

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 18, 2007
(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: Ben Rich, District 3, Chairman
Thomas G. Manuel, District 4, Vice Chairman
Cyndi Stevenson, District 1
Ron Sanchez, District 2
James Bryant, District 5
Michael D. Wanchick, County Administrator
Patrick McCormack, County Attorney
Pam Halterman, Deputy Clerk

Also present: Joe Vonasek, Assistant County Administrator
Darrel Locklear, Assistant County Administrator
Michael Hunt, Deputy County Attorney

(09/18/07 - 1 - 9:03 a.m.)
CALL TO ORDER

Rich called the meeting to order.

(09/18/07 - 1 - 9:03 a.m.)
ROLL CALL

Rich stated that all five commissioners were present.

(09/18/07 - 1 - 9:03 a.m.)
Bryant gave the invocation and Rich led the Pledge of Allegiance.

(09/18/07 - 1 - 9:05 a.m.)
SPECIAL HOUSING FINANCE AUTHORITY AWARD PRESENTATION TO THE ST. JOHNS HOUSING PARTNERSHIP

Tom Crawford explained that they would like to present an award to the St. Johns Housing Partnership for assisting with affordable housing in St. Johns County. He introduced Linda DeGrande, Vice-Chair of the Board of the Housing Finance Authority. DeGrande stated that they would like to thank and honor Robert Marshall for his effort with affordable housing in the county. Bill Lazar noted that Hancock Place was the first new construction involving the St. Johns Housing Partnership and Robert Marshall on building affordable housing for working families. He said the product was made of concrete block with low maintenance and would meet the new energy efficiency standard along with the St. Johns County Water Management District standards. Rich voiced thankfulness for Marshall and his dedicated work in the community in an effort to help families with affordable housing.

(09/18/07 - 1 - 9:13 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

(09/18/07 - 2 - 9:13 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Sanchez, seconded by Manuel, carried 5/0, to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Minutes:
08/21/07 - BCC Regular Meeting
3. Sheriff Office Bonds:
Approve: Donna Switzer Aimee Tingen Kerron Battell
4. Motion to declare the attached list of items as surplus and authorize staff to dispose of same in accordance with Purchasing Policy 308 and Florida Statute 274
5. Motion to adopt **Resolution No. 2007-252**, approving the Final Plat for Rivertown-Main Street District - Section 1

RESOLUTION NO. 2007-252

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR RIVERTOWN - MAIN STREET DISTRICT SECTION 1

6. Motion to adopt **Resolution No. 2007-253**, approving the Final Plat for Mission Trace

RESOLUTION NO. 2007-253

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

7. Motion to adopt **Resolution No. 2007-254**, approving the terms and conditions of a contract between St. Johns County, Florida and the St. Johns County Chamber of Commerce for the purpose of promoting economic development through the Cornerstone organization, and authorizing the County Administrator to execute the contract on behalf of the County

RESOLUTION NO. 2007-254

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE ST. JOHNS COUNTY CHAMBER OF COMMERCE FOR THE PURPOSE OF PROMOTING ECONOMIC DEVELOPMENT THROUGH THE CORNERSTONE ORGANIZATION

8. Motion to adopt **Resolution No. 2007-255**, approving the terms, provisions, conditions, and requirements of an amended Economic Development Agreement between St. Johns County and Belmarmi, and authorizing the County Administrator to execute the amended agreement on behalf of St. Johns County

RESOLUTION NO. 2007-255

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AMENDED ECONOMIC DEVELOPMENT GRANT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND BELMARMI, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDED AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

9. Motion to adopt **Resolution No. 2007-256**, authorizing amendment and restatement of the St. Johns County Board of County Commissioners 401(a) Special Pay Plan - Retirement Plan and Cessation of Contributions under the Retirement Plan

RESOLUTION NO. 2007-256

RESOLUTION AUTHORIZING AMENDMENT AND RESTATEMENT OF THE RETIREMENT PLAN AND CESSATION OF CONTRIBUTIONS UNDER THE RETIREMENT PLAN

10. Motion to adopt **Resolution No. 2007-257**, approving the terms and authorizing the execution of the Purchase and Sale Agreement for the acquisition of property to mitigate wetland impacts as a result of the construction of Capital Improvement Projects

RESOLUTION NO. 2007-257

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF THE PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY TO MITIGATE WETLAND IMPACTS AS A RESULT OF THE CONSTRUCTION OF CAPITAL IMPROVEMENT PROJECTS

11. Motion to adopt **Resolution No. 2007-258**, accepting an Easement Agreement for a retention pond required for the drainage to Brinkhoff Road and authorizing the County Administrator to execute the Easement Agreement

RESOLUTION NO. 2007-258

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT AGREEMENT FOR A RETENTION POND REQUIRED FOR THE DRAINAGE TO BRINKHOFF ROAD AND AUTHORIZING THE

**COUNTY ADMINISTRATOR TO EXECUTE THE
EASEMENT AGREEMENT**

12. Motion to adopt **Resolution No. 2007-259**, approving the terms and authorizing the County Administrator to execute certain Purchase and Sale Agreements for property required for Segment III of the Volusia Street/Four Mile Road Project

RESOLUTION NO. 2007-259

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CERTAIN PURCHASE AND SALE AGREEMENTS FOR PROPERTY NEEDED FOR SEGMENT III OF THE VOLUSIA STREET/FOUR MILE ROAD PROJECT

13. Motion to adopt **Resolution No. 2007-260**, approving the terms and conditions of a License Agreement between the Florida East Coast Railway, LLC. And St. Johns County Florida, for the West King Street grade crossing, and authorizing the County Administrator to execute the License Agreement, on behalf of the County

RESOLUTION NO. 2007-260

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A RAILROAD LICENSE AGREEMENT BETWEEN FLORIDA EAST COAST RAILWAY, L.L.C. AND ST. JOHNS COUNTY, FLORIDA, ASSOCIATED WITH A RAILROAD CROSSING LOCATED ON WEST KING STREET, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

14. Motion to adopt **Resolution No. 2007-261**, approving the terms and conditions of a License Agreement between the Florida East Coast Railway, LLC, and St. Johns County, Florida, for the Holmes Boulevard grade crossing, and authorizing the County Administrator to execute the License Agreement, on behalf of the County

RESOLUTION NO. 2007-261

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A RAILROAD LICENSE AGREEMENT BETWEEN FLORIDA EAST COAST RAILWAY, L.L.C. AND ST. JOHNS COUNTY, FLORIDA, ASSOCIATED WITH A RAILROAD CROSSING LOCATED ON HOLMES BLVD., AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

15. Motion to adopt **Resolution No. 2007-262**, approving the terms, conditions, provisions, and requirements of a Non-Exclusive Franchise Agreement for Construction and Demolition Debris between St. Johns County, Florida, and One Waste Services, Inc. dba Metro Waste Services and authorizing the County Administrator to execute the Non-Exclusive Franchise Agreement for Construction and Demolition Debris on behalf of St. Johns County, Florida

RESOLUTION NO. 2007-262

A RESOLUTION OF 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 ONE WASTE SERVICES, INC. DBA METRO WASTE SERVICES, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CONSTRUCTION AND DEMOLITION FRANCHISE AGREEMENT, ON BEHALF OF ST. JOHNS COUNTY

16. Motion to adopt **Resolution No 2007-263**, approving the St Johns County Transit Development Plan 2007 Minor Update

RESOLUTION NO. 2007-263

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ST. JOHNS COUNTY TRANSIT DEVELOPMENT PLAN (TDP) 2007 MINOR UPDATE

17. Motion to adopt **Resolution No. 2007-264**, approving the terms, provisions, conditions, and requirements of a Memorandum of Understanding between St. Johns County, Florida and Creeks Athletic Association concerning certain aspects of an Athletic Field House at Plantation Park, and authorizing the County Administrator to execute the Memorandum of Understanding, on behalf of St. Johns County

RESOLUTION NO. 2007-264

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY, FLORIDA, AND CREEKS ATHLETIC ASSOCIATION CONCERNING CERTAIN ASPECTS OF AN ATHLETIC FIELDHOUSE AT PLANTATION PARK, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING, ON BEHALF OF ST. JOHNS COUNTY

18. Motion to adopt **Resolution No. 2007-265**, approving the terms, provisions, conditions, and requirements of a Memorandum of Understanding between St.

Johns County, Florida and Ponte Vedra Athletic Association concerning certain aspects of an Athletic Field House at Davis Park, and authorizing the County Administrator to execute the Memorandum of Understanding, on behalf of St. Johns County

RESOLUTION NO. 2007-265

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF UNDERSTANDING BETWEEN ST. JOHNS COUNTY, FLORIDA, AND PONTE VEDRA ATHLETIC ASSOCIATION CONCERNING CERTAIN ASPECTS OF AN ATHLETIC FIELDHOUSE AT DAVIS PARK, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING, ON BEHALF OF ST. JOHNS COUNTY

19. Motion to adopt **Resolution No. 2007-266**, implementing new and/or revised fees for services provided by St. Johns County Departments

RESOLUTION NO. 2007-266

A RESOLUTION OF 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

20. Proofs:

- a. Proof, Notice of Meeting, St. Johns County Board of County Commissioners District 3 Public Workshop, Thursday, August 9, 2007 at 6:30pm
- b. Proof, Notice to Bidders, Bid No. 07-68
- c. Proof, Notice to Bidders, Bid No. 07-120
- d. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Public & Private Meeting, Tuesday, June 5, 2007 at 8:00am (Ponte Vedra Recorder)
- e. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Public & Private Meeting, Tuesday, June 5, 2007 at 8:00am (St. Johns Recorder)
- f. Proof, Notice of Town Meeting, County Commission District 1, Thursday, June 7, 2007 at 6:30pm (Ponte Vedra Recorder)
- g. Proof, Notice of Town Meeting, County Commission District 1, Thursday, June 7, 2007 at 6:30pm (St. Johns Recorder)
- h. Proof, Notice of Public Meeting, St. Johns County Commissioner Staff, Verticality Tower Lawsuit, Thursday, August 16, 2007 at 6:30pm
- i. Proof, Notice to Bidders, Bid No. 07-111
- j. Proof, Notice to Bidders, Bid No. 07-119
- k. Proof, Notice of Meeting, Conflict Assessment Meeting between St. Johns County and Putnam County Administrative Staff, Wednesday, August 29, 2007 at 1:00pm
- l. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Special Meeting, Thursday, August 16, 2007 at 8:15am

- m. Proof, Notice of Reception, St. Johns County Chamber of Commerce, Welcome of County Administrator, Wednesday, August 22, 2007 from 5:00pm to 7:00pm
- n. Proof, Notice to Bidders, Bid No. 08-04
- o. Proof, Notice to Bidders, Bid No. 08-03
- p. Proof, Notice to Bidders, RFQ No. 08-116
- q. Proof, Notice to Bidders, Bid No. 08-09
- r. Proof, Notice of Canceled Meeting, Conflict Assessment Meeting between St. Johns County and Putnam County Administrative Staff, Wednesday, August 29, 2007 at 1:00pm
- s. Proof, Notice of Meeting, Florida Association of Counties, Friday, August 31, 2007 from 10:00 am to 12:00pm
- t. Proof, Certificate of Liability Insurance, AlphaStaff Group
- u. Proof, Certificate of Liability Insurance, Shapell's Inc
- v. Proof, Certificate of Liability Insurance, Electrical Contracting
- w. Proof, Certificate of Liability Insurance, Randy Cox Tile, Inc

(09/18/07 - 7 - 9:15 a.m.)

PUBLIC COMMENT

Renee Morris, Director, St. Francis House, 70 Washington Street, spoke on the homeless issue and funding from the County.

(9:16 a.m.) Lisa Lloyd, 132 Surfside Avenue, Ponte Vedra Beach, spoke about the 9/11 event anniversary, domestic violence, and victims of abuse. Rich acknowledged how important the Betty Griffin House was to the people in the community.

(9:22 a.m.) Beth Hughes, Betty Griffin House, spoke about domestic and sexual violence and abuse victims in the community. She presented letters of support from Sheriff David Shoar and from State Attorney John Tanner. She pointed out that they were currently protecting seventeen children and fifteen women. She thanked the board for their support of level funding. Stevenson asked how the lack of \$7,500.00 each month would impact her ability to provide service. Hughes expressed that she would need to look at turning people away. She noted that the newsletter had already been eliminated along with travel and conferences for staff; although, staff was required to obtain twenty-four hours of training annually.

(9:27 a.m.) Gary Bruce, Chairman, the Salvation Army, 2155 Old Moultrie Road, spoke about his programs throughout the community and noted that three homeless shelters existed in the northeast area of Florida and their most important mission was to feed the hungry. He thanked the board for listening and for the funding.

(9:31 a.m.) Barbara Purple, 3428 Indian Creek Blvd., St. Johns, spoke about the issue concerning the donated land at the St. Johns Agricultural Center and volunteer work in the community. She asked that the board respect the wishes of the Usina family who donated the subject lands to the County. She thanked the board for their time and listening to her concerns.

(9:35 a.m.) Betty Rands, 149 Murlando Court, Ponte Vedra, asked what board members had done in and out of the sunshine concerning the homeless issue and whether the board still planned to dump the homeless people at the southwest part of the County. Rich stated that the County Administrator had been instructed by the board to look for land that would be suitable for the homeless shelter. He advised that the situation would not change until the Administrator returned to the board with a recommendation and it being a properly advertised public agenda item.

(9:37 a.m.) Doug Burnett, 170 Malaga Street, spoke about a recent board zoning denial concerning the property located on Venetian Boulevard near the British Pub on US 1 North and asked the board to set the issue for reconsideration in thirty days. He noted that the involved parties could sit down and agree to deed restrictions in an attempt to appease the neighboring property owners' concerns. McCormack advised that the board could reconsider the item; however, staff was currently reviewing the zoning regarding the subject property. He said he would like to discuss the matter further with Burnett and possibly return with a recommendation to the board in October. *Consensus was to allow McCormack to continue discussions with Burnett.*

(09/18/07 - 8 - 9:42 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested that an item concerning Jacksonville Area Legal Aid, Inc. be added to the agenda. Rich set the resolution issue as Item a.1. on the regular agenda.

Wanchick asked that Item #3 be pulled from the agenda.

(09/18/07 - 8 - 9:44 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Sanchez, seconded by Rich, carried 5/0, to approve the regular agenda as amended.

Manuel noted that two public speakers had signed up for a 5:30 p.m. agenda item; however, due to scheduling conflicts, they had asked to be allowed to speak now. Rich suggested that both speakers address the board after Item a.1. (*Melissa Strohminger and Donald Brown spoke on Item #14, see page 23 for their comments.*)

(09/18/07 - 8 - 9:45 a.m.)

A.1. CONSIDER A MOTION TO ADOPT A RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE THE CONTRACT BETWEEN ST. JOHNS COUNTY AND JACKSONVILLE AREA LEGAL AID, INC. (JALA) TO PROVIDE LEGAL SERVICES TO INDIGENT PERSONS RESIDING WITHIN ST. JOHNS COUNTY.

(9:45 a.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to adopt Resolution 2007-267, authorizing the chairman to execute a contract between St. Johns County and the JALA to provide legal aid services to indigent persons residing within St. Johns County.**

RESOLUTION NO. 2007-267

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT BETWEEN ST. JOHNS COUNTY, FLORIDA AND JACKSONVILLE AREA LEGAL AID, INC., TO PROVIDE LEGAL SERVICES TO INDIGENT PERSONS RESIDING WITHIN ST. JOHNS COUNTY, FLORIDA.

(09/18/07 - 8 - 10:03 a.m.)

1. CONSIDER MOTION TO ENACT AN ORDINANCE, AMENDING COUNTY ORDINANCE 2005-101; AMENDING SPECIFICALLY SECTION 11, IN ORDER TO EXEMPT RAVENSWOOD FOREST FROM THE EFFECT OF SECTION 11; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Proof of publication of the notice of public hearing on Amendment to Ordinance 2005-101 for Ravenswood Forest was received, having been published in *The St. Augustine Record* on September 7, 2007.

Tom Crawford, Manager Housing & Community Services, gave the presentation.

(10:04 a.m.) **Motion by Stevenson, seconded by Manuel, carried 5/0 to enact Ordinance 2007-70, amending County Ordinance 2005-101; amending specifically Section 11, in order to exempt Ravenswood Forest from the effect of Section 11; providing severability; and providing for an effective date.**

ORDINANCE NO. 2007-70

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA
AMENDING COUNTY ORDINANCE 2005-101;
AMENDING SPECIFICALLY SECTION 11, IN ORDER
TO EXEMPT RAVENSWOOD FOREST FROM THE
EFFECT OF SECTION 11; PROVIDING SEVERABILITY;
AND PROVIDING FOR AN EFFECTIVE DATE**

THE BOARD CONVENED AS COMMUNITY REDEVELOPMENT AGENCY

(09/18/07 - 9 -10:05 a.m.)

2. MOTION TO AUTHORIZE THE TRANSFER OF \$1801.30 FROM THE WEST AUGUSTINE CRA RESERVES FOR PAYMENT OF REAL ESTATE TAXES ON INFILL HOUSING PARCELS: 116310-0000; 117200-0220; 117820-0080 AND 117820-0070

The presentation was given by Tom Crawford, Manager Housing and Community Services.

(10:07 a.m.) In response to an inquiry from Manuel, Hunt explained that he had reviewed and questioned staff involved with the issue and it was determined that the Community Redevelopment Agency was required to pay the taxes. Crawford noted that the two lots would be utilized for road improvements along Volusia Avenue. He explained that the County normally did not pay taxes; however, the motion would authorize them to pay. McCormack clarified that finance director for the COC, McDonald, watched every dollar, and it appeared to be a mutual mistake with an effort to reduce cost for affordable housing. Manuel clarified the situation with Crawford, and he suggested that the builder would still owe money to the county. Crawford offered that, from a business standpoint, they had made judgments on what lots were buildable at the time. Stevenson asked for a break to review the situation with Crawford.

Rich called a recess at 10:17 a.m. and the meeting reconvened at 10:24 a.m.

(10:24 a.m.) Stevenson commented that she understood the situation after speaking with Crawford. Sanchez asked if the taxes on the lots the developer currently had were already paid. Crawford noted that to be correct and said the builder had also paid for surveys on the unbuildable lots. Rich said he was comfortable with paying the \$1,800.00. Sanchez voiced that he did not agree with it completely; however, he would support the motion to approve the funds transfer.

(10:27 a.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to authorize the transfer of \$1,801.30 from the West Augustine CRA reserves for payment of real**

estate taxes on Infill Housing Parcels: 11631-0000; 117200-0220; 117820-0080 and 117820-0070.

Motion amended by Stevenson, seconded by Bryant, carried 5/0, clarifying parcel #116310-0000 and including findings that equity reasons for the board accepting the tax liability that may have resulted in further legal action against the County to pursue those inequity remedies.

(10:30 a.m.) Manuel voiced that he did not agree that the monies were owed to the builder and governments did not pay property taxes. In response to an inquiry, Blount advised that taxes were prorated based on the date of sale.

THE MEMBERS RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

(09/18/07 - 10 - 9:42 a.m.)

3. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CREDIT RESERVATION AND PURCHASE OPTION AGREEMENT FOR MITIGATION CREDITS REQUIRED FOR THE CR 305 EXTENSION PROJECT

This item was pulled from the agenda.

(09/18/07 - 10 - 10:32 a.m.)

4. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR PROPERTY OWNED BY NORTH BEACH INVESTMENT, INC., TO BE USED AS A PUBLIC BOAT RAMP AND PARK

Tony Cubbedge, Land Management Manager, presented the item to the board.

(10:34 a.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to adopt Resolution 2007-268, approving the terms and authorizing the County Administrator to execute a Purchase and Sale Agreement for property owned by North Beach Investment, Inc., to be used as a public boat ramp and park.**

RESOLUTION NO. 2007-268

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR PROPERTY OWNED BY NORTH BEACH INVESTMENT, INC., TO BE USED AS A PUBLIC BOAT RAMP AND PARK

Manuel said the purchase involved a lot of money; however, he would support the motion; although, he did not like the concept of using public money on private property. He suggested that it was ill advised to spend the money due to other pressing needs. Rich said he agreed with Manuel and had previously voted against the acquisition of the property at the beginning of the process; however, given the circumstances, the board had handled the project as best they could.

(09/18/07 - 11- 10:36 a.m.)

5. CONSIDER REQUEST TO WAIVE ONE YEAR RE-FILING REQUIREMENT, PURSUANT TO SECTION 9.04.05 OF THE LAND DEVELOPMENT CODE, FOR THE SMITH INDUSTRIAL PARK

The presentation was given by Teresa Bishop, Director Growth Management.

(10:37 a.m.) **Motion by Manuel, seconded by Bryant, carried 5/0, to approve a waiver to the one-year waiting time period to file an application on the same property, finding it is deemed necessary to prevent injustice and facilitates the proper development of the County.**

Stevenson disclosed ex parte communications about the project with Karen Taylor. She voiced concerns regarding other possible allowed uses for the property. In response to an inquiry, Bishop advised that staff was currently reviewing whether the zoning should be changed. She noted that a public hearing would be held in the future. Manuel pointed out that the waiver would not imply an approval of a zoning change.

(09/18/07 - 11 - 10:39 a.m.)

6. PUBLIC HEARING - REZ 2005-60 KANGAROO EXPANSION - THIS IS A REQUEST TO REZONE 1.27 ACRES OF LAND FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG) TO ALLOW FOR 2000 SQ. FT. STORE EXPANSION, 2 NEW FUEL DISPENSERS, 1 NEW CAR WASH AND EMPLOYEE PARKING. THIS PROPERTY IS LOCATED SOUTHWEST OF THE INTERSECTION OF STATE ROAD 312, ALONG THE NORTHWEST SIDE OF STATE ROAD 207. THE PROPERTY HAS MIXED USE DISTRICT (MD.) LAND USE AS DEPICTED ON 2015 FUTURE LAND USE MAP. CENTRAL WATER AND SEWER WILL BE PROVIDED BY THE CITY OF ST. AUGUSTINE UTILITY DEPARTMENT. ADJACENT ZONINGS ARE OPEN RURAL (OR), COMMERCIAL GENERAL (CG), AND COMMERCIAL INTENSIVE (CI). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR DECEMBER 07, 2006 HEARING BY A VOTE OF 7/0 (GRAYSON/SHEPPARD)

Proof of publication of the notice of public hearing on REZ 2005-60, Kangaroo, was received, having been published in *The St. Augustine Record* on September 3, 2007.

The presentation was given by Michael Blackford, Planner II. He said staff would like to pull the item until the October 16 or 30, 2007 meeting date due to unresolved concurrency issues.

Karen Taylor, representative for the applicant, agreed to the delay.

(10:40 a.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to pull the item from the agenda.**

In order to avoid additional advertising, Taylor asked that the item be continued for a time certain.

(10:41 a.m.) **Motion amended by Manuel, seconded by Stevenson, carried 5/0, to continue the item until the October 16, 2007 meeting.**

(09/18/07 - 11 - 10:41 a.m.)

7. PUBLIC HEARING - CPA (SS) 2007-02 BURKE PARCEL - THIS IS A REQUEST TO CONSIDER APPLICATION NO. CPA(SS) 2007-02 A PROPOSED SMALL

SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP (FLUM) OF THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN FROM RURAL SILVICULTURE (R/S) TO COMMUNITY COMMERCIAL (CC) FOR 8.26 ACRES LYING WEST OF INTERSTATE 95 AND SOUTHEAST OF THE STATE ROAD 207 AND INTERSTATE 95 INTERCHANGE. THE APPLICANT PROPOSES TO AMEND THE FUTURE LAND USE MAP FROM RURAL SILVICULTURE TO COMMUNITY COMMERCIAL IN ORDER TO DEVELOP APPROXIMATELY 75000 SQUARE FEET OF COMMERCIAL RETAIL. THIS PROPERTY IS PART OF A LARGER TRACT OF LAND THAT IS DESIGNATED MIXED USE. THIS PARCEL WAS 'LEFT OUT' OF THE MIXED USE DESIGNATION WHEN THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP WAS ADOPTED. IT IS ALSO LOCATED AT THE PERIPHERY OF A LARGER COMMERCIAL NODE TYPICALLY FOUND AT INTERSTATE AND STATE ROAD INTERCHANGES. THIS AMENDMENT WOULD ONLY SEEK TO 'CONSOLIDATE' THIS SMALLER PARCEL WITH A LARGER COMMERCIAL AREA OF WHICH THE APPLICANT OWNS PROPERTY. THE PROPERTY IS PLANNED TO BE A PART OF A CONTEMPLATED CYPRESS POINTE PUD. THE GENERAL AREA CONTAINS THE ST. AUGUSTINE INDUSTRIAL PARK, THE CYPRESS LAKES SUBDIVISION AND ASSOCIATED GOLF COURSE AND THE STATE ROAD 207 CORRIDOR CONTAINS VARIOUS ELEMENTS OF STRIP COMMERCIAL ALONG WITH RURAL COMMERCIAL USES SUCH AS PLANT NURSERIES AND CAMPGROUNDS. MUCH OF THE AREA APPEARS TO HAVE DEVELOPED IN A RIBBON MANNER RATHER THAN WITH PLANNED GROWTH. THE PROPERTY ASSOCIATED WITH THIS AMENDMENT IS TO BE DEVELOPED WITH OTHER PROPERTIES IN A PLANNED MANNER. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT ITS AUGUST 2, 2007 MEETING WITH A 5-0 VOTE (MOTION BY OGLESBY/2ND BY WILES)

Proof of publication of the notice of public hearing on CPA (SS) 2007-02, Burke Parcel, was received, having been published in *The St. Augustine Record* on September 3, 2007.

The presentation was given by Jason Cleghorn, Planner III DRI Coordinator.

(10:45 a.m.) Doug Burnett, Rogers-Towers, 170 Malaga Street, spoke on the issue. He explained the boundary location and the larger parcel involved with the subject site. Rich advised the board that the subject was an ex-parte item.

(10:46 a.m.) **Motion by Rich, seconded by Manuel, carried 5/0, to enact Ordinance 2007-71 , known as CPA (SS) 2007-02 Burke Parcel, to amend the Future Land Use Map from Rural Silviculture to Community Commercial, adopting findings of fact one through three to support the motion.**

ORDINANCE NO. 2007-71

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO COMMUNITY COMMERCIAL (CC), FOR PROPERTY LOCATED SOUTH OF THE INTERSECTION OF INTERSTATE 95 AND STATE ROAD 207 CONTAINING APPROXIMATELY 8.26 ACRES;

**PROVIDING FOR FINDINGS OF FACT; FINDINGS OF
CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE
DATE**

Stevenson suggested that Burnett inform his client that conservation efforts were currently underway in the area and to consider the affects on the drainage basin into the Matanzas preserve area. Burnett affirmed that he would advise his client.

(09/18/07 - 13 - 10:48 a.m.)

8. PUBLIC HEARING - MAJMOD 2007-08 BOZARD FORD AND LINCOLN/MERCURY - THIS APPLICATION IS A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PUD (ORDINANCE 97-23 AS AMENDED). THIS REQUEST IS A DESIRE TO ALLOW AN INTERSTATE SIGN EIGHTY FIVE (85) FEET IN HEIGHT AND 250 SQUARE FEET IN SIZE, TO ALLOW A GROUND BASED MONUMENT SIGN ON THE PARCEL TO BE 40 FEET IN HEIGHT IN LIEU OF THE ALLOWED 20 FEET AS PERMITTED BY ORDINANCE 2005-15. THE PROPERTY IS LOCATED NEAR THE PRIME (FORMERLY BELZ) OUTLET CENTER BUILDINGS, THE GANDER MOUNTAIN RETAIL STORE AND THE PARKER CADILLAC DEALERSHIP. THE REQUEST STEMS FROM A DESIRE TO BE IN LINE WITH OTHER SIMILAR 'INTERSTATE' CORRIDOR BASED COMMERCIAL BUSINESSES THAT OBTAIN INTERSTATE SIGNAGE THROUGH THE INTERSTATE SIGNAGE PROVISIONS OF THE LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 7.02.02(B)(2). THE SECOND REQUEST IS TO ERECT A MONUMENT SIGN WHICH EXCEEDS THE 20 FOOT ALLOWANCE IN ORDER TO ERECT A 40 FOOT MONUMENT SIGN NO MORE THAN 250 SQUARE FEET FOR A TOTAL OF 500 SQUARE FEET OF GROUND BASED SIGNAGE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR AUGUST 2, 2007 MEETING BY A 5-0 VOTE WITH MR. WILES MAKING THE MOTION AND MR. LAIDLAW SECONDING. THE AGENCY SUPPORTED BOTH THE 85 FOOT TALL PYLON SIGN AND THE INCREASED HEIGHT OF THE MONUMENT SIGNAGE TO 40 FEET IN LIEU OF THE ALLOWED 20 FEET. DISCUSSION CENTERED ON THE UNIQUENESS OF SIGNAGE FOR CAR DEALERSHIPS WHICH ARE 'MANDATED THROUGH BRANDING' FROM THE MANUFACTURER AND THE IMPOSSIBILITY OF THE COUPLING OF THE FORD LOGO WITH LINCOLN OR MERCURY

Proof of publication of the notice of public hearing on MAJ 2007-08, Bozard Ford, was received, having been published in *The St. Augustine Record* on September 3, 2007.

Jason Cleghorn, Planner III DRI Coordinator, gave the presentation. He explained that the applicant was required by Lincoln/Mercury to have a separate distinct sign for the company along with a single Ford sign which resulted in the application before the board. Rich questioned whether language was missing from the Code in order to address the signage issue. Stevenson asked Cleghorn for a similar size sign to compare to the proposed sign. Cleghorn advised that Gander Mountain was an eighty-five foot high pylon sign. He clarified that staff supported the eighty-five foot pylon sign due to economic fairness. Manuel questioned whether the board had requested a limit to the number of signs being allowed in the subject area. Cleghorn affirmed that to be correct; however, the limitation involved the unsold properties located within the DRI. In response to an inquiry, Cleghorn advised that the Cadillac business had requested and were approved for an eighty-five foot tall pylon sign.

(10:57 a.m.) Doug Burnett, 170 Malaga Street, pointed out that the business relocation to the site would triple the existing site of Bozard. He said the signage was unique and uniform across the country and Bozard was confined to utilizing the manufacturers' approved signage. He stated that the forty-foot sign was the standard height in the industry. He pointed out that the Gander site consisted of a much smaller frontage than the Bozard site.

(11:01 a.m.) Ellen Whitmer, 1178 Nature's Hammock Road South, Fruit Cove, spoke in opposition to the request.

(11:03 a.m.) Rich asked the applicant to approach the podium in order to justify the forty-foot tall sign request. Joe Key, 1700 N. Ponce de Leon Blvd, explained that the Mercury dealership would be the last franchise granted in the United States. He noted that they plan to add forty additional employees at salaries between \$45,000.00 and \$60,000.00. He said the Ford pole sign only measured sixty feet and forty feet for the Mercury sign. He said the Ford and Lincoln/Mercury businesses would also be separated inside the building because of restrictions by the companies. He affirmed that the backlit sign would be black in color with tan lettering. Stevenson asked staff if the design of the sign was linked to the approval. Cleghorn said the approval only involved the height of the sign. In response to an inquiry, Whitehouse advised that language could be changed to adhere to the subject business.

(11:09 a.m.) Motion by Bryant, seconded by Stevenson, carried 5/0, to enact Ordinance 2007-72, known as MAJMOD 2007-08 Bozard Ford and Lincoln/Mercury, adopting findings of fact one through six to support the motion with the specific design height of a forty-foot sign for Lincoln / Mercury.

Wanchick agreed that the sign ordinance needed to be reviewed; therefore, he asked that the board make that direction to staff. Rich directed Wanchick to review the signage Code. Manuel asked that the six sign limit also be reviewed by staff. Whitehouse suggested that all three large interchanges be included in the signage review. Consensus of the board to include all three interchanges was voiced.

ORDINANCE NO. 2007-72

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

(09/18/07 - 14 - 11:13 a.m.)

9. PUBLIC HEARING - MAJMOD 2006-31, CAMARDA FINANCIAL ADVISORS - THE MAJOR MODIFICATION IS LOCATED AT 166 A1A NORTH WITHIN THE PONTE VEDRA ZONING JURISDICTION. THE CURRENT LAND USE IS RESIDENTIAL C (COASTAL) AND HAS A CURRENT ZONING OF PLANNED SPECIAL DEVELOPMENT (PSD). THE PARCEL IS 1.11 ACRES AND CURRENTLY HAS ACCESS TO A1A. CONCURRENCY IS NOT APPLICABLE TO THIS PARTICULAR DEVELOPMENT BECAUSE OF THE CHANGES ASSOCIATED WITH THE MAJOR MODIFICATION. THE MAJOR MODIFICATION PROPOSES TO AMEND THE PLANNED SPECIAL DEVELOPMENT (PSD) IN ORDER TO PLACE TWO (2) MONUMENT SIGNS WITH ASSOCIATED WALL FEATURES AND IS REZONING TO PLANNED

UNIT DEVELOPMENT (PUD). THE PONTE VEDRA ARC AT ITS DECEMBER 20, 2006 MEETING GAVE A FAVORABLE RECOMMENDATION TO THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD AND THE BOARD OF COUNTY COMMISSIONERS FOR THE 90 DEGREE ANGLE. THE ARC AT ITS APRIL 25, 2007 MEETING ALSO GAVE APPROVAL TO THE MONUMENT SIGNAGE BASED ON THE FUTURE APPROVAL OF THE PUD MODIFICATIONS. THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD WILL GIVE A RECOMMENDATION AT ITS SEPTEMBER 10TH, 2007 MEETING. THE RECOMMENDATION WILL BE PROVIDED AT THE BCC MEETING

Proof of publication of the notice of public hearing on MAJMOD 2006-31, Camarda, was received, having been published in *The St. Augustine Record* on September 3, 2007.

The presentation was given by Lindsay Haga, AICP, Chief Planner.

(11:14 a.m.) Virginia Woodbury, Property Manager, 1181 Fleming Street, stated that they would like to improve the property and make the corridor along A1A as beautiful as possible and asked the board to consider the request.

(11:16 a.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to enact Ordinance 2007-73, known as MAJMOD 2006-31, adopting findings of fact one through six to support the motion.**

(11:16 a.m.) **Motion was amended by Manuel, seconded by Stevenson, carried 5/0, to include the five waivers.**

ORDINANCE NO. 2007-73

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE CAMARDA FINANCIAL ADVISORS (PUD) ORDINANCE (FORMER PONCE DE LEON PROFESSIONAL CENTRE PSD) NUMBER 1993-45, AS AMENDED, MAKING FINDINGS OF FACT FOR REZONING TO PLANNED UNIT DEVELOPMENT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

Rich called a break at 11:17 a.m. and reconvened the meeting at 11:32 a.m.

(09/18/07 - 15 - 11:32 a.m.)

McCormack clarified that the special closed session meeting was usually held at 8:00 a.m.; however, the item needed to be added to the Regular Agenda.

(11:33 a.m.) **Motion by Manuel, seconded by Rich, carried 5/0, to amend the Regular Agenda to include the special/closed session as Item 9A.**

Rich closed the regular meeting and opened the special meeting.

9A. 11:30 AM - CLOSED SESSION - THE BOARD OF COUNTY COMMISSIONERS WILL HOLD A SPECIAL PUBLIC MEETING ON TUESDAY, SEPTEMBER 18, 2007, BEGINNING AT 11:30 A.M. IN THE COUNTY ADMINISTRATION COMPLEX LOCATED AT 4020 LEWIS SPEEDWAY, ST. AUGUSTINE, FLORIDA. THE MEETING WILL BE IN THE COUNTY AUDITORIUM. THE PURPOSE OF THE SPECIAL PUBLIC MEETING WILL BE TO ANNOUNCE

AND HOLD A SPECIAL PRIVATE ATTORNEY-CLIENT MEETING. THE SPECIAL PRIVATE ATTORNEY-CLIENT MEETING WILL BE HELD IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES, AND WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE LAWSUIT BETWEEN ST. JOHNS COUNTY V. INTERCOASTAL UTILITIES, INC., CASE NO. CA06-669, IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY. THE SPECIAL PRIVATE ATTORNEY-CLIENT MEETING WILL BE HELD IN CONFERENCE ROOM A, IN THE COUNTY ADMINISTRATION COMPLEX

Proof of publication of the notice of the private meeting of the Board of County Commissioners of St. Johns County, Florida, was received, having been published in *The St. Augustine Record* on September 13, 2007.

Rich called the special meeting to order.

Patrick McCormack, County Attorney, informed the Board that he needed advice concerning settlement negotiations and litigation expense strategy pertaining to the lawsuit between St. Johns County v. Intercoastal Utilities, Inc., Case No. CA06-669, in the Circuit Court, Seventh Judicial Circuit, in and for St. Johns County. He stated that Florida Statute 286.011 (8) allowed the Board to hold a private meeting in order to provide that advice.

Rich announced that the meeting would be held in Conference Room A and the names of the attendees: County Commissioners Rich, Sanchez, Manuel, Stevenson and Bryant; Michael D. Wanchick, County Administrator; Patrick F. McCormack, County Attorney; Michael Hunt, Assistant County Attorney; Joel Settembrini, Jr. and Court Reporter Cathy Upchurch.

(11:35 a.m.) The meeting attendees moved to Conference Room A for the closed session.

The special meeting reconvened at 12:09 p.m. and Rich announced termination of the closed attorney/client settlement meeting. He noted that the attorney would continue negotiations for the acquisition of the utility. McCormack asked for a motion from the Board.

(12:09 p.m.) Motion by Manuel, seconded by Stevenson, carried 5/0, to continue negotiations for the acquisition of the utility in order to find an appropriate price to bring back to the board at a public meeting.

(12:10 p.m.) Rich closed the Special Meeting.

(12:10 p.m.) Manuel asked Wanchick to provide a list of independent agencies and their current status to each commissioner. Wanchick suggested that the board start with the \$1.2 million dollar funding recommendation.

Rich called a break at 12:11 p.m. and reconvened at 1:30 p.m. with all five Commissioners, Wanchick, Whitehouse, and Deputy Clerk Lenora Newsome present.

(09/18/07 - 16 - 1:35 p.m.)

10. PUBLIC HEARING - PUD 2006-34, BEACHCOMBER - THIS REQUEST SEEKS TO REZONE 43.87 ACRES FROM RS-3 AND OPEN RURAL (OR), RESIDENTIAL MOBILE/MANUFACTURED HOME (RMH), AND PLANNED SPECIAL DEVELOPMENT (PSD) TO PLANNED UNIT DEVELOPMENT

(PUD). THE SITE IS LOCATED ON THE WEST SIDE OF COASTAL HIGHWAY AND 1.20 MILES NORTH FROM VILANO BRIDGE. THE PROPERTY IS CURRENTLY USED FOR 176 RV CAMPGROUND LOTS. THE PUD TEXT PROPOSES TO DEVELOP THIRTY-FOUR (34) MULTI-FAMILY HOMES, FORTY-FIVE (45) SINGLE FAMILY HOMES, AND A SEVENTY-FOUR (74) SLIP MARINA (NON-COMMERCIAL USE) AND ASSOCIATED AMENITIES. THE MULTI-FAMILY UNITS ARE PROPOSED IMMEDIATELY ADJACENT TO AND FRONTING ON A1A. THE SINGLE FAMILY UNITS ARE PROPOSED IN THE BACK OF THE DEVELOPMENT. THE AMENITIES, INCLUDING THE CLUBHOUSE, ARE PROPOSED FOR THE FAR BACK SIDE OF THE PUD. THE SITE IS ACCESSED FROM ONLY A1A BY A ROADWAY. NO ADDITIONAL ACCESS POINTS ARE PROPOSED. SIDEWALKS WILL BE PROVIDED ALONG THE NORTH SIDE OF THE INTERIOR ROADWAY. THE PLANNING AND ZONING AGENCY ON JULY 19TH, 2007, MADE A FAVORABLE RECOMMENDATION WITH THE FOLLOWING IMPOSED CONDITIONS: DOCK SIZE IS LIMITED TO A MAXIMUM 39 SLIPS AND MUST MEET THE REQUIREMENTS OF SECTION 6.08.40 OF THE LAND DEVELOPMENT CODE; APPLICANT WILL ENTER INTO FORMAL DOCUMENT DISCUSSIONS WITH REGARDS TO FINANCIAL IMPACTS WITH SCHOOL DISTRICT PRIOR TO BCC MEETING; COUNTY COUNSEL (COUNTY ATTORNEY'S OFFICE) IS TO REVIEW ANY PENDING CHALLENGES AND HOW THEY WILL IMPACT APPLICATIONS PRIOR TO BCC MEETING. THE APPLICANT HAS MET ALL REQUIREMENTS OF THESE CONDITIONS

Proof of publication of the notice of public hearing on PUD 2006-34, Beachcomber, was received, having been published in *The St. Augustine Record* on September 3, 2007.

Lindsay Haga, AICP, Chief Planner, reviewed this item, stating that it included two waiver requests; Section 7.00.02.B.2, of the Land Development Code regarding the unified signage and Section 3.09.07.B.5, the north coastal overlay district standard regarding directional ground signs. E-mails regarding this item were distributed, Exhibit A.

(1:39 p.m.) Karen Taylor, 77 Saragossa Street, spoke on the sites, utilizing the overhead projector, and displayed a site plan, (large map in the file), Exhibit B. She stated that the project had three community areas. She spoke on buffers and setbacks, and displayed pictures, Exhibit C. She discussed environmental issues and displayed architectural plans showing the narrowness of the lots, Exhibit D. She reviewed the construction techniques and density. Rich mentioned the area was surrounded by conservation land, except for one house on A1A. Taylor responded. Stevenson disclosed ex-parte on this item regarding the property being surrounded by conservation land and restoring buffers. Rich disclosed ex-parte regarding general discussions of the overall development and some of the construction materials in reference to hurricane impacts, as well as size of lots and density of the project. Manuel disclosed ex-parte conversations concerning the project, what was existing there and what was proposed to replace it. He spoke on charter memberships. Lopez stated that there was no conveyance of any rights to the real estate. Taylor spoke on proportionate share and lot values. (2:04 p.m.) Stevenson left the meeting. Bryant disclosed ex-parte communication with Taylor's team regarding current environmental impacts and how the new development improved or lessen those impacts. Sanchez disclosed ex-parte communication with the gang and had an interesting conversation. (2:05 p.m.) Bryant left the meeting.

(2:06 p.m.) Paul Sargent, 113 Carcaba Road, distributed information from Margaret Rucker, 113 Carcaba Road, in opposition to this item and read it into the record, Exhibit

E. (2:08 a.m.) Stevenson returned to the meeting. (2:09 p.m.) Bryant returned to the meeting. Sargent read information into the record in opposition to the item.

(2:14 p.m.) Mike Myers, 6460 S.E. 62nd Court, Trenton, FL, one of the RV people, distributed information, Exhibit F, asking the Board to clear up any lingering challenges, as far as lawsuits, against the Beachcomber. Rich voiced concern on where the County may stand on this issue. Whitehouse advised the County not to take a position as to whether or not such lawsuit had merit. He stated that the County might have a legal concern about whether or not there was a question about ownership of the piece of land. He stated that it was his understanding, that it was a private contract between the owner of the land at the time, and the individuals who had the ability to come and use this piece of property, or other pieces of property, that the same owner owned in the area. Discussion followed.

(2:23 p.m.) A statement in favor of this item from Richard Ornstein, 3815 Wahoo Drive, was read into the record by Manuel.

(2:24 p.m.) Vivian Browning, 30 Beach Comber Way, spoke in favor of the rezoning.

(2:27 p.m.) Rich spoke on distance between the lots. Taylor responded. Bryant stated that he was going to support this item. Manuel asked about dealing with the 35 foot height and how it would be measured. Taylor replied that it would be measured from the elevation of the lots. Discussion followed. Manuel asked about the 39 boat slips. Lopez responded. Stevenson spoke on the rezoning and erosion. Taylor responded. Discussion followed on how to measure the height and the lot size. Bishop presented the code on the height regulation.

(2:48 p.m.) **Motion by Bryant, seconded by Manuel, carried 5/0, to enact Ordinance 2007-74, known as PUD 2006-34, Beachcomber PUD adopting findings of fact 1 through 7 to support the motion.**

ORDINANCE NO. 2007-74

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

The meeting recessed at 2:49 p.m. and reconvened at 2:57 p.m.

(09/18/07 - 18 - 2:58 p.m.)

11. PUBLIC HEARING - DEVAGREE 2007-03, ESPLANADE - THIS ITEM WAS CONTINUED FROM THE AUGUST 21, 2007 MEETING TO ALLOW FOR CONTINUED NEGOTIATION AND RESOLUTION OF OUTSTANDING COMMENTS. THIS IS THE FIRST OF TWO PUBLIC HEARINGS REQUIRED FOR THE DEVELOPMENT AGREEMENT. THE SECOND PUBLIC HEARING IS SCHEDULED FOR OCTOBER 2, 2007. THE PROPOSED DEVELOPMENT AGREEMENT ADDRESSES ROADWAY CAPACITY AND IMPROVEMENTS FOR THE PROPOSED ESPLANADE COMPREHENSIVE PLAN AMENDMENT AND DRI NOTICE OF PROPOSED CHANGE TO THE SAINT JOHNS

DEVELOPMENT ORDER. THE DEVELOPER, NINE MILE LLC, HAS PROPOSED A DEVELOPMENT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED DEVELOPMENT AGREEMENT WILL SERVE AS DOCUMENTED COMMITMENT TO BUILD THE PROPOSED TRANSPORTATION FACILITIES NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENT, SPECIFICALLY, IMPROVEMENTS PROVIDING CAPACITY ON INTERNATIONAL GOLF PARKWAY AND INTERSTATE 95 RAMPS. THE PROPOSED IMPROVEMENTS INCLUDE WIDENING IGP FROM I-95 EAST RAMPS TO EASTERN MALL ENTRANCE, PROVIDING FOR TURN LANE CAPACITY WITHIN THIS SEGMENT, COMPLETING AND INTERCHANGE MODIFICATION REPORT AND COMPLETING IMPROVEMENTS IDENTIFIED UNDER THE INTERCHANGE MODIFICATION REPORT. THE APPLICANT HAS SUPPLIED A REVISED DEVELOPMENT AGREEMENT. AT THE TIME OF THIS DRAFT, THE AGREEMENT HAS NOT BEEN REVIEWED BY STAFF. THEREFORE, SEVERAL OUTSTANDING COMMENTS REMAIN UNDER THE REVIEW OF THE DEVELOPMENT AGREEMENT. REFER TO THE ATTACHED COMMENT REPORT. GENERALLY, THE OUTSTANDING COMMENTS ADDRESS COMPLIANCE WITH THE LAND DEVELOPMENT CODE REGARDING SUFFICIENT IMPROVEMENTS AND FINANCIAL FEASIBILITY. STAFF RECOMMENDS THE DEVELOPMENT AGREEMENT BE REVISED TO ADDRESS THE OUTSTANDING COMPLIANCE ISSUES AND TECHNICAL ISSUES REGARDING THE TRANSPORTATION ANALYSIS FOR THE PROPOSED PROJECT

Proof of publication of the notice of public hearing on DEVAGREE 2007-03, Esplanade, was received, having been published in *The St. Augustine Record* on September 3, 2007.

Lindsay Haga, AICP, Chief Planner, reviewed this item, stating that the applicant wished to continue this item.

(2:59 p.m.) George McClure, 81 King Street, explained why they wanted to continue this item. He asked to table this item to a date uncertain and re-advertise it at a later date. McClure spoke on bond ratings. (3:12 p.m.) **Motion by Rich, seconded by Stevenson, carried 5/0, to table this item to a date uncertain.**

(09/18/07 - 19 - 3:12 p.m.)

12. PUBLIC HEARING - NOPC 2007-02, ESPLANADE SAINT JOHNS DRI - THIS IS A NOTICE OF PROPOSED CHANGE (NOPC) TO AMEND THE SAINT JOHNS DRI DEVELOPMENT ORDER, RESOLUTION 1991-130, AS AMENDED: TO ADD 579.65 ACRES WITHIN THE NE QUADRANT OF THE PROJECT AREA, REVISE THE TRANSPORTATION CONDITIONS TO ADDRESS IMPACTS, ADD NEW CONDITIONS TO ADDRESS SCHOOL IMPACT AND ADD IN A LAND USE EXCHANGE TABLE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE NOPC 2007-02, INCLUDING ALTERNATIVE LANGUAGE TO RESOLVE OUTSTANDING ISSUES BY A VOTE OF 5/1 (WILES DISSENTING) AT THE AUGUST 16, 2007 MEETING

Proof of publication of the notice of public hearing on NOPC 2007-02, Esplanade, was received, having been published in *The St. Augustine Record* on September 3, 2007.

Motion by Manuel, seconded by Stevenson, carried 5/0, to postpone Item 12 to a time uncertain.

(09/18/07 - 20 - 3:12 p.m.)

13. PUBLIC HEARING - COMPAMD 2007-02, ESPLANADE ST JOHNS DRI - THIS IS A DRI RELATED AMENDMENT AS ALLOWED BY FLORIDA STATUTES, SECTION 380.06(16). THE AMENDMENT CONSTITUTES ONE MAP AMENDMENT AND THREE TEXT AMENDMENTS AS FOLLOWS: AMEND THE FUTURE LAND USE MAP FROM RURAL SILVACULTURE TO MIXED USE FOR 579.65 ACRES; AMEND POLICY A.1.18.3 TO ADD A MOVIE THEATER AS AN ALLOWABLE USE CITED UNDER THE SAINT JOHNS LAND USE CATEGORY; AMEND POLICY A.1.11.1.H.8.F ADDING IN THE MAXIMUM DEVELOPMENT SCENARIO FOR THE ESPLANADE PROJECT; AMEND THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE TO ADD THE PUBLIC FACILITY IMPROVEMENTS PROPOSED IN THE REVISED SAINT JOHNS DRI NOTICE OF PROPOSED CHANGE TO THE DEVELOPMENT ORDER (NOPC 2007-02), SUPPORTED BY THE PROPOSED DEVELOPMENT AGREEMENT (DEVAGREE 2007-03). THE SITE IS LOCATED IN THE NE QUADRANT OF INTERNATIONAL GOLF PARKWAY AND I-95. THE TOTAL ACREAGE OF THE PROPOSED DEVELOPMENT IS 945.56 ACRES: 579.65 ACRES SUBJECT TO FLUM AMENDMENT, PROPERTY WITHIN SAINT JOHNS DRI (338.30) AND GOLFWAY CENTRE PUD (27.61 ACRES)

Proof of publication of the notice of public hearing on COMPAMD 2007-02, Esplande at St. Johns was received, having been published in *The St. Augustine Record* on September 3, 2007.

Motion by Manuel, seconded by Sanchez, carried 5/0, to postpone Item 13 to a time uncertain.

09/18/07 - 20 - 3:13 p.m.)

COMMISSIONERS' REPORTS

Commissioner Stevenson:

No report.

(3:13 p.m.)

Commissioner Sanchez:

Sanchez stated that he would like for staff to look into what regulations the County had that governed people living around development construction; and that he would like for legal to look into the possibility of the County declaring a discount for veterans from Vietnam, World War II and the Korean War.

Sanchez stated that the Florida Association of Counties had a full story on the 18 word problem with the January 29th referendum on their website and encouraged everyone to take a look at it.

(3:16 p.m.)

Commissioner Rich:

Rich commented on the speaker from this morning's public comment, regarding agricultural land to be used by the Emergency Operation Center; and on giving exemptions to soldiers presently serving in war zones.

(3:20 p.m.)

Commissioner Manuel:

Manuel spoke on the MPO forming an outer beltway subcommittee; the presentation about the State infrastructure bank; stated that he had a copy of Governor Christ's State

budgets reduction proposal; and spoke on hosting receptions over the next couple of months for the majority leader of the House coming to St. Johns County.

(3:23 p.m.)

Commissioner Bryant:

No report.

(09/18/07 - 21 - 3:23 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick stated that the Board had directed them to prepare an item and bring it back to the Board regarding the veteran issue.

Wanchick mentioned scheduling the three charter hearing dates for October 2nd, 16th, and 23rd.

(09/18/07 - 21 - 3:23 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

Rich announced that the Board would be reconvening at 5:30 p.m. to hear a time certain issue involving Doug Timms and the adoption of the final millage rates and budget for FY 2008.

(3:24 p.m.) **Motion by Sanchez, seconded by Manuel, carried 5/0, to adjourn the meeting**

Rich reconvened the meeting at 5:35 p.m. with Rich, Manuel, Sanchez, Stevenson, Bryant, Attorney McCormack, and Deputy Clerk Pam Halterman present.

(09/18/07 - 21 - 5:35 p.m.)

14. PUBLIC HEARING - ADOPTION OF FINAL MILLAGE RATES & BUDGET FOR FY 2008 - 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 18, 5:30 PM HEARING DATE HAS BEEN NOTICED, AS REQUIRED, AND CONSTITUTES THE FINAL HEARING ON COUNTY MILLAGE RATES AND BUDGET FOR FY 2008. 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 DECREASE FOR FY 2008 IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE IS -8.4%. 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 2008

Proof of publication of the notice of public hearing on Adoption of Final Millage Rates & Budget for FY 2008 was received, having been published in *The St. Augustine Record* on September 14, 2007.

Doug Timms, Director, Office of Management & Budget, gave the PowerPoint presentation.

(The following public comments by Strohminger and Brown were voiced to the board during the morning session.)

(9:46 a.m.) Melissa Strohminger, 6325 CR 13 South, Hastings, representative for the Transitional Housing Program of the Emergency Services and Homeless Coalition, spoke about the transitional program and its positive impact in the community. She noted that they currently had sixteen adults and thirty-five children in the program. She stated that if the County did not match funds, the community would lose over \$400,000.00 for housing and services to homeless families. Stevenson stated that she supported the program which allowed families to stay together in a safe and stable environment. Bryant asked about the grant monies they had received. Strohminger advised that they had received HUD and DCF monies for several years but they were required to have local match. Bryant said the County lacked transitional housing which was desperately needed in the Community. Strohminger stated that they had been in communications with the City in an effort to obtain additional housing and funds. Bryant acknowledged the Coalition's effort with transforming the West Augustine neighborhood. Strohminger said the recommendation to not fund the program was like a rug being pulled out from under their feet. Rich attempted to explain staff's funding recommendation. He said he supported the Administrators' recommended grant from the HHSAC funding at \$86,000.00, and he questioned whether that would meet their matching fund requirement. Strohminger affirmed that to be correct. In response to an inquiry, Strohminger noted that the average stay totaled thirteen months.

(9:59 a.m.) Donald Brown spoke about the Homeless Coalition funding and explained his current situation and how the Coalition had assisted him and his family.

(5:36 p.m.) Jean Harden, 405 Caesarea Circle, member of the Board of Directors, Emergency Services and Homeless Coalition, spoke on the need for County funds. She advised that they had only received a small State grant but no funding from the County. She asked that the board reject staff's recommendation to eliminate funding to the Homeless Coalition and accept the HHSAC recommendation for full funding for the transitional housing program. Bryant suggested that funding levels between agencies should be handled with more funds going to larger agencies. He stated that the City of St. Augustine should provide funding to the St. Francis House because it was located within city limits. Rich stated that he would support the HHSAC recommendation of \$86,290.00 to the Homeless Coalition Agency. Stevenson voiced that the Homeless Coalition was very important because they attempted to keep families together.

(5:46 p.m.) Gerald Nielsen, 297 Ivy Lakes Drive, Jacksonville, spoke about the Active Kids Tax. He noted that the proposal involved a fee of \$10.00 per participant in active field sports. He suggested that it was a disincentive to charge a fee for sports. Manuel asked Blevins to approach the podium and explain the fee to the public.

(5:52 p.m.) Troy Blevins, Director of Parks and Recreation, advised that the fee involved hardly paid for supplies such as chalk, paint, etc. He noted that County-wide

collections totaled approximately \$200,000.00 annually. He pointed out that other County Associations paid a rental fee per field which was significantly higher than the proposed fee rate. In response to an inquiry, Blevins advised that only the Ponte Vedra Athletic Association paid fees. Manuel stated that he would support eliminating the fee in Ponte Vedra and charge the \$10.00 fee to all County athletic associations.

(5:56 p.m.) Timms continued with his presentation of the proposed budget and publicly announced that the taxing authority was St. Johns County with a roll-back rate of 6.5786 mills and a percentage decrease in property taxes from the roll-back rate at 8.37 percent, and the aggregate millage rate was 6.0282 mills.

(5:57 p.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to adopt Resolution 2007-269, resolve that the final millage rate was hereby set by the Board of County Commissioners of St. Johns County, Florida for all property in St. Johns County as of January 1, 2007.**

RESOLUTION NO. 2007-269

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, 2007.

General Fund	4.2214
County Transportation Trust Fund	.7652
County Health Unit Trust Fund	.0171
Fire District, County-wide	1.0954
Except City of St. Augustine	
Vilano Street Lighting District	.0114
St. Augustine South Street	.1328
Lighting District	
Summerhaven M.S.T.U.	10.0000
AGGREGATE MILLAGE RATE	6.0282
Rolled-back Rate	6.5786
Percentage decrease in Property Taxes from rolled-back rate:	-8.37%

(5:58 p.m.) After comments by Timms, Stevenson noted that getting money back from the Sheriff increased the total budget which would provide more resources for the next year. Timms continued with his presentation offering highlights of the budget.

(09/18/07 - 23 - 6:01 p.m.)

Stevenson noted that much discussion had occurred regarding high reserve amounts, and she asked Timms to address the matter. Timms noted that an increase of \$14 million in reserves was expected due to reform, and he suggested that the General Fund reserves would help in future years. Manuel recalled that he had mentioned funding for agencies and said the Salvation Army needed to be fully funded along with an increase of \$20,000.00 to Council on Aging, \$50,000.00 increase given to Betty Griffin House, an increase of \$30,000.00 to EPIC and eliminate funding for the Police Athletic Association which would result in a total impact of approximately \$100,000.00. Bryant stated that the mentioned agencies were essential and funding was necessary for the most vulnerable people in the community and he supported Manuel's suggested increases. However, he noted that he would vote in opposition to the budget due to public safety being overlooked and not saving residents' money. Rich asked for clarification with where the funds would be taken from. Bryant suggested that the money come from reserves. Stevenson noted that it would be an \$88,000.00 increase in funds to those agencies. Manuel reiterated the following total funding amounts:

Salvation Army \$75,000.00, COA \$20,000.00 increase, Betty Griffin House \$50,000.00 increase, EPIC \$30,000.00 increase. He clarified that he would not want to fund new agencies because of decreases to existing agencies. Rich asked for the final impact to the budget. Timms noted that a total increase of \$87,682.00 would be deducted from the General Reserve account. Rich voiced that he had a concern about the message the board was sending to the volunteers at the HHSAC and the hard work they had completed prior to providing their recommendations. He voiced that he would prefer that the board handle the funding issue after the FY08 cycle started and after the January election. Sanchez said the board had directed the administrator and staff to review funding for all agencies and it was not necessary for the board to micromanage funding for the agencies. He suggested that the board retain the current funding for all agencies. Bryant pointed out that Manuel added to Wanchick's recommended figures. Stevenson said she understood Sanchez' comments and she was disappointed with the 2007 process which resulted in inequitable outcomes. Sanchez suggested that administration needed to establish a process to rate the organizations. He finished by saying he was not comfortable with Manuel's suggested changes. Rich stated that if the board overruled the HHSAC's recommendations it should be disbanded. Bryant explained that the HHSAC had already developed a process for agencies and funding was based on the level of service being provided by the agencies. Manuel said Wanchick had assured him that staff would meet with independent agencies and the HHSAC. He pointed out that the board did not permit recommendations to come forward but predetermined funding levels at \$900,000.00, \$1.2 million and \$1.5 million dollars.

(6:29 p.m.) Motion by Manuel, seconded by Bryant, to increase funding by \$38,250.00 to the Salvation Army Food Bank, \$ 20,000.00 to the Council on Aging, \$50,000.00 to the Betty Griffin House, \$30,000.00 to EPIC Community Services and no money to the Historic St. Johns County Police Athletic League for a total of roughly \$87,000.00.

(6:30 p.m.) Sanchez asked for clarification regarding the numerous forms before the board. Manuel stated that the funding was approximately \$1.2 million and represented more than a 10% cut in the current years' funding which was inequitable. After some discussion between board members, Manuel said the board was within the bounds suggested by the HHSAC. Rich expressed and apologized to the HHSAC because the board was not following their recommendations for agency funding. He asked for a roll call vote.

(6:35 p.m.) McCormack pointed out that public comment was required prior to calling the vote.

(6:35 p.m.) Beth Hughes, Betty Griffin House, speaking to Commissioner Rich specifically, stated that the HHSAC had recommended \$1.5 million funding to the BCC.

(6:37 p.m.) McCormack asked for clarification on the motion in which Manuel restated his motion. Wanchick affirmed with the board that the motion pertained to the memo dated August 15, 2007 which had been modified by Manuel. After additional clarification between board members, Rich called for the roll call vote.

(6:39 p.m.)

Rich: aye

Manuel: aye

Bryant: aye

Stevenson: aye

Sanchez: aye

The motion carried 5/0.

(6:41 p.m.) Motion by Manuel, seconded by Stevenson, carried 4/1, Bryant opposed, to adopt Resolution 2007- 270, resolve that the following fiscal year 2008 final budget of the Board of County Commissioners of St. Johns County, Florida, developed using the certified taxable value of \$24,604,575,529.00 generating an estimated \$148,320,801.00 in taxes was hereby adopted resulting in total budget of \$707,085,849.00.

Rich thanked the Board for the hard work the members had completed during the budget process.

RESOLUTION NO. 2007-270

RESOLVED, THAT THE FOLLOWING FISCAL YEAR 2008 FINAL BUDGET OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DEVELOPED USING THE CERTIFIED TAXABLE VALUE OF \$24,604,575,529, GENERATING AN ESTIMATED \$148,320,801 IN TAXES, IS HEREBY ADOPTED, RESULTING IN A TOTAL BUDGET OF \$707,085,849 AS FOLLOWS:

General Fund	\$178,144,453
Special Revenue Funds	
County Health Unit Trust Fund	\$471,474
Court Facilities Trust Fund	\$3,633,460
Building Services Fund	\$6,047,458
Law Enforcement Trust Fund	\$115,833
State Housing Init. Partnership (SHIP)	\$4,775,275
Fund	
Mental Health Fund	\$4,895,550
Community Based Care Fund	\$4,636,373
Utility Authority Fund	\$396,832
County Transportation Trust Fund	\$56,762,621
Beach Services Fund	\$1,828,001
County Pier Fund	\$210,906
Tourist Development Tax Fund	\$7,440,089
Amphitheater Operations Fund	\$2,613,995
Tree Bank Fund	\$2,339,533
Alcohol & Drug Abuse Trust Fund	\$27,124
Communications Surcharge Fund	\$1,060,496
Choose Life License Fund	\$18,025
Driver's Safety Education Fund	\$261,286
West Augustine CRA Fund	\$2,715,107
Flagler Estates CRA Fund	\$4,129,927
Vilano Beach CRA Fund	\$4,714,814
Florida Boating Improvement Fund	\$910,048
Housing Abatement Fund	\$89,112
Impact Fee Funds	\$39,605,246
Florida Arts License Plate Fund	\$13,984
Davis Park Fund	\$194,283
E-911 Communications Fund	\$1,345,357
Fire District Fund	\$38,408,970
Sidewalk Mitigation Fund	\$63,220
World Commerce Center DRI Fund	\$55,537
Vilano Street Lighting District Fund	\$17,555
Elkton Drainage District Fund	\$55,321
St. Augustine South Lighting District	\$40,462
Fund	
Treasure Beach M.S.B.U. Fund	\$4,612

	C. H. Arnold Road M.S.B.U. Fund	\$18,257
	Deerwood Lane M.S.B.U. Fund	\$10,243
	Rusty Anchor/Wendover Rd. M.S.B.U.	\$1,520
Fund		
	Summerhaven M.S.T.U. Fund	\$164,799
	Northwest Tower Fund	\$158,674
	Crimes Prevention Trust Fund	\$80,035
	Court Innovation Fund	\$196,221
	Court Technology Fund	\$3,774,871
	Juvenile Alternative Programs Fund	\$61,005
	Legal Aid Fund	\$301,771
	Law Library Fund	\$101,424
Debt Service Funds		
	03 Transportation Improvement Debt	\$2,096,168
Service		
	06 Transportation Improvement Debt	\$1,833,888
Service		
	Refunded Courthouse Debt Service	\$1,530,361
Fund		
	Ponte Vedra MSD Sewer Debt Service	\$1,714,814
Fund		
	Commercial Paper Debt Service Fund	\$5,838,330
	04 Sales Tax Bonds Debt Service	\$2,099,362
Fund		
	06 Sales Tax Bonds Debt Service Fund	\$2,989,550
	GE Capital Debt Service Fund	\$163,317
	Fannie Mae Loan Debt Service Fund	\$1,354,179
	04 Flagler Estates CRA Debt Service	\$559,800
Fund		
	05 Revenue Sharing Debt Service Fund	\$1,249,873
Capital Improvement Funds		
	Northwest Road Project Fund	\$6,241,009
	Park Projects Fund	\$2,382,861
	Beach Re-Nourishment Fund	\$2,138,088
	N. Holmes Blvd. Fund	\$1,709,518
	Fair Share Transportation Projects	\$2,904,179
Fund		
	03 Bond Transportation Projects Fund	\$1,285,592
	04 Sales Tax Bond Projects Fund	\$1,217,426
	Southeast Annex Construction Fund	\$1,759,149
	Transit System Capital Project Fund	\$1,368,191
	05 Revenue Sharing Projects Fund	\$13,709,549
	06 Bond Transportation Projects Fund	\$28,326,541
	06 Sales Tax Bond Projects Fund	\$36,339,206
Enterprise Funds		
	Solid Waste Fund	\$30,491,950
	St. Johns County Utility Services Fund	\$142,282,921
	Convention Center Fund	\$2,686,144
	St. Johns County Golf Course Fund	\$2,876,711
	Ponte Vedra Utility Fund	\$10,272,514
Internal Service Funds		
	Worker Compensation Fund	\$4,810,736
	Group Health Insurance Fund	\$19,806,753
	F.S.A – Medical	\$96,000
	F.S.A – Dependent	\$40,010

Rich called a break at 6:43 p.m. and reconvened the meeting at 6:52 p.m.

(09/18/07 - 27 - 6:52 p.m.)

15. PUBLIC HEARING - 2ND PUBLIC HEARING TO CONSIDER EXTENSION OF SUMMER HAVEN BUILDING PERMIT MORATORIUM ORDINANCE - ORDINANCE NO. 2005-85 WAS ENACTED BY THE BOARD ON SEPT. 13, 2005. FOR THE PROTECTION OF PUBLIC HEALTH, SAFETY, AND WELFARE, THE ORDINANCE IMPOSED A TEMPORARY MORATORIUM ON ISSUANCE OF BUILDING PERMITS IN THE SUMMER HAVEN AREA, WITH CERTAIN LIMITED EXCEPTIONS. THE TEMPORARY MORATORIUM WAS EXTENDED BY THE BOARD'S ENACTMENT OF ORDINANCE NO. 2006-114 ON SEPTEMBER 26, 2006, AND WILL EXPIRE ON SEPT. 30, 2007 IF NOT EXTENDED AGAIN. IN ADDITION TO CONSIDERING WHETHER TO EXTEND THE MORATORIUM AS IS, THE BOARD MAY ALSO CONSIDER OTHER OPTIONS, INCLUDING BUT NOT LIMITED TO AMENDING THE ORDINANCE, ALLOWING IT TO EXPIRE, AND ANY OTHER OPTIONS AVAILABLE. THE 1ST PUBLIC HEARING WAS SEPTEMBER 4, 2007. THE MATTER WILL BE PRESENTED TO THE PZA ON SEPTEMBER 6, 2007

Proof of publication of the notice of public hearing on the Summer Haven building permit moratorium was received, having been published in *The St. Augustine Record* on August 24, 2007 and September 10, 2007.

Patrick McCormack, County Attorney, gave the presentation. He noted that much activity concerning the Summer Haven case had happened during the past two weeks. He reviewed the changes to the draft resolution.

(6:56 p.m.) Rich said he was concerned with the length of time of the moratorium. McCormack recommended that the one year could be adjusted at a ninety-day report to the BCC. He pointed out that changes had been made to Section three, page three of the ordinance which allowed construction of buildings but not buildings that functioned as dwelling units.

(6:57 p.m.) **Motion by Stevenson, seconded by Manuel, carried 4/0, Bryant absent, to enact Ordinance No. 2007-75, extending (and modifying) a moratorium on building permits within a portion of the particular area of St. Johns County known as Summer Haven (Blocks 3-65); making findings of fact; providing for exclusions to the moratorium; providing related regulations, and establishing an effective date and an expiration date.**

ORDINANCE NO. 2007-75

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA,
EXTENDING A MORATORIUM ON BUILDING
PERMITS WITHIN A PORTION OF THE PARTICULAR
AREA OF ST. JOHNS COUNTY KNOWN AS SUMMER
HAVEN (BLOCKS 3 THROUGH 65); MAKING
FINDINGS OF FACT; PROVIDING FOR EXCLUSIONS
TO THE MORATORIUM; PROVIDING RELATED
REGULATIONS; AND ESTABLISHING AN EFFECTIVE
DATE AND AN EXPIRATION DATE**

With there being no further business to come before the Board, the meeting adjourned at 6:58 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check number 407175 through 407552, totaling \$2,102,500.52 (08/28/07)
2. St. Johns County Board of County Commissioners Check Register, Check number 407553 through 407576, totaling \$38,269.91 (08/30/07)
3. St. Johns County Board of County Commissioners Check Register, Check number 407578 through 407931, totaling \$1,934,081.98 (09/04/07)
4. St. Johns County Board of County Commissioners Check Register, Check number 407934 through 407939, totaling \$179,115.09 (09/05/07)

CORRESPONDENCE:

1. Letter dated September 7, 2007 to Liz Cloud, Program Administrator, Department of State, filing St. Johns County Ordinances Number 2007-68 and 2007-69

Approved October 16, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK
By: Wannae King
Deputy Clerk

