VOTE OF 3 TO 3. THE CONCERNS EXPRESSED AT THE MEETING WERE COMPATIBILITY OF COMMERCIAL INTENSIVE ZONING ADJACENT TO RESIDENTIAL AND THE PROPOSED ACCESS ONTO CALLE MADRID

Proof of publication for the notice of public hearing regarding REZ 2005-56, Dimare Tractor Supply, was received, having been published in *The St. Augustine Record* on October 2, 2006.

(2:41 p.m.) James Whitehouse, Assistant County Attorney, joined the meeting.

Michael Blackford, Planner II, gave the presentation and stated this item had been continued from the October 17, 2006 meeting in order to provide the Board with a copy

of the deed restrictions and to allow the applicant to go back to the residents and confirm that the residents were for their proposal. He noted they had been provided with revised Adjacent Property Owner Notices.

Kevin Davenport, 245 River Plantation Rd., spoke on behalf of the applicant. He said they had done their homework with the neighbors and provided signed deed restrictions including the church and several immediate neighbors. He said that Mr. Dimare and Carl Studemeyer, the developer, were also present to answer questions. He said they were asking for a straight rezoning from CG to CI for the purposes of allowing outdoor display associated with the tractor supply. He said they had increased the buffering requirements and setbacks on the perimeter of the property without increasing the intensity.

Stevenson disclosed ex-parte with Mr. Studemeyer and discussed efforts to tie up loose ends on the item and to provide her office with necessary documentation requested. Rich asked what restrictions were in place for CG zoning. McCormack said the restrictive covenant was written by the attorney for adjacent property owners and read the restrictions. He stated that those restrictions would apply to successors of the property, and would be enforceable by court action. Rich noted that under the CG issue the land could be used for some pretty weird things.

(2:50 p.m.) Motion by Rich, seconded by Bryant carried 5/0, to enact Ordinance 2006-125, known as REZ 2005-56 Dimare Tractor Supply adopting findings of fact 1-4 to support the motion.

ORDINANCE NO. 2006-125

**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) AND RESIDENTIAL SINGLE FAMILY
(RS-3) TO COMMERCIAL INTENSIVE (CI) MAKING
FINDINGS OF FACT; REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE**

(10/31/06 - 25 - 2:51 p.m.)

16. PUBLIC HEARING - PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED REMEDIAL AMENDMENTS TO THE FUTURE LAND USE MAP (FLUM) AND FUTURE LAND USE ELEMENT (FLUE) IN COMPLIANCE WITH RESOLUTION NO. 2006-339 THAT APPROVED A STIPULATED COMPLIANCE AGREEMENT WITH DCA TO SETTLE DOAH CASE NO. 05-1787GM FOR PROPERTY KNOWN AS HELOW PROPERTIES, LTD. - PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED AMENDMENTS TO THE FUTURE LAND USE MAP (FLUM) AND FUTURE LAND USE ELEMENT (FLUE). PROPOSED AMENDMENTS INCLUDE (1) CHANGING THE FLUM DESIGNATION FROM MIXED USE (MUD) TO RURAL/SILVACULTURE (R/S) FOR 145 ACRES LOCATED GENERALLY ALONG THE SOUTH SIDE OF GREENBRIAR ROAD AT ROBERTS ROAD; (2) CHANGING THE FLUM DESIGNATION FROM INTENSIVE COMMERCIAL (IC) TO R/S AND IC TO REDUCE THE EXISTING IC FROM 217 ACRES TO 145 ACRES GENERALLY LOCATED ALONG THE NORTH SIDE OF GREENBRIAR ROAD AT ASHFORD MILLS PARKWAY; 3) ADDING A POLICY TO THE FLUE TO LIMIT THE IC DEVELOPMENT INTENSITY TO NO MORE THAN 10,000 SQUARE FEET PER ACRE; AND (4) AMEND THE FLUE TO ADD A POLICY

ADDRESSING THE LONG TERM TRANSPORTATION NEEDS AND STRATEGY FOR THE NORTHWEST SECTOR AS PART OF THE EVALUATION AND APPRAISAL REPORT PROCESS. THESE PROPOSED COMPREHENSIVE PLAN AMENDMENTS ARE REQUESTED PURSUANT TO A SETTLEMENT AGREEMENT BETWEEN THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE COUNTY FOR PROPERTIES KNOWN AS HELOW PROPERTIES, LTD. ON OCTOBER 3, 2006, THE BCC ADOPTED RESOLUTION NO. 2006-339, APPROVING A STIPULATED COMPLIANCE AGREEMENT WITH DCA TO SETTLE DOAH CASE NO. 05-1787GM. THE BCC ADOPTED ORDINANCE NO. 2005-26 ON MARCH 9, 2005 AMENDING THE FLUM FROM R/S TO IC IN COMPLIANCE WITH A MIXED USE COMMERCE CENTER DISTRICT ON THE NW SECTOR PLAN OVERLAY MAP. IN APRIL 2005, THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) ISSUED ITS STATEMENT AND NOTICE OF INTENT TO FIND THE AMENDMENT NOT IN COMPLIANCE BECAUSE IT WAS NOT SUPPORTED BY DATA AND ANALYSIS DEMONSTRATING THAT ADEQUATE WATER, SEWER AND TRANSPORTATION INFRASTRUCTURE WAS AVAILABLE OR WOULD BE AVAILABLE TO SERVE POTENTIAL DEVELOPMENT ALLOWED BY THE AMENDMENT. DCA INITIATED FORMAL ADMINISTRATIVE PROCEEDINGS AGAINST ST. JOHNS COUNTY AND THE PROPERTY OWNER INTERVENED INTO THE CASE. AFTER 18 MONTHS OF DISCUSSION, THE BCC SETTLED THE CASE WITH ADOPTING RESOLUTION NO. 2006-339 RESULTING IN THESE PROPOSED AMENDMENTS. STAFF RECOMMENDS APPROVAL OF THESE PROPOSED AMENDMENTS. AT ITS OCTOBER 19, 2006 MEETING, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE PROPOSED REMEDIAL AMENDMENT WITH A 6-0 VOTE

Proof of publication for the notice of public hearing regarding Helow Properties Ltd. was received, having been published in *The St. Augustine Record* on October 7, 2006.

Teresa Bishop, Growth Management Services, gave the presentation and said it was a public hearing to consider a remedial amendment to the Comprehensive Plan. She said the amendments were in connection with the Helow Properties settlement agreement that was previously approved by the Board. She noted that DCA was now reviewing the agreement and would probably settle it as soon as the amendments went forward to them. She reviewed the amendments proposed. She said that PZA and staff recommended approval.

(2:54 p.m.) Marcia Tjoflat, 245 Riverside Ave., Suite 400, said she represented the landowner and was available for questions.

(2:55 p.m.) Motion by Bryant, seconded by Stern, to enact Ordinance No. 2006-126, approving remedial amendments to the Future Land Use Map (FLUM) and Future Land Use Element (FLUE) in compliance with Resolution No. 2006-339, that approved a Stipulated Compliance Agreement with DCA to settle DOAH Case No. 05-1787GM for property known as Helow Properties, Ltd., adopting findings of fact 1 through 3 to support the motion.

Stevenson asked if 10,000 square feet per acre was a concession on density. Bishop said that it was a concession. Stevenson asked if there were any access issues regarding entryways into the school. Bishop said she did not foresee any access issues. Stevenson asked about traffic mitigation issues. Bishop said that would be determined with the Evaluation and Appraisal Report with the Comprehensive Plan. Stevenson asked if there had been opposition from the RS property owners across the street. Bishop said

there had been some opposition but they had not expressed a great concern. (3:00 p.m.)
The motion carried 5/0.

ORDINANCE NO. 2006-126

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN ORDINANCE NO. 2000-34, AS AMENDED, CHANGING THE FLUM DESIGNATION FROM MIXED USE (MUD) TO RURAL/SILVARCULTURE (R/S) FOR 145 ACRES; CHANGING THE FLUM DESIGNATION FROM INTENSIVE COMMERCIAL (IC) TO R/S AND IC TO REDUCE THE EXISTING IC FROM 217 ACRES TO 145 ACRES; ADDING A POLICY TO THE FUTURE LAND USE ELEMENT (FLUE) TO LIMIT THE IC DEVELOPMENT INTENSITY TO NO MORE THAN 10,000 SQUARE FEET PER ACRE; AND AMEND THE FLUE TO ADD A POLICY ADDRESSING THE LONG TERM TRANSPORTATION NEEDS AND STRATEGY FOR THE NORTHWEST SECTOR AS PART OF THE EVALUATION AND APPRAISAL REPORT PROCESS FOR PROPERTY GENERALLY LOCATED ALONG THE SOUTH SIDE OF GREENBRIAR ROAD AND ROBERTS ROAD AND GENERALLY ALONG THE NORTHSIDE OF GREENBRIAR ROAD AT ASHFORD MILLS PARKWAY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

This item was heard after item No. 16

(10/31/06 - 27 - 3:01 p.m.)

22. PUBLIC HEARING - DEVAGREE 2006-12 - SR 207 CORRIDOR IMPROVEMENT GROUP DEVELOPMENT AGREEMENT - THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. THE SECOND PUBLIC HEARING IS SCHEDULED FOR NOVEMBER 14, 2006. AT THE CONCLUSION OF THE SECOND PUBLIC HEARING, A DECISION TO APPROVE, APPROVE WITH MODIFICATION OR DENY THE PROPOSED AGREEMENT IS REQUIRED. THE SR 207 CORRIDOR IMPROVEMENT GROUP, L.L.C. (CIG DEVELOPERS) HAS PROPOSED A DEVELOPMENT AGREEMENT (AGREEMENT) WITH ST. JOHNS COUNTY TO ADDRESS THE CAPACITY DEFICIENCIES IDENTIFIED IN THE CONCURRENCY REVIEWS FOR THE FOURTEEN (14) PROJECTS THAT ARE MEMBERS OF THE CORPORATION. THE PROPOSED AGREEMENT WILL SERVE AS THE CIG DEVELOPERS' COMMITMENT TO BUILD AND/OR FUND THE TRANSPORTATION FACILITIES NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED CONCURRENCY DEVELOPMENT AS SUMMARIZED ON EXHIBIT "F" OF THE AGREEMENT, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE ROADWAY CAPACITY AND INTERSECTION OPERATING CAPACITY IN THE OVERALL STUDY AREA IN ORDER TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS. THE PROPOSED ROADWAY AND INTERSECTION IMPROVEMENTS ARE LISTED ON EXHIBIT "G", AND GENERALLY DEPICTED ON EXHIBIT "I" OF THE AGREEMENT. THE CIG DEVELOPERS HAVE PROPOSED TO CONSTRUCT THE IMPROVEMENTS AT THE US 1/SR 312 INTERSECTION, BUT IN LIEU OF CONSTRUCTING THE REMAINING IMPROVEMENTS, PROVIDE A MONETARY PAYMENT TO ST.

JOHNS COUNTY FOR CONSTRUCTION OF THE REMAINING IMPROVEMENTS BASED ON PRELIMINARY COST ESTIMATES. THE PROPOSED AGREEMENT WAS REVIEWED BY THE CONCURRENCY REVIEW COMMITTEE (CRC) ON OCTOBER 19, 2006. SEVERAL OPTIONS WERE EXPLORED WITH THE APPLICANTS TO WHICH THE APPLICANTS WILL RESPOND AND/OR PROVIDE REVISION TO THE CURRENT DRAFT OF THE AGREEMENT TO ADDRESS STAFF AND CRC CONCERNS. THE CRC CONTINUED REVIEW OF THE AGREEMENT TO ITS REGULAR MEETING ON OCTOBER 25, 2006 TO ALLOW THE APPLICANT TO ADDRESS THE OUTSTANDING ISSUES BEFORE A FINAL VOTE. THE CRC WILL DECIDE AT THE 10/25/06 MEETING WHETHER TO RECOMMEND APPROVAL OR DENIAL OF THE PROPOSED AGREEMENT. THE CRC DID NOT PROVIDE A RECOMMENDATION ON THE REQUEST FOR IMPACT FEE CREDITS WHICH DO NOT FALL WITHIN THE JURISDICTION OF THE CONCURRENCY REVIEW COMMITTEE. AN UPDATED AGREEMENT, INCLUDING THE FINAL COST ESTIMATES, AND STAFF RECOMMENDATION WILL BE PROVIDED TO THE BCC PRIOR TO THE 10/31/06 PUBLIC HEARING, AS APPLICABLE BASED ON THE OUTCOME OF THE 10/25/06 CRC MEETING

Proof of publication for the notice of public hearing regarding DEVAGREE 2006-12, SR 207 Corridor improvement Group Development Agreement, was received, having been published in *The St. Augustine Record* on October 16, 2006.

William Hartmann, Transportation Planning Manager, gave the presentation for the SR 207 Corridor Improvement Group. He noted that it was for a Development Agreement and Impact Fee Credit Agreement. He said it was the culmination of about a year's worth of work, and noted this was the first of two required public hearings. He discussed their efforts to meet concurrency requirements, and that what they were presenting that day was the result of all that effort. He said there were 14 developments that had all worked together for the item. He reviewed the traffic study and said it involved 68 roadway segments and 24 intersections, and had revealed 13 deficient segments and 12 deficient intersections. He said the completed improvements proposed would allow them to meet their concurrency agreements. He noted that those projects involved and said the total number included 1,416 single family units, 264 apartments, 1,386 condominium town home units, 4 movie theater screens, 200,000 square feet of medical office, 85,000 square feet of retail, 14,000 square feet of drugstore with drive-through, 4 drive-through bank drive in windows and 12,000 square feet of restaurant in the Development Agreement. He said it would address the offsite transportation impacts cumulatively of the 14 developments, and what it would take for them to meet concurrency, but not for any other approval of the individual projects located within the agreement.

Hartmann summarized the trip generations at 3,051 total net new p.m. peak hour external trip ends for the fourteen projects. \$5,310 per peak hour trip was the figured cost of the trip. He summarized the various improvements. He said the summary of cost opinion was \$16,202,332 through 2009, and the Concurrency Review Committee voted 3/0 for presentation to the Board. He said all 14 developments had agreed to the stipulations of the agreement and to the dollar figure. He said the developers had agreed to pay \$14,520,896 within one year of the approval of the agreement. He noted a 5% administration fee had been added on for various associated costs, and that additional increases were built in to cover increases through 2009. He listed the priority ranking of the projects, and explained what would occur in the event some of the projects were not approved.

(3:33 p.m.) There was general discussion and congratulations were offered for the outstanding effort Hartmann and his staff had put forward to achieve the development agreement.

(3:41 p.m.) Rich said he did not have the same optimistic view as some of his fellow commissioners. He said he had asked the Board to pull this item and they had chosen not to do so. He said he could not offer pats on the back until he had had an opportunity to review the documents. He said it was a great deal of new development which needed to meet minimum concurrency and it would not make things better for the citizens of St. Johns County. He asked the item be pulled again. There was general discussion regarding the timing and presentation of the materials, and the fact that it was an important decision. Hartmann said it was the final version so there should be no additional documents.

(4:00 p.m.) Joe Stephenson, Public Works Director, said there was little left to say. He noted that as the acting chair of the Concurrency Review Committee, he was not commenting on any specific project. He said it was his determination that the agreement met the test. He said it was a new unique approach, and their costs and manpower had to be covered, and they were covered in that agreement. He said their estimates had been terrible over the past several years, so they had worked hard to ensure that inflation costs would be covered in their estimates. He said their risks were reduced, if not necessarily perfect, but it was a reasonable deal. He said the funds would go into an escrow account in order to pay for the work specified.

(4:06 p.m.) Rich asked about the ranking of the projects, especially the number one project at SR 207 and I-95. He said this problem was going to be similar to that at CR 210 and the backup issues they faced there. He said it wasn't any different than at I-95 and 210. He said they had the opportunity to buy property at 207 and I-95 right now to make a better improvement using a cloverleaf. Stephenson said he agreed that they were looking at the short term and it was not purported to be a long-term solution. He said it would solve the problems that were projected to occur as a result of those developments being built. Stevenson noted that it was an insightful observation.

(4:13 p.m.) Hartmann said they had asked the MPO to add the interchange modification report study to look at the long term and that request had been made. He said the estimated impact fee credit for those development rights was \$12.4 million, and the proposed agreement would provide \$16.2 million of improvements, so they were \$4 million greater than the impact fees, and they were getting more than they would have gotten.

(4:14 p.m.) Melissa Peterson, 1080 Deer Chase Drive, expressed concern about the children in their neighborhood who play outside every day. She said the addition of 480 to 500 homes were going to directly impact their neighborhood and specifically Deer Chase Drive, which had no sidewalks, and someone was going to get hurt if not killed.

(4:17 p.m.) Stevenson said she was going to ask staff to address that issue.

(4:18 p.m.) Bernie Masters, 1088 Deer Chase Drive, noted that many of these projects were adjacent to Stonegate Subdivision, and the additional traffic was going to be coming through their subdivision. He said they saw it as a crisis and very undesirable for their neighborhood.

Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Terry Bulla left the meeting at 4:22 p.m.

Stern explained that the two projects he was referring to, Deer Chase Drive and Rancho del Mar, were still pending. She said it would not approve the Tahoe Drive connection he had referred to. She emphasized that she just wanted to make it clear that they were not making any kind of approval at that meeting.

(4:23 p.m.) Josie Allison, 985 Deer Trace Drive, said they did not want Deer Chase or Tahoe to end up as a major thoroughfare.

(4:24 p.m.) Doug Burnett, 170 Malaga Street, Rogers Towers, stated he was representing the applicant. He said Bill Schilling was also present and was the traffic engineer from Kimley-Horn & Associates, Inc. for the traffic report that had been presented. He said Frank Demarsh and Edie Lawrence were also present from Epic Theaters, and had applied over two years ago for concurrency for the movie theater project. He said it was important for their project as well as for the other projects. He reviewed some of the provisions of the agreement that would help to protect the County. He said staff supported it and was probably as good as they could get for that type of agreement.

(4:34 p.m.) **Stevenson announced that the second required public hearing was scheduled for November 14, 2006.**

The meeting recessed at 4:34 p.m. and reconvened at 4:45 p.m.

(10/31/06 - 30 - 4:46 p.m.)

17. PUBLIC HEARING - MAJMOD 2006-15, PONTE VEDRA VALLEY PUD - THE MAJOR MODIFICATION PROPOSES TO AMEND THE PUD IN ORDER TO ALLOW ADDITIONAL USES TO THE PUD. THESE USES CONSIST OF A CARETAKER UNIT TO BE PLACED ON THE SECOND FLOOR AND A CREMATORIUM TO BE PLACED ON THE FIRST FLOOR OF THE FUNERAL HOME. THE APPLICANT IS ALSO REQUESTING A WAIVER FROM SECTION 2.03.14 OF THE LAND DEVELOPMENT CODE FOR ALLOWING A CREMATORIUM WITHIN ONE THOUSAND FEET (1,000') OF RESIDENTIAL PORTIONS OF A PLANNED UNIT DEVELOPMENT. THE CURRENT LOCATION OF THE CREMATORIUM IS APPROXIMATELY ONE HUNDRED AND SEVENTY-FOUR FEET (174') FROM THE NEAREST RESIDENTIALLY USABLE PROPERTY. THE PLANNING AND ZONING AGENCY MADE A RECOMMENDATION TO DENY THIS MODIFICATION AT ITS SEPTEMBER 7, 2006 MEETING BY A VOTE OF 3 TO 3

Proof of publication of the notice of public hearing regarding MAJMOD 2006-15, Ponte Vedra Valley PUD, was received, having been published in *The St. Augustine Record* on October 16, 2006.

Lindsay Haga, Chief Planner, summarized the requested major modification to amend the PUD in order to allow two additional units; 1) an accessory caretaker unit, to the existing funeral home, and 2) a crematorium. (4:54 p.m.) Maguire declared ex-parte communication; he visited the property. (4:55 p.m.) **Motion by Maguire, seconded by Bryant, to enact Ordinance No. 2006-127, known as MAJMOD 2006-15, adopting findings of fact 1-6 to support the motion.** (4:55 p.m.) Rich declared ex-parte communication; he spoke with the applicant in reference to the crematorium, the location of the property, and the emissions. (4:58 p.m.) Tom West, 100 Possum Trot Road, Ponte Vedra Beach, requested that an additional building permit not be required for the crematorium; said a building permit was obtained for the building. Discussion followed on whether an additional building permit would have to be obtained. (5:03 p.m.) Stern declared ex-parte communication; she met with the applicants regarding the building permit issue. (5:04 p.m.) Bryant declared ex-parte communication; he spoke

with the applicants regarding the project. Discussion followed regarding the accessory caretaker unit. (5:06 p.m.) **The motion carried 5/0, to enact the ordinance and include the waiver to Section 2.03.14 of the LDC, which would allow a reduction from 1,000' to 150' for the crematorium.**

ORDINANCE NO. 2006-127

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE PONTE VEDRA VALLEY PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 2003-46, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(5:07 p.m.) *It was consensus of the Board to direct Staff to do further research to amend the LDC as a nonessential issue.*

(10/31/06 - 31 - 5:07 p.m.)

18. PUBLIC HEARING - PUD 2005-21, STONEBRIDGE OAKS PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 37.59 ACRES FROM OPEN RURAL (OR) AND COMMERCIAL INTENSIVE TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) CONSISTING OF UP TO 84 SINGLE FAMILY UNITS. THE SITE IS LOCATED WEST OF SR207, EAST OF WILDWOOD DRIVE. THE MASTER DEVELOPMENT PLAN PROPOSES ONE ACCESS POINT TO SR 207 FOR VEHICULAR CONNECTION TO PHASE 1. VEHICULAR ACCESS FOR PHASE II IS PROPOSED AS TWO CONNECTIONS ON WILDWOOD DRIVE. OUT PARCEL ACCESS IS PROVIDED WITH TWO FIFTY (50) FOOT ROW CONNECTIONS. ACCESS EASEMENTS HAVE BEEN RECORDED (INCLUDED IN THIS PACKAGE) FOR THE OUT PARCEL. THE PROJECT HAS OVER 18.80 ACRES OF OPEN SPACE OR 50% OF THE OVERALL SITE, WELL ABOVE THE PUD MINIMUM REQUIREMENT OF 25%. OPEN SPACE TOTALS INCLUDE ACTIVE AND PASSIVE PARKS, COMMON AREAS, PERIMETER BUFFER, UPLAND BUFFERS AND JURISDICTIONAL WETLANDS. CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: PLANNED UNIT DEVELOPMENT (PUD), COMMERCIAL INTENSIVE (CI), COMMERCIAL GENERAL (CG) AND OPEN RURAL (OR). THE SURROUNDING FUTURE LAND USE IS RESIDENTIAL-C (C) AND MIXED USE (MD). THE MINIMUM LOT SIZE FOR SINGLE FAMILY UNITS WILL BE 5,000 S.F. WITH A RANGE OF 5,000 SQUARE FEET TO 6,600 SQUARE FEET. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A VOTE OF 6/0.

Proof of publication for the notice of public hearing regarding PUD 2005-21, Stonebridge Oaks PUD, was received, having been published in *The St. Augustine Record* on October 16, 2006.

Lindsay Haga, Chief Planner, explained the requested rezoning of approximately 37.59 acres of property in order to develop a residential PUD consisting of up to 84 single-family units. (5:10 p.m.) Stern declared ex-parte communications; she spoke with Karen Taylor and addressed access points and that the project was a part of the SR 207 Development Agreement. (5:10 p.m.) Stevenson declared ex-parte communications; she

spoke with Karen Taylor and addressed access points and that the project was a part of the SR 207 Development Agreement. (5:10 p.m.) Maguire declared ex-parte communications; she spoke with Karen Taylor and addressed access points and that the project was a part of the SR 207 Development Agreement. (5:11 p.m.) Karen Taylor, 3070 Harbor Drive, addressed the project being a part of the SR 207 Development Agreement; addressed concurrency, and the land use category. (5:12 p.m.) Rich recommended this agenda item be set aside until the new board was seated. Discussion followed regarding this agenda item being tabled or continued. (5:23 p.m.) **Motion by Bryant, seconded by Stern, carried 4/1 with Rich dissenting, to enact Ordinance No. 2006-128, known as PUD 2005-21, Stonebridge Oaks PUD, adopting findings of fact 1-7 to support the motion.**

ORDINANCE NO. 2006-128

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

(10/31/06 - 32 - 5:24 p.m.)

19. PUBLIC HEARING - PUD 2006-05, WESTGATE CROSSING - THIS REQUEST SEEKS TO REZONE 38.21 ACRES FROM OPEN RURAL TO PUD. THE SITE IS LOCATED IN THE ST. AUGUSTINE DEVELOPMENT AREA, SOUTH OF SR 16, WEST OF DEER RUN ROAD, NORTH OF THOMPSON BAILEY ROAD. THE PUD TEXT PROPOSES TO DEVELOP FIFTY (50) SINGLE FAMILY UNITS. THE MINIMUM LOT SIZE IS PROPOSED AS 6,600 SQUARE FEET WITHIN 50% LOT COVERAGE. THE SITE IS ACCESSED FROM THOMPSON BAILEY ROAD. THE APPLICANT PROPOSES TO PROVIDE THE NEEDED ROW (80 FEET) AND IMPROVEMENTS TO THOMPSON BAILEY ROAD TO MINOR COLLECTOR STANDARDS TO THE PROJECT ENTRANCE. THE PUD INCLUDES A PROPOSED FUTURE ACCESS POINT ALONG THE WESTERN EDGE OF THE PROJECT SITE. SIDEWALKS WILL BE PROVIDED ALONG ONE SIDE OF THE INTERIOR ROADWAY AND ON THE EXTERIOR OF THE DEVELOPMENT ALONG THE NORTH SIDE OF THOMPSON BAILEY ROAD. THE PUD INCLUDES 2.36 ACRES OF OPEN SPACE TO PROVIDE JOGGING TRAILS, MULTI-PURPOSE FIELDS, AND A CHILD PLAY AREA. THE SITE IS DESIGNATED RESIDENTIAL C ON THE 2015 FUTURE LAND USE MAP WHICH PROVIDES A DENSITY OF 6.0 DU/NET ACRE. THE SITE IS SURROUNDED BY OPEN RURAL, COMMERCIAL INTENSIVE, RMH(S) AND PUD ZONING CATEGORIES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THE SEPTEMBER 7, 2006, HEARING BY A VOTE OF 6/0. THE AGENCY DID NOT OFFER ANY DISCUSSION ON THE MATTER

Proof of publication for the notice of public hearing regarding PUD 2006-05, Westgate Crossing PUD, was received, having been published in *The St. Augustine Record* on October 16, 2006.

Lindsay Haga, Chief Planner, summarized the rezoning request to rezone 38.21 acres of property from OR to PUD. (5:26 p.m.) Stern declared ex-parte communication; she spoke with Karen Taylor regarding the location, access to the project, and the number of

units. (5:27 p.m.) Karen Taylor, 3070 Harbor Drive, representing the applicant, addressed access to the project, the retention areas, water and sewer, and drainage. (5:31 p.m.) **Motion by Maguire, seconded by Stern, to enact Ordinance No. 2006-129, known as PUD 2006-05, Westgate Crossing PUD, adopting findings of fact 1-7, to support the motion.** Rich explained his opposition to the project. (5:33 p.m.) **The motion carried 4/1, with Rich dissenting.**

ORDINANCE NO. 2006-129

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

(10/31/06 - 33 - 5:34 p.m.)

20. PUBLIC HEARING - PRD 2006-02, BARTRAM FARMS II PLANNED RURAL DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 606 ACRES LOCATED ON COUNTY ROAD 13A SOUTH, SOUTH OF MOLASSES JUNCTION (CR214), ADJACENT TO THE EXISTING BARTRAM FARMS PRD FROM OPEN RURAL (OR) TO PLANNED RURAL DEVELOPMENT (PRD) FOR THE DEVELOPMENT OF 121 SINGLE FAMILY RESIDENTIAL UNITS. THE PROJECT WILL UTILIZE THE 90/10% RULE FOR DENSITY: THE DEVELOPMENT AREA EQUALS 60.6 ACRES AND THE RESERVE AREA EQUALS 546 ACRES. LOTS WILL RANGE IN SIZE FROM A MINIMUM OF DEVELOPMENT AREA SIZE OF 17,050 SQUARE FEET WITH A MINIMUM LOT WIDTH OF 150FT (EXCEPTING LOTS 119, 120, AND 121, WHICH WILL HAVE A MINIMUM LOT WIDTH OF 25FT). THE TOTAL BUILDING COVERAGE WITHIN THE DEVELOPMENT AREAS SHALL NOT EXCEED FORTY (40) PERCENT. THE RESERVE AREA WILL BE OWNED BY INDIVIDUAL LOT OWNERS. ALLOWED USES WITHIN THE RESERVE AREA INCLUDE FARMING, PASTURE FOR FARM ANIMALS (INCLUDING HORSES) AND THE STORAGE OF AGRICULTURAL AND SILVICULTURAL PRODUCTS. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM DURING THE SEPTEMBER 21, 2006 MEETING AND VOTED UNANIMOUSLY (6/0 WITH ONE MEMBER ABSENT) TO RECOMMEND APPROVAL OF THE PRD INCLUDING THE SINGLE WAIVER TO THE PHASING SCHEDULE (SECTION 5.03.02.G.1.R)

Proof of publication for the notice of public hearing regarding PRD 2006-02, Bartram Farms II PRD, was received, having been published in *The St. Augustine Record* on October 16, 2006.

Lindsay Haga, Chief Planner, summarized the request to rezone approximately 606 acres of property for the development of 121 single-family residential units; then, submitted some revised text to address the phasing as written in the PRD. (5:37 p.m.) Frank Miller, 245 Riverside Avenue, Suite 400, Jacksonville, responded to questions of the Board regarding the project. (5:42 p.m.) **Motion by Stern, seconded by Rich, to enact Ordinance No. 2006-130, known as PRD 2006-02, Bartram Farms II PRD, adopting findings of fact 1-5 to support the motion; include the waiver of the LDC regarding the phasing; and include the disclosure for the schools.** (5:43 p.m.) **The motion carried 5/0.**

ORDINANCE NO. 2006-130

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

(10/31/06 - 34 - 5:43 p.m.)

21. CONSIDER MOTION TO HOLD AN OPTIONAL HEARING FOR THE JULINGTON CREEK CDD AMENDMENT PETITION

Lindsay Haga, Chief Planner, explained the purpose for the optional hearing. (5:45 p.m.) **Motion by Bryant, seconded by Maguire, carried 5/0, to not hold an optional hearing for the Julington Creek CDD Amendment Petition.**

(10/31/06 - 34 - 5:46 p.m.)

22a. LETTER TO THE ST. JOHNS RIVER WATER MANAGEMENT GOVERNING BOARD OFFERING ST. JOHNS COUNTY INPUT REGARDING THE PROPOSED EXCHANGE OF LANDS BETWEEN FREEDOM COMMERCE CENTER AND THE DISTRICT

Tony Cubbedge, Land Management Manager, explained the lands to be exchanged. (5:50 p.m.) **It was consensus of the Board to authorize the Chairman to sign the letter to the SJRWMD regarding the potential Freedom Commerce Center and Twelve Mile Swamp land exchange.**

(10/31/06 - 34 - 5:51 p.m.)

COMMISSIONERS' REPORTS

Bryant addressed the Tax Collector's Office reporting on their \$359,000 in excess fees collected for fiscal year 2005-2006.

(5:52 p.m.)

Commissioner Stern:

Stern addressed a recent editorial in the Florida Times Union regarding the portables at Bartram Trails High School and managing student growth.

(5:54 p.m.)

Commissioner Maguire:

Maguire commended all the schools in St. Johns County on their parental participation and their overall student success.

Maguire commented on the excess fees presentation of the Tax Collector.

(5:55 p.m.)

Commissioner Rich:

No report.

(5:57 p.m.)

Commissioner Stevenson:

Stevenson requested an update on the commercial impact fees.

Stevenson readdressed the agenda item regarding Stonehurst Plantation connectivity to CR 2206 via Ferncreek Drive; then, requested the workshop on this item be waived.

(5:58 p.m.) *It was the consensus of the Board to waive the workshop and handle the Ferncreek connection through the regular major modification process.*

Stevenson announced that on November 4, 2006 at 10:00 a.m., there would be a National Scenic Byway Dedication Ceremony for the A1A Scenic Historic Coastal Highway.

(10/31/06 - 35 - 5:55 p.m.)

COUNTY ADMINISTRATOR REPORT

Adams reminded the Board of the special meeting scheduled for Wednesday, November 1, 2006 at 9:00 a.m.

(10/31/06 - 35 - 5:56 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

(10/31/06 - 35 - 5:56 p.m.)

CLERK OF COURT'S REPORT

No report.

(5:59 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 5:59 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register Check Nos. 391464 through 391841, totaling \$5,655,052.91 (10/10/06)
2. St. Johns County Board of County Commissioners Check Register Check Nos. 391842 through 391866, totaling \$41,015.82 (10/12/06)
3. St. Johns County Board of County Commissioners Check Register Check Nos. 391867 through 392163, totaling \$8,438,772.20 (10/17/06)
4. St. Johns County Board of County Commissioners Check Register Check No. 392164, totaling \$12,000.00 (10/18/06)

CORRESPONDENCE:

1. Letter to Shaw Stiller, Assistant General Counsel, Department of Community Affairs, regarding the Stipulated Compliance Agreement between the State of Florida Department of Community Affairs, St. Johns County, and Helow Properties, Ltd. (10/16/06)
2. Letter to Liz Cloud, Chief, Bureau of Administrative Code, filing Ordinance Numbers 2006-118 through 2006-124 (10/25/06)
3. Letter to Tony Morgan, Financial Specialist, Department of Community Affairs, Housing and Community Development, regarding submission of three copies of the original of Modification #1 to the Grant Agreement between the Department of Community Affairs and St. Johns County (10/24/06)

Approved December 12, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk