

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
OCTOBER 30, 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
Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

(10/30/07 - 1 - 9:00 a.m.)
CALL TO ORDER

Rich called the meeting to order.

(10/30/07 - 1 - 9:01 a.m.)
ROLL CALL

Rich stated that all five commissioners were present.

(10/30/07 - 1 - 9:02 a.m.)
Bryant gave the invocation and Manuel led the pledge of Allegiance.

(10/30/07 - 1 - 9:03 a.m.)
SPECIAL RECOGNITION OF RAY KEMMAN BY BOB PETERS, PERSONNEL SERVICE DIRECTOR

Darrell Locklear, Assistant County Administrator, stated that they were recognizing an individual who brought continuity to the County.

(9:05 a.m.) Bill Young, Utility Director, stated that it was his honor to recognize Ray Kemman, who was retiring tomorrow, presenting him with a rocking chair.

(10/30/07 - 1 - 9:09 a.m.)
PROCLAMATION DATING NOVEMBER 11, 2007 AS VETERAN'S DAY

Manuel read the proclamation in special recognition of the St. Johns County Veterans' Office by Kenneth Thie, with Ed Taylor accepting it. Rich responded.

(9:15 a.m.) Kenneth Thie, Director of VAW State Service Offices, presented an award and (plaque) announced that St. Johns County received the Veterans' Service Office of the Year award. Wanchick mentioned that they would bring the veterans' issue, back to the Board on November 13th. Thie reminded everyone to come out and celebrate Veterans' Day with

them on November 11th at 10:00 a.m. at the Fort and on November 12th for the dedication of Veterans' Parkway. He thanked Dennis Hollingsworth, Tax Collector, for having special license plates (available in November) in honor of veterans.

(10/30/07 - 2 - 9:28 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Bryant, seconded by Manuel, carried 5/0, to accept the Proclamation as presented.

(10/30/07 - 2 - 9:28 a.m.)

DELETIONS TO CONSENT AGENDA

McCormack requested that Consent Item 8 be pulled and placed on the Regular Agenda as Item 14a.

(10/30/07 - 2 - 9:29 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Minutes:
10/02/07 - BCC Regular Meeting
3. Motion to adopt **Resolution No. 2007-307**, approving the terms, provisions, conditions and requirements of an amendment to the Economic Development Grant Agreement, to conform with requirements in the original agreement, between St. Johns County and Burkhardt Distributing Company; and authorizing the county administrator to execute the amended agreement on behalf of St. Johns County

RESOLUTION NO. 2007-307

A RESOLUTION BY 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 BURKHARDT DISTRIBUTING COMPANY, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDED AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

4. Motion to approve the payment of \$589,769.71 to the Florida State Retirement System, pursuant to Chapter 121.0515 (9)(a) F.S., to address retirement contribution short falls for Fire Rescue
5. Motion to adopt **Resolution No. 2007-308**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for Alpine Groves Fishing Pier Phase I; and authorizing the county administrator to execute the contract on behalf of the County

RESOLUTION NO. 2007-308

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR PHASE I, DESIGN, ENGINEERING AND PERMITTING FOR THE ALPINE GROVES FISHING PIER; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

6. Motion to adopt **Resolution No. 2007-309**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for Shore Drive Boat Ramp Phase II; and authorizing the county administrator to execute the contract on behalf of the County

RESOLUTION NO. 2007-309

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR PHASE II, CONSTRUCTION OF THE SHORE DRIVE BOAT RAMP AND IMPROVEMENTS; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

7. Motion to adopt **Resolution No. 2007-310**, approving the terms, conditions, provisions and requirements of a Grant Contract between the Florida Inland Navigation District and St. Johns County, Florida, for Frank Butler Park West Phase II; and authorizing the county administrator to execute the contract on behalf of the County

RESOLUTION NO. 2007-310

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A GRANT CONTRACT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT FOR PHASE II, CONSTRUCTION OF THE FRANK BUTLER WEST PARK IMPROVEMENTS, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

8. Motion to adopt a resolution approving the final plat for Villas of Casa Bay
This item was pulled off the Consent Agenda and placed on the Regular Agenda as Item 14a.

9. Motion to adopt **Resolution No. 2007-311**, approving the final plat for Ashley Oaks

RESOLUTION NO. 2007-311

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

10. Motion to adopt **Resolution No. 2007-312**, approving a Partial Release of Easement for the unneeded portion of a Temporary Access Easement to an existing telecommunication site in the Ashley Oaks Subdivision; and authorizing the county administrator to execute said release on behalf of St. Johns County

RESOLUTION NO. 2007-312

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A PARTIAL RELEASE OF EASEMENT IN THE ASHLEY OAKS SUBDIVISION AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID RELEASE

11. Motion to adopt **Resolution No. 2007-313**, approving the final plat for Villa Sovana

RESOLUTION NO. 2007-313

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

12. Motion to adopt **Resolution No. 2007-314**, authorizing the Chairman of the Board to execute the affidavit approving the sale of six (6) affordable home program lots from "The Housing League, Inc." (seller) to "Pennyworth Homes, Inc." (buyer), with the acceptance of the obligations of the original deed restrictions

RESOLUTION NO. 2007-314

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AN AFFIDAVIT AUTHORIZING THE TRANSFER OF SIX LOTS WITH SPECIFIC DEED RESTRICTIONS DESIGNATED FOR AFFORDABLE HOUSING. THE ORIGINAL DEED RESTRICTION WILL REMAIN IN PLACE FOR THE NEW OWNER, WHO IS AN APPROVED BUILDING CONTRACTOR IN THE AFFORDABLE HOUSING PROGRAM

13. Motion to adopt **Resolution No. 2007-315**, authorizing the Chairman of the Board to execute the County Deed and mobile home title (after title is delivered) as a donation to St. Johns Housing Partnership, recognizing the public purpose in providing affordable housing

RESOLUTION NO. 2007-315

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE A COUNTY DEED AND MOBILE HOME TITLE FOR DONATION OF A 2004 CHAMPION MOBILE HOME AND A PARCEL OF PROPERTY TO ST. JOHNS HOUSING PARTNERSHIP. A DEED RESTRICTION THAT THE MOBILE HOME AND LAND BE USED AS A FACILITY TO SERVE THE LOW INCOME ELDERLY AND/OR DISABLED AS A RESIDENTIAL RENTAL UNIT. IF COMPLIANCE OF THE DEED RESTRICTION IS NOT MET BY THE ST. JOHNS HOUSING PARTNERSHIP THE MOBILE HOME AND LAND WOULD REVERT BACK TO ST. JOHNS COUNTY

14. Motion to adopt **Resolution No. 2007-316**, authorizing the Chairman of the Board to execute the County Deed transferring six lots to Habitat for Humanity, St. Augustine/St. Johns County, for construction of affordable housing

RESOLUTION NO. 2007-316

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE A COUNTY DEED DONATING SIX LOTS TO THE "HABITAT FOR HUMANITY, ST. AUGUSTINE/ST. JOHNS COUNTY" FOR THE PURPOSE OF CONSTRUCTING AFFORDABLE HOUSING FOR QUALIFIED FAMILIES. THE LOTS WILL BE CONVEYED WITH A DEED RESTRICTION THAT THE LOTS WOULD REVERT BACK TO ST. JOHNS COUNTY IF THE RESTRICTIONS ARE NOT MET BY THE "HABITAT FOR HUMANITY, ST. AUGUSTINE/ST. JOHNS COUNTY"

15. Motion to adopt **Resolution No. 2007-317**, accepting a donation of property located on Shands Pier Road (known as the Old Shands Bridge Head) from the State of Florida Department of Transportation, and certifying that the property will be used for public service purposes only

RESOLUTION NO. 2007-317

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DONATION OF PROPERTY LOCATED ON SHANDS PIER ROAD KNOWN AS THE OLD SHANDS BRIDGE HEAD FROM THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION AND CERTIFYING THAT THE PROPERTY WILL BE USED FOR PUBLIC SERVICE PURPOSES ONLY

16. Motion to adopt **Resolution No. 2007-318**, accepting an Easement for Utilities for water and sewer service to Sea Pines II Subdivision

RESOLUTION NO. 2007-318

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO SEA PINES II SUBDIVISION

17. Motion to adopt **Resolution No. 2007-319**, approving the transfer of a pond site on SR 207 owned by the State of Florida Department of Transportation, by Quit Claim Deed to help with drainage for Rolling Hills Drive improvements; and authorizing the Chair to execute a Perpetual Easement and an Agreement for Maintenance to the State of Florida Department of Transportation over the pond site

RESOLUTION NO. 2007-319

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TRANSFER OF A POND SITE ON SR 207 OWNED BY STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION BY QUIT CLAIM DEED TO HELP WITH DRAINAGE FOR ROLLING HILLS DRIVE IMPROVEMENTS AND AUTHORIZING THE CHAIR TO EXECUTE A PERPETUAL EASEMENT AND AN AGREEMENT FOR MAINTENANCE TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, OVER THE POND SITE

18. Motion to adopt **Resolution No. 2007-320**, approving the terms of a Hold Harmless Agreement between St. Johns County and Villages of Valencia Homeowners Association, Inc.; and authorizing the county administrator to execute the Agreement on behalf of the County

RESOLUTION NO. 2007-320

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A HOLD HARMLESS AGREEMENT BETWEEN ST. JOHNS COUNTY AND VILLAGES OF VALENCIA HOMEOWNERS ASSOCIATION; INC. AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

19. Motion to adopt **Resolution No. 2007-321**, approving the terms of and authorizing the county administrator to execute, a Purchase and Sale Agreement for property needed for the Federal Point Road Bridge Replacement

RESOLUTION NO. 2007-321

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 NEEDED FOR THE FEDERAL POINT ROAD BRIDGE REPLACEMENT

20. Motion to adopt **Resolution No. 2007-322**, 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. 2007-322

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 SERVICE CENTER

21. Motion to adopt **Resolution No. 2007-323**, authorizing the county administrator to execute the 1st Amendment to Lease Agreement on behalf of the County between Henmar Properties, L.L.C., a Florida Limited Liability Company, for rental space for Guardian Ad Litem and staff

RESOLUTION NO. 2007-323

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE 1ST AMENDMENT TO LEASE AGREEMENT ON BEHALF OF THE COUNTY BETWEEN HENMAR PROPERTIES, L.L.C., A FLORIDA LIMITED LIABILITY COMPANY, FOR RENTAL SPACE FOR GUARDIAN AD LITEM AND STAFF

22. Motion to adopt **Resolution No. 2007-324**, approving the terms of, and authorizing the county administrator to execute, the Lease Agreement from the Town of Hastings to St. Johns County Mental Health Drop-in Clinic

RESOLUTION NO. 2007-324

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING THE TERMS OF A LEASE FROM THE TOWN OF HASTINGS TO ST. JOHNS COUNTY FOR THE ST. JOHNS COUNTY MENTAL HEALTH DROP IN CLINIC; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID LEASE

23. Motion to adopt **Resolution No. 2007-325**, recognizing unanticipated revenue in the amount of \$107,295.51 from the State of Florida, Department of Children and Families, and adjusting the appropriate expenditure line item by the same amount

RESOLUTION NO. 2007-325

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2008 COMMUNITY BASED CARE FUND, IN ORDER TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS

**EXPENDITURE BY ST. JOHNS COUNTY COMMUNITY
BASED CARE**

24. Motion to adopt **Resolution No. 2007-326**, accepting the terms of the agreement between St. Johns County Board of County Commissioners and Dr. Sherry Risch; and authorizing the county administrator to execute the agreement on behalf of the County

RESOLUTION NO. 2007-326

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE AGREEMENT BETWEEN ST. JOHNS
COUNTY AND DR. SHERRY RISCH**

25. Motion to adopt **Resolution No. 2007-327**, accepting the terms of the agreement between St. Johns County Board of County Commissioners and Stewart-Marchman Center; and authorizing the county administrator to execute the Amendment on behalf of the County

RESOLUTION NO. 2007-327

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE AGREEMENT BETWEEN ST. JOHNS
COUNTY AND STEWART-MARCHMAN CENTER**

26. Motion to adopt **Resolution No. 2007-328**, accepting the terms of the agreement between St. Johns County Board of County Commissioners and Dr. Steven P. Dingfelder & Associates; and authorizing the County Administrator to execute the agreement on behalf of the County

RESOLUTION NO. 2007-328

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE AGREEMENT BETWEEN ST. JOHNS
COUNTY AND DR. STEVEN P. DINGFELDER &
ASSOCIATES**

27. Motion to adopt **Resolution No. 2007-329**, accepting the terms of the agreement between St. Johns County Board of County Commissioners and Psychological Services of St. Augustine; and authorizing the county administrator to execute the agreement on behalf of the County

RESOLUTION NO. 2007-329

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE AGREEMENT BETWEEN ST. JOHNS
COUNTY AND PSYCHOLOGICAL SERVICE OF ST.
AUGUSTINE**

28. Motion to adopt **Resolution No. 2007-330**, approving a contract between St. Johns County and St. Gerard Campus for Choose Life License Plate Funds (as

recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-330

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

29. Motion to adopt **Resolution No. 2007-331**, approving a contract between St. Johns County and Project Special Care (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-331

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

30. Motion to adopt **Resolution No. 2007-332**, approving a contract between St. Johns County and Kids Bridge (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-332

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 KIDS BRIDGE, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

31. Motion to adopt **Resolution No. 2007-333**, approving a contract between St. Johns County and St. Francis House (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-333

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. FRANCIS
HOUSE AND AUTHORIZING THE CHAIR OF THE
BOARD OF COUNTY COMMISSIONERS TO EXECUTE
THE AGREEMENT ON BEHALF OF THE COUNTY**

32. Motion to adopt **Resolution No. 2007-334**, approving a contract between St. Johns County and the St. Johns Housing Partnership (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-334

**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**

33. Motion to adopt **Resolution No. 2007-335**, approving a contract between St. Johns County and Learn to Read (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-335

**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**

34. Motion to adopt **Resolution No. 2007-336**, approving a contract between St. Johns County and The Early Learning Coalition of Putnam and St. Johns Counties (as recommended by the St. Johns County Health and Human Services Advisory Council) and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-336

**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 EARLY
LEARNING COALITION OF PUTNAM AND ST. JOHNS
COUNTIES, INC., AND AUTHORIZING THE CHAIR OF**

THE COUNTY COMMISSIONERS TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY

35. Motion to adopt **Resolution No. 2007-337**, approving a contract between St. Johns County and The St. Johns County Council on Aging (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-337

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; AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

36. Motion to adopt **Resolution No. 2007-338**, approving a contract between St. Johns County and The Children's Home Society (as recommended by the St. Johns County Health and Human Services Advisory Council); and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-338

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

37. Motion to adopt **Resolution No. 2007-339**, approving a contract between St. Johns County and the Safety Shelter/Betty Griffin House (as recommended by the St. Johns County Health and Human Services Advisory Council) and authorizing the BCC Chair to execute the contract on behalf of St. Johns County

RESOLUTION NO. 2007-339

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 SAFETY SHELTER OF ST. JOHNS COUNTY DBA BETTY GRIFFIN HOUSE AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

38. Motion to approve transfer of \$2,512.73 from [0083-59934] Emergency Medical Services Salary Adjustment Reserve to the appropriate salary (51200-\$2,116.52) and benefits (52100, 52200, 52400-\$396.21) line items within the department
39. Motion to reject the proposal from the No. 1 ranked firm, PBS&J, and authorize the county administrator, or his designee, to negotiate with and enter into contract with the No. 2 ranked firm: Applied Technology & Management. If an agreement cannot be reached with the No. 2 ranked firm, the county administrator, or his designee, is authorized to terminate negotiations and begin negotiations with the next ranked firm, and continue until an agreement is reached with one firm; and motion to approve the transfer of \$40,000 from the General Fund Reserves to fund the feasibility study
40. Proofs:
- a. Proof, Notice to Bidders, RFQ No. 08-05
 - b. Proof, Notice of Meeting, Private Meeting of the St. Johns County Board of County Commissioners, Tuesday, September 18, 2007 at 11:30 a.m.
 - c. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Amending Ordinance 2005-101, Tuesday, September 18, 2007
 - d. Proof, Notice of Meetings, St. Johns County Board of County Commissioners, Extending Ordinance 2006-114, Tuesday, September 4, 2007 at 9:00 a.m. and Tuesday, September 18, 2007 at 5:30 p.m.
 - e. Proof, Notice to Bidders, RFP No. 08-12
 - f. Proof, Notice to Bidders, Bid No. 08-07
 - g. Proof, Notice to Bidders, Bid No. 08-13
 - h. Proof, Notice of Meeting, St. Johns County Board of County Commissioners and St. Johns County Community Redevelopment Agency, Tuesday, September 18, 2007
 - i. Proof, Notice to Bidders, Bid No. 08-18
 - j. Proof, Notice to Bidders, Bid No. 08-26
 - k. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, District 5 Public Workshop, Thursday, October 11, 2007 (*St. Johns Recorder*)
 - l. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, District 5 Public Workshop, Thursday, October 11, 2007 (*Ponte Vedra Recorder*)
 - m. Proof, Notice of Public Hearings, Corrected Notice, St. Johns County Board of County Commissioners, establishment of ordinance/regulations affecting the use of land, Tuesday, October 2, 2007 at 5:30 p.m. and Tuesday, October 30, 2007 at 9:00 a.m. (*St. Johns Recorder*)
 - n. Proof, Notice of Public Hearings, Corrected Notice, St. Johns County Board of County Commissioners, establishment of ordinance/regulations affecting the use of land, Tuesday, October 2, 2007 at 5:30 p.m. and Tuesday, October 30, 2007 at 9:00 a.m. (*Ponte Vedra Recorder*)
 - o. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Amending Ordinance 2005-101, Tuesday, September 18, 2007 (*St. Johns Recorder*)
 - p. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Amending Ordinance 2005-101, Tuesday, September 18, 2007 (*Ponte Vedra Recorder*)
 - q. Proof, Notice of Meeting, Private Meeting of the St. Johns County Board of County Commissioners, Tuesday, September 18, 2007 at 11:30 a.m. (*St. Johns Recorder*)
 - r. Proof, Notice of Meeting, St. Johns County Board of County Commissioners and St. Johns County Community Redevelopment Agency, Tuesday, September 18, 2007 (*Ponte Vedra Recorder*)

- s. Proof, Notice of Meeting, Private Meeting of the St. Johns County Board of County Commissioners, Tuesday, September 18, 2007 at 11:30 a.m. (*Ponte Vedra Recorder*)
- t. Proof, Notice of Special Meeting, St. Johns County Board of County Commissioners, Meeting with Congressman John L. Mica, Thursday, August 16, 2007 at 8:15 a.m. (*Ponte Vedra Recorder*)
- u. Proof, Notice of Special Meeting, St. Johns County Board of County Commissioners, Meeting with Congressman John L. Mica, Thursday, August 16, 2007 at 8:15 a.m. (*St. Johns Recorder*)
- v. Proof, Notice of Meeting, St. Johns County and Putnam County Administrative Staff, Conflict Assessment, Wednesday, August 29, 2007 at 1:00 p.m. (*Ponte Vedra Recorder*)
- w. Proof, Notice of Meeting, St. Johns County and Putnam County Administrative Staff, Conflict Assessment, Wednesday, August 29, 2007 at 1:00 p.m. (*St. Johns Recorder*)
- x. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, District 4 Public Workshop, Wednesday, September 12, 2007 (*Ponte Vedra Recorder*)
- y. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, District 4 Public Workshop, Wednesday, September 12, 2007 (*St. Johns Recorder*)
- z. Proof, Notice of Meetings, St. Johns County Board of County Commissioners, Extending Ordinance 2006-114, Tuesday, September 4, 2007 at 9:00 a.m. and Tuesday, September 18, 2007 at 5:30 p.m. (*Ponte Vedra Recorder*)
- aa. Proof, Notice of Meetings, St. Johns County Board of County Commissioners, Extending Ordinance 2006-114, Tuesday, September 4, 2007 at 9:00 a.m. and Tuesday, September 18, 2007 at 5:30 p.m. (*St. Johns Recorder*)
- bb. Proof, Notice of Meeting, St. Johns County Board of County Commissioners and St. Johns County School Board, Joint Special Meeting, Thursday, September 27, 2007 at 9:00 a.m. (*Ponte Vedra Recorder and St. Johns Recorder*)
- cc. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, GASB 45 concerning "Other Post-Employment Benefits," Tuesday, September 11, 2007 at 10:30 a.m. (*Ponte Vedra Recorder*)
- dd. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, GASB 45 concerning "Other Post-Employment Benefits," Tuesday, September 11, 2007 at 10:30 a.m. (*St. Johns Recorder*)
- ee. Proof, Notice to Bidders, Bid No. 08-14
- ff. Proof, Notice to Bidders, RFP 07-107A
- gg. Proof, Notice to Bidders, RFQ No. 07-116R
- hh. Proof, Notice of Bidders, Bid No. 08-02
- ii. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Proposed Charter, Tuesday, October 2, 2007 at 9:00 a.m.
- jj. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, District 5 Public Workshop, Thursday, October 11, 2007
- kk. Proof, Notice to Bidders, Bid No. 08-17
- ll. Proof, Notice to Bidders, Bid No. 08-29
- mm. Proof, Notice to Bidders, Bid No. 08-28
- nn. Proof, Notice to Bidders, Bid No. 08-27
- oo. Proof, Notice to Bidders, RFQ No. 08-22
- pp. Proof, Notice to Bidders, RFQ No. 08-16
- qq. Proof, Certificate of Coverage, Florida Association of Counties Trust (FACT)
- rr. Proof, Certificate of Liability Insurance, Odyssey Manufacturing Company
- ss. Proof, Certificate of Liability Insurance, Atlantic Geotechnical & Environmental Services

(10/30/07 - 14 - 9:30 a.m.)
PUBLIC COMMENT

Dwight Hines, 150 Nesmith Avenue, spoke on transparency, Exhibit A. Manuel responded. McCormack publicly thanked Mr. Hines for his input. Bryant spoke on the Board being investigated.

(9:39 a.m.) Jackie Van Horn, 4510 Palatka Blvd., thanked Rich and Sanchez for participating in the dunking booth at the Flagler Estates Second Annual Community Fall Festival. She thanked Troy Blevins and his staff for cleaning up the park. She spoke on the CR 305 extension.

(10/30/07 - 14 - 9:42 a.m.)
ADDITIONS/DELETIONS TO REGULAR AGENDA

Rich requested to pull Items 12 and 13. McCormack requested to pull Item 16 and rescheduled it to November 27th. Wanchick requested to pull Item 2.

(10/30/07 - 14 - 9:45 a.m.)
APPROVAL OF REGULAR AGENDA

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

(9:46 a.m.) PUBLIC COMMENT ON ITEMS 12 AND 13

Michael Kilroy, 4420 Helena Street, Chair of the Flagler Community Redevelopment Committee, read their resolution into the record regarding the CR 305 extension.

(9:48 a.m.) William Fisher, 10130 McMann Avenue, spoke on the CR 305 extension.

(9:50 a.m.) Mike Kelter, 630 Myrtle Avenue, spoke on the CR 305 extension.

(9:53 a.m.) Jerry Durchhok, 10405 Baylor Avenue, spoke on the CR 305 extension, Exhibit A.

(9:56 a.m.) Joyce Dupont, P.O. Box 847, spoke on the CR 305 extension.

(9:58 a.m.) Jackie Van Horn, 4510 Palatka Blvd., spoke on the CR 305 extension. Discussion followed.

(10/30/07 - 14 - 10:04 a.m.)
1. CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT COUNCIL
QUARTERLY UPDATE

Nick Sacia, Executive Director of the Economic Development Council, St. Johns County Chamber of Commerce, gave a presentation on the quarterly economic development update.

The meeting recessed at 10:06 a.m. and reconvened at 10:13 a.m. Strickland left the meeting.

Sacia continued his presentation on local target industry retention and expansion, the new companies in town, EDC morning roundtables and quarterly luncheons, Future of

Manufacturing Congress Report, 2007-2008 EDC Executive Committee members, 2007-2008 Chamber Board of Directors new members, 2008 EDC Strategic Plan Goals, and first quarter upcoming events. Sacia closed by thanking the Board for their continued support. Discussion followed.

(10/30/07 - 15 - 9:42 a.m.)

2. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE REVISED POLICIES AND PROCEDURES OF THE SOCIAL SERVICES DEPARTMENT MEDICAL ASSISTANCE PROGRAM

This item was pulled from the agenda.

(10/30/07 - 15 - 10:25 a.m.)

3. CONSIDER APPOINTMENTS TO THE HISTORIC RESOURCE REVIEW BOARD
Melissa Lundquist, Administrative Coordinator, reviewed this item. Rich commented.

(10:28 a.m.) *Motion by Rich, to appoint Gerald Eubanks to the Historic Resource Review Board for a full four-year term, scheduled to expire October 30, 2011. The motion died for lack of a second.*

(10:28 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to appoint Sarah Kelley to the Historic Resource Review Board for a full four-year term, scheduled to expire October 30, 2011.**

(10:30 p.m.) **Motion by Bryant, seconded by Manuel, carried 5/0, to reappoint Chuck Meide to the Historic Resource Review Board for a full four-year term, scheduled to expire October 26, 2011.**

(10/30/07 - 15 - 10:32 a.m.)

4. CONSIDER APPOINTMENTS TO THE WATER & SEWER AUTHORITY

Melissa Lundquist, Administrative Coordinator, announced the two vacancies on the Water & Sewer Authority.

(10:32 a.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to reappoint Albert Aftoora to the Water & Sewer Authority for a full four-year term, scheduled to expire June 3, 2011.**

(10:33 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to appoint Herbert Hickox for a full four-year term, scheduled to expire October 30, 2011.** Manuel asked the county administrator to prepare a presentation on the function of the Water and Sewer Board.

(10/30/07 - 15 - 10:36 a.m.)

5. PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS - THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS TO CONSIDER AMENDMENTS TO THE LAND DEVELOPMENT CODE. SPECIFICALLY, AMENDMENTS TO ARTICLES II, III, IV, V, VI, VII, X AND XII. THE ATTACHED ARTICLES ARE PROVIDED IN STRIKETHROUGH AND UNDERLINE FORMAT TO HIGHLIGHT THE PROPOSED CHANGES

Proof of publication for the notice of public hearing regarding the Land Development Code Amendments was received, having been published in *The St. Augustine Record* on September 24, 2007.

Betty Sue Stepp, AICP, Growth Management Services Department, reviewed this item, giving a brief presentation on the hot topics. (10:37 a.m.) James Whitehouse, Assistant

County Attorney, entered the meeting. She started with Item 2 on the addendum, the four new zoning classifications. She spoke on the single-family dwelling design standards and the townhome dwelling design standards, reducing the number of required PUDs, how many units were allowed, and set back restrictions. She stated that the Planning and Zoning Agency's first recommendation on changing what was before the Board, was to request that the maximum height for the RS-4 and RS-5 District be 35 feet, which staff currently had it at 40 feet. She spoke on adding RS-5 allowing single-family, and adding the language, "accessory uses are allowed, provided they are functionally associated with the office and are not an isolated or free standing use." Stepp spoke on accessory uses with docks, the Planning and Zoning Agency's third recommendation, in the Ponte Vedra Overlay District, was the "for sale" real estate type signs being reduced from 32 square foot to three square feet, but changing it to 16 square feet. She mentioned another change was to the bald eagle requirement in Section 401.10.D6, to add an exception for those single-family lots of record that were in existence prior to the adoption of the Land Development Code. Discussion followed. Rich voiced concern about the issue of the bald eagle requirement.

(10:48 a.m.) Jan Brewer, Environmental Specialist, explained the recommended changes. Rich explained that the issue wasn't the lot, the issue was the eagle. Brewer responded. Bryant stated that he believed that staff and administration could handle this. Wanchick suggested a compromise on this issue, to adopt and endorse the Federal criteria. Stevenson spoke on eagle protection.

(10:57 a.m.) Stepp stated that they made several changes within the PUD section of the code, page 5-15, Section 5.03.03 regarding buffers, moved the language from paragraph E to paragraph A, and reduced the 50 ft setback. She reviewed the commercial section, recreation, clarified the park requirements, waivers approved in PUDs, the unified sign plan and non-zoning variance changes. Wanchick spoke on the direction coming from the Commission on some of the changes. Whitehouse stated that he spoke to staff on these items and suggested going through each item. Manuel stated his goal was to shrink the size of government. Stevenson stated the items that she was in favor of. Stepp offered a couple of different alternatives. She listed the changes, the boat docks (Item 5), Flea and Farmers Market (Item 3), expansion of uses within the public service zoning district (Item 6), Tree Bank Fund expenditure (Item 9), habitat for bald eagle (Item 10), (Item 12) to allow a front yard setback of 15 feet for properties on the east side of A1A north, and (Item 13) require open space in recreation standards. Stevenson spoke on pocket parks within a subdivision and the maintenance responsibility for them. Stepp reviewed two other items, (Item 14) changes for fire protection, and (Item 11) changes for the PUD section. She stated that Staff had no objection to removing any of the items on the list. She reviewed the amended items: 3, 5, 6, 9, 10, 11, 12, 13 and 14. Whitehouse suggested seeing if anyone from the public wanted to speak, and afterwards have the commissioners pick out the items they were concerned about or that they supported.

(11:18 a.m.) Ed Slavin, Box 3089, addressed Items 4, 5 and the bald eagle issue. Whitehouse swore in Slavin. Slavin asked the Board to table these items. Stevenson spoke on the cost of eagle monitoring. Bryant asked about Items 4 and 5 and increasing density. Whitehouse swore in Betty Sue Stepp. She stated that everybody in St. Johns County was their customer.

(11:31 a.m.) Doug Laidlaw, 120 Stokes Landing Road, commented on RS-4 and 5 housing, and holding it down to 35 feet. He spoke on commercial general.

(11:37 a.m.) *It was the consensus of Board to delay Item 5 to the end of the day.*

(6:21 p.m.) Subsequently, McCormack stated that the Board may enact something that was less than was advertised, but not more than was advertised. McCormack reviewed the new ordinance as follows: "to enact Ordinance No. 2007-85, an ordinance of St. Johns County, a political subdivision of the State of Florida, amending and supplementing, adding and repealing sections of the Land Development Code as adopted by Ordinance No. 99-51, as previously amended. This ordinance makes changes including and relating to amending and supplementing Article II, specifically amending Part 2.03.00 Special Uses; amending Article VI, Design Standards and Improvement Requirements, specifically Part 6.05.00 Parking and Loading, and Table 6.17, Off-Street Parking Requirements, providing for severability and providing for an effective date." Of the ordinance that was in the packet, Section 2, 6, 9, 10 and 11 will be retained, and shall be renumbered to be 1, 2 and 3, administratively, without the Board's objection. He stated for clarity, that those changes correspond with Paragraph 5, that are the Staff notes, and pertaining to those sections described in Paragraph 5 of the Staff notes; amending and supplementing Article 12, Definitions. (6:24 p.m.) **Motion by Manuel, seconded by Stevenson, carried 4/0 with Bryant absent, to approve Ordinance No. 2007-85, with the changes as stated by the County Attorney.**

ORDINANCE NO. 2007-85

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE II - ZONING DISTRICTS AND SPECIAL USES, ARTICLE VI - DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS AND ARTICLE X - INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING AND SUPPLEMENTING ARTICLE II ZONING DISTRICTS AND SPECIAL USES, SPECIFICALLY AMENDING PART 2.01.00 STANDARD ZONING DISTRICTS, PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS AND PART 2.03.00 SPECIAL USES; AMENDING AND SUPPLEMENTING ARTICLE III SPECIAL DISTRICTS, SPECIFICALLY PART 3.06.00 PONTE VEDRA/PALM VALLEY COASTAL CORRIDOR OVERLAY DISTRICT, PART 3.07.00 SOUTH ANASTASIA ISLAND COASTAL CORRIDOR OVERLAY DISTRICT, PART 3.08.00 MID-ANASTASIA ISLAND COASTAL CORRIDOR OVERLAY DISTRICT, PART 3.09.00 NORTH COASTAL CORRIDOR OVERLAY DISTRICT - A1A CORRIDOR, AND PART 3.10.00 NORTH COASTAL CORRIDOR OVERLAY DISTRICT; VILANO BEACH TOWN CENTER OVERLAY, SPECIFICALLY SECTION 3.10.08 ADMINISTRATIVE REQUIREMENTS PARAGRAPH D; AMENDING ARTICLE IV NATURAL RESOURCES, SPECIFICALLY SECTIONS 4.01.05 TREES AND OTHER VEGETATION, SUBPARAGRAPH E.2, SECTION 4.01.10 HABITAT MANAGEMENT FOR THE BALD EAGLE SUBPARAGRAPH D.6; AMENDING ARTICLE V DEVELOPMENT OPTIONS, SPECIFICALLY PART 5.03.00 PLANNED UNIT DEVELOPMENT (PUD) DISTRICTS;

AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENT, SPECIFICALLY PART 6.01.00 DISTRICT PERFORMANCE AND DIMENSIONAL STANDARDS, PART 6.03.00 FIRE PROTECTION REGULATIONS, PART 6.05.00 PARKING AND LOADING, AND PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS, SPECIFICALLY TABLE 6.19 TABLE OF INTENSITY FOR BUFFERS AND SCREENING AND TABLE 6.10 BUFFER SCREENING MATRIX; AMENDING AND CONSOLIDATING ARTICLE VII SIGNS, SPECIFICALLY SUBSECTION 7.00.02.B.2 ON-PREMISE SIGNS PART 7.06 DEVELOPMENT SIGNS; AMENDING AND SUPPLEMENTING ARTICLE X INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT, SPECIFICALLY SECTION 10.04.03 NON-ZONING VARIANCES TO BE CONSIDERED AS PART OF DEVELOPMENT REVIEW; AMENDING SUPPLEMENTING AND CONSOLIDATING ARTICLE XII DEFINITIONS; AND CONSOLIDATES ARTICLE I GENERAL PROVISIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

(10/30/07 - 18 - 11:41 a.m.)

6. PUBLIC HEARING - MAJMOD 2007-14, STATION 11/ST. AUGUSTINE SHORES PUD - THIS MAJOR MODIFICATION PROPOSES TO ALLOW PRIMARY ACCESS TO TRACT M OF THE ST. AUGUSTINE SHORES PUD TO BE THROUGH WATSON RD. MAJOR MODIFICATION 2006-33 WAS APPROVED IN MARCH TO ALLOW FOR NEIGHBORHOOD PUBLIC SERVICES ON TRACT M, WHICH WILL BE THE NEW LOCATION OF STATION 11. THE PARCEL IS CURRENTLY ACCESSED THROUGH DOMENICO CIRCLE, WHICH IS A RESIDENTIAL STREET WITH HOMES HAVING DIRECT ACCESS TO THE STREET. PROVIDING AN ADDITIONAL ACCESS POINT TO WATSON RD; WILL ALLOW FOR QUICKER AND SAFER RESPONSE TO EMERGENCIES OUTSIDE OF THE SHORES. NO OTHER CHANGES ARE PROPOSED. THE SITE IS LOCATED WITHIN RESIDENTIAL - C LAND USE AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. SURROUNDING ZONINGS INCLUDE PLANNED UNIT DEVELOPMENT (PUD) AND RESIDENTIAL MOBILE HOME (RMHS). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL AT THEIR AUGUST 16, 2007 MEETING BY A VOTE OF 6/0

Proof of publication for the notice of public hearing regarding MAJMOD 2007-14, Station 11/St. Augustine Shores PUD, was received, having been published in *The St. Augustine Record* on October 15, 2007.

Michael Blackford, Planner II, reviewed this item. (11:41 a.m.) Manuel left the meeting. (11:43 a.m.) **Motion by Rich, seconded by Bryant, carried 4/0 with Manuel absent, to enact Ordinance No. 2007-81, known as MAJMOD 2007-14, St. Augustine Shores PUD, adopting findings of fact 1 through 6 to support the motion.**

ORDINANCE NO. 2007-81

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE SHORES (PUD) ORDINANCE NUMBER 1979-73, AS AMENDED, MAKING FINDINGS OF

**FACT; REQUIRING RECORDATION; AND PROVIDING
FOR AN EFFECTIVE DATE**

(10/30/07 - 19 - 11:43 a.m.)

7. PUBLIC HEARING - MAJMOD 2007-15, STATION 18/LAS CALINAS PRD - THIS APPLICATION IS A MAJOR MODIFICATION TO THE LAS CALINAS PRD (ORDINANCE 2005-106) AND SPECIFICALLY WOULD ALLOW FOR THE CONSTRUCTION OF A FIRE STATION WITHIN A 1.50 ACRE TRACT THAT IS CURRENTLY DESIGNATED AS RESERVE AREA. THIS 1.50 ACRE PARCEL IS TO BE COMBINED WITH A CONTIGUOUS 1.25 ACRE PARCEL TO MAKE A 2.75 ACRE PARCEL AND WILL SUPPORT THIS CONSTRUCTION. NEIGHBORHOOD PUBLIC SERVICE AND EMERGENCY SERVICES USES WILL BE ADDED TO THE USES ALLOWED IN THE RESERVE AREA. THE NEAREST FIRE STATION TO THIS PROPERTY AND THE LAS CALINAS PRD IS MORE THAN FIVE MILES AWAY AND THIS CONSTRUCTION WILL IMPROVE THE ISO RATING (WHICH GOVERNS INSURANCE RATES FOR CITIZENS AND FOR THIS PROPERTY, WOULD BE CLASSIFIED AS A CLASS 10, OR THE WORST) FOR THE RESIDENTS IN THIS AREA AND PROVIDE FOR INCREASED SAFETY FOR CITIZENS IN THIS PORTION OF ST. JOHNS COUNTY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR AUGUST 16, 2007 MEETING BY A VOTE OF 6/0

Proof of publication for the notice of public hearing regarding MAJMOD 2007-15, Station 18/Las Calinas PRD, was received, having been published in *The St. Augustine Record* on October 15, 2007.

Jason Cleghorn, Planner III-DRI Coordinator, reviewed this item. (11:46 a.m.) Sanchez left the meeting. (11:47 a.m.) Manuel returned to the meeting.

(11:47 a.m.) Ellen Whitmer, 1178 Natures Hammock Road, spoke in opposition of the major modification. (11:49 a.m.) Sanchez returned to the meeting. Discussion followed.

(11:50 a.m.) Nanette Bradbury, Real Estate Coordinator, spoke on the property in the area. Manuel mentioned that he would like to see information on the school site and hear from somebody from the fire department. Locklear replied he would have someone present.

(11:52 a.m.) Bobby Hall, Fire Rescue Chief, 2945 Kings Road, stated that constructing the fire station had been in the works for about three years, as there were trying to find suitable property for it. Hall explained why they chose this location. Teresa Bishop, Director of Growth Management, stated that the school site was in the Shannon Road area. Hall stated that they had not discussed it with the School Board. Rich stated that he was not sure they would be able to get the kind of information that was necessary in order to swap sites today. He asked if it was the pleasure of the Board to pull this item. Hall mentioned that he would be willing to speak with the School Board, and that he had been working with the two developers, to come together on this property, for some time now. Rich voiced concern on the timing. Stevenson suggested moving this item to the end of the day.

The meeting recessed for lunch at 11:59 a.m. and resumed at 1:31 p.m. All five Commissioners were present along with County Administrator Michael Wanchick, Assistant County Administrator Darrell Locklear, County Attorney Patrick McCormack and Deputy Clerk Terry Bulla.

(1:31 p.m.) Bobby Hall, Fire & Rescue Chief, said that he and Wanchick had spoken with Tim Forson, the Director of Facilities for the School Board, who verified that there was

property a little over a mile away from the proposed fire station site. He said the property was for an elementary school and the parcel was pretty tight. He said that no excess property existed at the school site.

(1:33 p.m.) Motion by Stevenson, seconded by Sanchez, carried 5/0, to enact Ordinance 2007-82, known as MAJMOD 2007-15 Las Calinas PRD adopting findings of fact one through six to support the motion.

ORDINANCE NO. 2007-82

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE LAS CALINAS PLANNED RURAL DEVELOPMENT (PRD) ORDINANCE NUMBER 2005-106, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(10/30/07 - 20 - 1:34 p.m.)

8. PUBLIC HEARING - MAJMOD 2007-16 FAIRFIELD PUD - THIS APPLICATION IS A MAJOR MODIFICATION TO THE FAIRFIELD PUD IN ORDER TO ALLOW AN ADDITIONAL VEHICULAR ACCESS TO A FUTURE FOURTEEN (14) SINGLE FAMILY RESIDENTIAL DEVELOPMENT TO THE NORTH. THE ACCESS TO THE DEVELOPMENT WILL BE FROM EGRETS WALK LANE. THE LAND USE IS RESIDENTIAL C (COASTAL). THERE IS NO CONCURRENCY NEEDED ON THIS SITE AND NO WAIVERS REQUESTED. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR AUGUST 16, 2007 MEETING BY A 6/0 VOTE AND WAS MOVED BY LAIDLAW, SECONDED BY WILES

Proof of publication for the notice of public hearing regarding MAJMOD 2007-16, Fairfield PUD, was received, having been published in *The St. Augustine Record* on October 15, 2007.

Lindsay Haga, Chief Planner, gave the presentation and stated it was a major modification to the Fairfield PUD in order to provide access to adjacent property. She noted there were no open issues or comments.

(1:37 p.m.) Gary Davenport, 5378 4th St., stated he represented the applicant, the Fairfield Homeowner's Association, which owned the property. He said they had authorized him to pursue the major modification to provide access to the adjacent landlocked property. He said they worked closely with the Association and got a super majority vote from them to allow the access. He noted they had entered into an agreement with them to be a part of their HOA to contribute to their association and also to repair any roads that were damaged during construction and those types of things.

(1:38 p.m.) George Meyer, 103 Harbour Island Ct., Ponte Vedra Beach, Chairman of the Committee for the Fairfield Community for the proposed addition, said they got the two-thirds approval from the homeowners which was necessary, in less than six weeks. He noted that anything they asked of the developer, they agreed to. He said it was a winning situation for all involved.

(1:40 p.m.) Scott Cleary, Esquire, 213 Pink Ibis Ct., Ponte Vedra Beach, sent a letter and his comments were read into the record by Patrick McCormack. He expressed concern not opposition regarding access from SR 210 through Pink Ibis into Azalea Point. He noted safety and security concerns.

There was discussion regarding connectivity. Manuel asked if text should be added to prohibit a connection. Haga said she would not encourage that.

(1:43 p.m.) Stevenson clarified that they did not want a connection to Pink Ibis.

(1:45 p.m.) **Motion by Manuel, seconded by Rich, carried 5/0, to enact Ordinance 2007-83, known as MAJMOD 2007-16 Fairfield PUD, adopting findings of fact one through six to support the motion.**

ORDINANCE NO. 2007-83

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE FAIRFIELD PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 1984-29, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(10/30/07 - 21 - 1:45 p.m.)

9. PUBLIC HEARING - PUD 2006-28 WORTHINGTON PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 55.93 ACRES FROM OR TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO CONSTRUCT UP TO 41 SINGLE FAMILY HOMES. THE SITE IS LOCATED OFF OF GREENBRIAR RD, APPROXIMATELY 1 MILE WEST OF CR 244. THE MASTER DEVELOPMENT PLAN PROPOSES ONE ACCESS POINT TO GREENBRIAR RD AND ONE INTERCONNECTION WITH THE ADJACENT PROPERTY TO THE EAST. FOUR FOOT SIDEWALKS ARE LOCATED WITHIN THE PROJECT AND A FIVE FOOT SIDEWALK WILL BE CONSTRUCTED ON GREENBRIAR RD. IN ACCORDANCE WITH POLICY A.2.1.4 AN AVERAGED 75' SCENIC EDGE HAS BEEN PROVIDED ALONG GREENBRIAR RD, ALL REMAINING PORTIONS OF THE PROPERTY HAVE A 35' DEVELOPMENT EDGE. OVER 62% OF THE SITE HAS BEEN DESIGNATED AS OPEN SPACE INCLUDING WETLANDS, BUFFERS, AND RECREATION. CENTRAL WATER AND SEWER WILL BE PROVIDED BY JEA. THE PROJECT WILL BE DEVELOPED IN ONE FIVE YEAR PHASE. THE SURROUNDING PROPERTIES ARE ZONED OR. THE SURROUNDING FUTURE LAND USE IS MIXED USE AND RESIDENTIAL-B. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR AUGUST 16, 2007 HEARING BY A VOTE OF 6/0

Proof of publication for the notice of public hearing regarding PUD 2006-28 Worthington Planned Unit Development was received, having been published in *The St. Augustine Record* on October 15, 2007.

Michael Blackford, Planner II, gave the presentation. He reported that it was a request to rezone 56 acres from Open Rural to PUD with construction of up to 41 single units. He reviewed the specifics of the request.

(1:48 p.m.) Frank Miller, 245 Riverside Ave. Suite 400, Jacksonville, the applicant, said he had no comments but was available to answer any questions.

(1:48 p.m.) Tom Sciandra, 778 Pheasant Court, on Greenbriar Rd., west of the proposed modifications spoke in opposition to the proposal. He noted the incompatibility of 5,500 square foot lots in an area that was predominately zoned Open Rural with much larger lots. He reported on a sign that had been posted in front of the development stating that it

was approved. He said the development had not been approved and he questioned whether it was a case of false advertising. He noted other developers in the area who had agreed to increase their lot sizes when pressured by local residents.

(1:57 p.m.) Rich commented that the PUD was in the middle of nowhere and was a good distance from Roberts Rd. He said the density he had referred to was a stretch.

(1:59 p.m.) Frank Miller responded that all public notices were given as required. He said the piece was in the midst of a large wetland system and he did not believe anyone would be able to see the project from their existing homes. He said it was compatible with the residential nature around it, and not everyone could afford a larger lot.

(2:03 p.m.) Stevenson said she attended the community meeting and there was a great deal of concern by the residents about how the area developed around them. Miller said that down Greenbriar Rd. there was a mixed use development and there was a natural increase in density.

(2:06 p.m.) Rich expressed concern over the density and intensity of the development and that it was not compatible with the surrounding land use. He said he also was concerned about the timing of the element, and that this project was going to be impacted by the proposed moratorium on the CR 210/ I-95 corridor.

(2:08 p.m.) Manuel said he looked at it as a separate enclave. He said there was a growing market for smaller lots and he saw it being an obviously lesser price point. He said he would support the project.

(2:09 p.m.) Motion by Manuel, seconded by Stevenson, to enact Ordinance 2007-84, known as PUD 2006-28 Worthington PUD adopting findings of fact one through seven to support the motion.

Stevenson asked McCormack if he had looked at compatibility issues. McCormack said there had to be some competent substantial evidence. He said that in his opinion competent substantial evidence was present to approve it. He cited three options, one of which was to send it back to PZA with the compatibility issue. He said the evidence was not as strong for denial but the rule was "was there any" substantial evidence.

(2:13 p.m.) Vote was 0/5. Motion was defeated.

(2:14 p.m.) Motion by Rich to deny rezoning application PUD 2006-28 Worthington PUD, adopting findings of fact to support the motion. Motion died for lack of a second.

(2:15 p.m.) Motion by Manuel, seconded by Sanchez, carried 5/0, to remand the item back to the PZA.

(2:16 p.m.) Motion by Manuel, seconded by Sanchez, carried 5/0 to amend Item No. 7 in the Regular Agenda to read 2007-82.

The meeting recessed at 2:16 p.m. and resumed at 2:31 p.m.

(2:31 p.m.) McCormack said there had been significant coastal erosion and an emergency situation at South Ponte Vedra Beach where there were several structures vulnerable to collapse into the sea. He noted they had met the State guidelines to be declared an emergency. Press Tompkins, County Engineer, said they had been monitoring the situation at South Ponte Vedra Beach and there were half a dozen houses that were well within the twenty feet of the actual home and the escarpment. He said one was measured at four feet, one at six feet, one at twelve feet, and one at sixteen feet. He noted that the

storm had even wiped out some of the temporary bulkheads erected by people whose homes were in danger from previous damage. He said the storm was continuing to chew up the beach and the forecast was that the storm would continue through the rest of the week. He said he had been in touch with Department of Environmental Protection, and this seemed to be the only avenue for the people to try to protect what remained of their property.

(2:33 p.m.) **Motion by Bryant, seconded by Stevenson, to enact Emergency Resolution 2007-340, a resolution by the Board of County Commissioners of St. Johns County, declaring that an emergency exists pertaining to danger to private property at or near the vicinity of 2851 S. Ponte Vedra Blvd. due to the recent storm erosion.** McCormack asked the maker and the seconder of the motion to include in the motion that the vicinity would be within one mile of the specified location. Press Tompkins, County Engineer, explained that the request was being made based on observations made that morning. **There was board consensus to expand the area affected to within one mile of the specified location. Motion carried 5/0.**

RESOLUTION NO. 2007-340

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, DECLARING THAT AN EMERGENCY EXISTS PERTAINING TO DANGER TO PRIVATE PROPERTY AT OR NEAR THE VICINITY OF 2851 SOUTH PONTE VEDRA BLVD. DUE TO RECENT STORM EROSION

(2:35 p.m.) Tomkins reported on Summer Haven and said as of yesterday morning, at high tide, there was a great deal of erosion at the south end and was lapping right up against the road. He said the road was still there but it was probably going to be washed out. He noted that the mid-section of the road was impassible at that time. He said the north area was not passable by any vehicle and all the sand that had been placed there was gone. He said A1A could also be in danger in the near future, and they were monitoring the situation closely.

(2:35 p.m.) Stevenson stated that at a recent FAC retreat, IFIS said it was widely accepted that we should be planning to anticipate a 1 to 3 meter sea rise on a long term planning horizon.

(10/30/07 - 23 - 2:37 p.m.)

10. PUBLIC HEARING - NOPC 2007-05 CABALLOS DEL MAR DRI - THIS IS A NOTICE OF PROPOSED CHANGE (NOPC) TO REVISE THE CABALLOS DEL MAR DRI DEVELOPMENT ORDER AS FOLLOWS: TO CLARIFY AND MORE FULLY DOCUMENT THAT A FIFTEEN(15) ACRE OCEANFRONT SITE KNOWN AS THE 'CABANA CLUB' ON PONTE VEDRA BEACH ROAD AS ILLUSTRATED BY EXHIBIT B OF THE NOPC APPLICATION IS INCLUDED WITHIN THE DRI BOUNDARIES. THE SITE WAS INCLUDED IN THE ORIGINAL DRI, HOWEVER FOR SOME REASON IS NOT DESIGNATED ON THE FUTURE LAND USE MAP AS CABALLOS DEL MAR DRI. TO MODIFY THE CURRENT DEVELOPMENT RIGHTS CONTAINED ON THE SAWGRASS MARRIOTT RESORT PROPERTY WHICH IS A PART OF THE PLAYERS CLUB PUD BY INCREASING RESIDENTIAL UNITS FROM 230 TO 500 AND INCREASING THE HOTEL/MOTEL UNITS FROM 350 TO 510. THE PLANNING AND ZONING AGENCY HEARD THIS ITEM DURING THEIR OCTOBER 4, 2007 MEETING AND VOTED 7-0 TO RECOMMEND APPROVAL OF THE NOPC TO THE BOARD OF COUNTY COMMISSIONERS WITH MR. WHEELER THE MAKER OF THE

MOTION AND MS. OGLESBY THE SECOND. LIMITED DISCUSSION CENTERED ON THE NOTION OF SUBSTANTIAL DEVIATION AND WHETHER OR NOT THE FLORIDA STATUTE'S DEFINITION OF SUBSTANTIAL DEVIATION IS PRAGMATIC

Proof of publication for the notice of public hearing regarding NOPC 2007-05, Caballos del Mar DRI, was received, having been published in *The St. Augustine Record* on October 15, 2007.

Jason Cleghorn suggested Items 10 & 11 be heard together since they were related and were companion items. *There was Board consensus to hear them both at the same time.* Cleghorn gave the presentation for the Notice of Proposed Change. He explained the three parts of the request. He said the request was for a reallocation and they were not asking for rights that were not already vested with them approved back to the original 1975 DRI. He said the purpose of the application and the accompanying Major Modification was to create a five star hotel of 160 rooms and to tear down the existing villas and to replace them with luxury resort condominiums. He said staff recommended approval of the NOPC as had the PZA with a vote of 7 to 0.

(3:10 p.m.) **Motion by Manuel, seconded by Bryant, carried 5/0, to adopt Resolution 2007-341, approving a Notice of Proposed Change to the Caballos del Mar DRI Development Order, adopting Findings of Fact one through four to support the motion.**

RESOLUTION NO. 2007-341

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE CABALLOS DEL MAR DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER, AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON JULY 8, 1975, AND AS PREVIOUSLY MODIFIED BY RESOLUTION 83-36, APPROVED APRIL 26, 1983; RESOLUTION 85-59, APPROVED APRIL 16, 1985; AND RESOLUTION 2002-41, APPROVED MARCH 13, 2002; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE

(10/30/07 - 24 - 2:41p.m.)

11. PUBLIC HEARING - MAJMOD 2007-22 MARRIOTT AT SAWGRASS RESORT HOTEL PLAYERS CLUB PUD - THIS APPLICATION IS A MAJOR MODIFICATION TO THE MARRIOTT AT SAWGRASS RESORT HOTEL/PLAYERS CLUB PUD ORDINANCE 2002-17 WHICH AMENDED ORDINANCE 1975-15. THE CHANGES ARE BEST EXPLAINED: EXPANSION OF HOTEL TO INCLUDE NEW 5-STAR RESORT HOTEL ANNEX, CONSISTING OF 160 LUXURY ROOMS; EXPANSION OF EXHIBIT HALL FACILITIES BY 24,000 SQUARE FEET; EXPANSION OF EXISTING RETAIL WITHIN THE HOTEL BY 15,000 SQUARE FEET; REPLACEMENT OF 475-SPACE HOTEL PARKING LOT WITH 600-SPACE (MIN.) PARKING STRUCTURE; REPLACEMENT OF AN EXISTING 75-SEAT HOTEL RESTAURANT WITH NEW 150-SEAT RESTAURANT; AND REPLACEMENT OF EXISTING VILLA UNITS WITH UP TO 400 LUXURY RESORT CONDOMINIUMS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR OCTOBER 4, 2007 MEETING BY A 7-0 VOTE AND WAS MOVED BY MR. WHEELER AND SECONDED BY MR. WILLIAMS. MOST DISCUSSION CENTERED ON THE

POSITIVE ECONOMIC BENEFITS THAT THIS REDEVELOPMENT PROJECT
WILL BRING TO ST. JOHNS COUNTY

Proof of publication for the notice of public hearing regarding MAJMOD 2007-22, Marriott at Sawgrass Resort Hotel Players Club PUD, was received, having been published in *The St. Augustine Record* on October 15, 2007.

(2:40 p.m.) Jason Cleghorn gave a summary presentation. He said the changes included the hotel going from 350 to 510 rooms, to be part of a 160 room five star annex, the condominiums are going from 230 to 500 units, the restaurant associated with the Marriott is going from 469 to 545 seats, the retail associated with the site would go from 8,000 to 23,000 square feet, and there would be an addition to the exhibit hall as part of the Conference Center from 115,000 to 139,000 square feet. He said one waiver was being requested to Land Development Code 60502E to permit the hotel's parking to be based on a parking needs analysis, and the end result would be that the parking garage would be at least a 600 space minimum parking structure, and they were requesting 109 spaces less than code required. He said staff supported the waiver for the parking spaces. He said it was also approved by PZA by a vote of 7 to 0.

(2:44 p.m.) Cleghorn introduced Carl Sanders, representing Edwards Cohen, Tony Robbins from Prosser Hallock, Vernon Kelly from RQB and other representatives from RQB. Karl Sanders, 6 E. Bay Street, Jacksonville and Vernon Kelly, 5895 CR 214, St. Augustine, gave the PowerPoint presentation with a brief overview of the project for Caballos del Mar DRI.

(2:47 p.m.) Mr. Kelly said he was representing RQB, and stated that they were all aware of the work that had been done last year on the golf course to enhance the Player's Championship. He explained that the hotel had been built 20 years ago, and RQB was planning to invest \$300,000,000 in order to bring the facility to a higher level and it would fit nicely with the work done on the golf course. He reviewed the elements of the plan. He said it would open up the European and Irish market in a way that had never been done before in our community. He said their aspiration was for it to be Pebble Beach East.

(2:56 p.m.) Sanders said it was a legacy project, a once in a lifetime opportunity and they were very proud of it. He said it would be a golf premier community on the east coast. He noted they also had the support of the neighboring communities.

(2:58 p.m.) Rich disclosed ex parte communication with the speakers and with members of their group at the Marriott at Sawgrass.

(2:58 p.m.) Sanchez also disclosed ex parte communication in a meeting with the same group.

(2:58 p.m.) Stevenson revealed that she had met with Kelly and his team at the Commission office. She said tourism in Florida was a part of economic development, and high end tourism helped pay for the quality of life in the county and she was very excited about the project.

(3:00 p.m.) Manuel disclosed ex parte with all the members of their team at various locations. He asked who owned the physical course. Kelly said it was the PGA Tour, but all of the improvements were being built on RQB land.

(3:01 p.m.) Bryant stated that he had met with Kelly and Sanders in his office and they had gone over the PowerPoint presentation.

(3:02 p.m.) Ray Johnson, Executive Director Vickers Landing & Glenmoore, 1000 Vickers Landing Way, spoke in support of the development. He said Vickers Landing and Glenmoore were sister retirement communities in St. Johns County located closely with the development. He gave great credit to RQB and said their plans demonstrated forward thinking and asked the Board to approve the major modifications.

(3:04 p.m.) Terry McIntyre, 101 Vera Cruz Dr., Ponte Vedra Beach, acting President Board of Directors, said they had a strong relationship with the applicant. He said they were very supportive of the project and asked the Board to support it.

(3:05 p.m.) James Triola, Senior Vice President of the PGA Tour, 100 PGA Blvd., Ponte Vedra Beach, spoke on behalf of the PGA tour. He said they were in strong support of the project and asked for the Board's support.

(3:06 p.m.) Bill Garrett, 91 Abalone Lane East, Ponte Vedra Beach, President of the Sawgrass Players Club Master Association, which included 19 communities and almost 2,000 homes, spoke in support of the project. He said their group had walked them through the project and educated them on it and they then carried the information back to their Master Board and it was approved unanimously.

(3:07 p.m.) Mary Kohnke, 29 S. Roscoe Blvd., Ponte Vedra Beach, spoke in support of the project. She said the PGA tour brought thousands and thousands of non-tax dollars to the County, and they also brought more tax dollars into the County as property taxes than anyone else.

(3:10 p.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to enact Ordinance 2007-84, known as MAJMOD 2007-22 Marriott at Sawgrass Resort Hotel/Players Club PUD, adopting findings of fact one through six to support the motion.**

ORDINANCE NO. 2007-84

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE MARRIOTT AT SAWGRASS RESORT HOTEL/PLAYERS CLUB PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 1975-15 AS AMENDED BY ORDINANCE NUMBER 2002-17 MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 3:11 p.m. and reconvened at 3:23 p.m. Bryant left the meeting at 3:11 p.m.

This item was pulled.

(10/30/07 - 26 - 9:42 a.m.)

12. CONSIDER MOTION TO ADOPT A RESOLUTION ACCEPTING A DONATION OF PROPERTY FROM ELKTON GREEN, INC. FOR FUTURE EXTENSION OF COUNTY ROAD 305 AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DONATION AGREEMENT ACCEPTING THE QUIT CLAIM DEED OF RIGHT OF WAY FOR THE NEEDED PROPERTY

This item was pulled.

(10/30/07 - 26 - 9:42 a.m.)

13. 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

(10/30/07 - 27 - 3:24 p.m.)

14. PUBLIC HEARING - AMENDMENTS TO STORMWATER UTILITY ORDINANCE 94-16 AND AMENDMENT 94-51 FOR ESTABLISHING A STORMWATER MANAGEMENT UTILITY - AT THE AUGUST 21, 2007 BCC MEETING THE COUNTYWIDE STORMWATER UTILITY RATE STUDY (STUDY) WAS PRESENTED TO AND ACCEPTED BY THE BOARD. AMONG THE STUDY RECOMMENDATIONS WAS REVISION OF ST. JOHNS COUNTY ORDINANCE NO. 94-16 (WITH AMENDMENT NO. 94-51) CONSISTENT WITH CHANGES RECOMMENDED IN THE STUDY. THIS ITEM BRINGS THESE REVISIONS TO THE BOARD FOR CONSIDERATION IN THE FIRST OF TWO REQUIRED PUBLIC HEARINGS. A SECOND PUBLIC HEARING FOR THE REVISED ORDINANCE IS TENTATIVELY SCHEDULED FOR TUESDAY, NOVEMBER 13, 2007, 5:30 P.M. A RESOLUTION SETTING FORTH THE INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR THE STORMWATER UTILITY SERVICE FEES WILL BE PRESENTED AT A PUBLIC HEARING TENTATIVELY SCHEDULED FOR TUESDAY, NOVEMBER 13, 2007, 5:30 P.M., IMMEDIATELY FOLLOWING THE 2ND PUBLIC HEARING FOR THE REVISED ORDINANCE

Proof of publication for the notice of public hearing regarding Amendments to Stormwater Utility Ordinance 94-16 and Amendment 94-51 for Establishing a Stormwater Management Utility was received, having been published in *The St. Augustine Record* on October 20, 2007.

Joe Stephenson, Public Works Director, gave the presentation (Exhibit A) and gave a history of the stormwater utility ordinance. He reviewed the impacts to the community and staff. He explained the Equivalent Residential Unit (ERU) rate to be set in the 2009 budget and how it was derived. He suggested they focus on the formulas, and cited several examples utilizing the recommended rates. There was discussion on how they arrive at 1,800 square feet for their formula. Rich suggested the line should be delineated gradually. Stephenson said they would look at that.

(3:43 p.m.) Stevenson said that agriculture had been beat up for a long time on pollution, and many farms had come into compliance with the best management practices utilized by agriculture to reduce the impacts to our waterways. Stephenson said that had been their intent of the ordinance from day one. He said agriculture was the only land use in the county that had the option of reaching the point where they would be paying nothing into the county storm water fee system. He said all other land uses, including undeveloped land, would have no choice but to pay something. He reviewed the various land use categories and the fee calculations. He reviewed the schedule and said it would be reviewed again on November 13 and noted that the resolution had to be adopted before December 31. He said the exact rate would be discussed during their budget process.

(3:47 p.m.) Stevenson said she would like to see them encourage best management practices within the community. She asked if they had considered ways to provide incentives to people to prevent runoff rather than to have to treat it. Stephenson said it would give them another gradation.

(3:48 p.m.) C. Allen Watts, of Cobb & Cole, 351 E. New York Ave., Suite 200, DeLand, spoke. He said they could have as many classifications as they wanted and it was entirely at their discretion. He said there should be a point of balance for ultimate fairness where everyone was assessed on an individual parcel basis and administrative cost.

(3:50 p.m.) Rich said he was concerned about a system that appeared to be fair to the average consumer. He suggested that, at a minimum, they should regulate it in thirds. He expressed concern for single individuals who were elderly on fixed incomes. He said they needed to be given special consideration and they could find out from Sharon Outland's office as to who those people were. Watson said there was an exemption for financial hardship. Rich asked staff to prepare some kind of resolution or ordinance for the Board to address that issue. He also expressed concerns for renters and said he did not know of a solution for them having to absorb the additional costs. He asked staff to see what could be done to get an exemption for people in that area.

(3:55 p.m.) Manuel asked why the Original Ordinance which was developed in 1994 had not been funded. Stephenson said he came to work for the County in 1999 and he was told that it was politically untenable to implement the fee at the time the ordinance was passed. Manuel said that was unbelievable.

(3:56 p.m.) Mary Kohnke gave a history of the ordinance and said that it was passed and went into effect. She said that fall the next commission decided not to put it into play and that was it.

(3:58 p.m.) In response to a question by Manuel, Stephenson said the countywide stormwater plan was complete. Manuel also asked if they had done an estimate of the total cost to implement the plan. Stephenson said no, not entirely, because they did not have a complete data base. He said they were in the process of doing a storm water model and the next year would give them more adequate data as far as their needs and the necessary resolutions. He said it would take more than ten years to execute the basics of the plan and it would actually never be completed because the county was always in a state of change.

Manuel asked if the proposed fee structure, subject to the recommended changes, was going to be sufficient to execute the plan. He said it was going to be unpopular because it required people to pay more money. But they all understood that it was important to promote water management and that there would be long term beneficial effects. He said they had to be certain that they would generate adequate funding to pay for implementation of the plan.

(4:01 p.m.) Watson responded that it should have a realistic, if long, timeline to reach the level of service to be maintained thereafter. He said there was a balanced budget clause. He said how they balanced their budget was entirely in their discretion so long as it was feasible for everyone paying a stormwater utility fee to receive a proportional benefit from the system.

(4:03 p.m.) Stephenson said when they engaged a consultant, Greenman Peterson, and they based their recommendations on that plan. He said they had a five year schedule of capital improvement projects which was already in the budget. Manuel said he just wanted to be sure there was sufficient capital to execute the plan.

(4:04 p.m.) Watson said that as a legal advisor, the utility fees had to be proportional to benefit. He said they had wide discretion in that but there had to be proportionality. In setting up the gradations, they had to maintain the proportionality and it had to be based on a benefit at the end of the day. He cautioned that if they reduced funding to such an extent that they don't receive the benefit at the end of the day, then they would lose the legal basis and it became challengeable. He said that some of the funding from a dedicated source was not optional. He said if they were not funded from a dedicated source, they would fund them from general revenue or wherever they could find the funds in order to be in compliance. General discussion ensued on funding.

(4:09 p.m.) Sanchez questioned how it would affect the other municipalities within the County. Stephenson said none of the municipalities would be assessed under that ordinance.

(4:14 p.m.) Deputy Clerk, Terry Bulla left the meeting and Deputy Clerk, Lenora Newsome entered the meeting.

Stevenson spoke on costs rising, tax bills, and how many counties had implemented storm water utilities and had implemented the fees to support it. Stephenson replied that 23 counties had implemented it. He stated that both the presentation and draft ordinance in its current form were on the County's web site.

(4:18 p.m.) Mike Kelter, 630 Myrtle Avenue, Green Cove Springs, Legacy Civil Engineers, Inc., spoke on storm water in Flagler Estates.

(4:23 p.m.) Phil Leary, 520 River Street, Palatka, spoke on maintaining water, and requested to have language in the ordinance that exempts the agricultural operations that meet the criteria under the two statutory provisions that he outlined. Discussion followed.

(4:26 p.m.) Carl Crist, 148 Waters Edge Drive, spoke on maintenance and replacement cost for the streets, roads and street lighting in the area. He stated that a storm water fee would provide an additional tax burden for a service that they didn't receive.

(4:29 p.m.) Jody Lee, 118 Creek Road, Palatka, voiced concern about the proposed ordinance. Discussion followed.

(4:33 p.m.) Michael Morrison, 5285 Timucua Circle, operations manager for the Sawgrass Players Club Community, spoke on the Players Club, runoffs, Exhibit B, and draining into the stormwater system. Stephenson spoke on fees. Morrison reviewed the Players Club budget, Exhibit C. Manuel spoke on maintaining the system. Discussion followed.

(4:42 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., stated that every hearing should have a cost benefit analysis. He voiced concern about how the information was kept on this issue, and about what happened to the water in this county.

(4:47 p.m.) Hunt mentioned that he was requested to read into the record a letter from Douglas C. Crane, Exhibit D.

(4:49 p.m.) Wanchick stated that the schedule the Board saw presented earlier today to bring this item back on the 13th was unrealistic. He stated that if they were going to be able to respond to these issues today, they were going to need more time. Rich stated that he remembered a date that was mentioned earlier, December 31st, and that the administrator knew what he had to live under. He just wanted to make sure that they go in under the wire. Stephenson spoke on getting the best result for the community regarding storm water. Wanchick stated that they could try for the 27th. Manuel asked what would happen if they didn't make it on the 27th. Hunt stated that if they didn't do it by December 31st, they would not be able to implement the plan until the next fiscal year by state law.

(4:54 p.m.) *Rich announced that the second Public Hearing for enactment of the Revised Ordinance was scheduled for Tuesday, November 27, 2007, at 5:30 p.m.*

(10/30/07 - 29 - 4:55 p.m.)

14a. Motion to adopt a resolution approving the Final Plat for Villas of Casa Bay
(Formerly consent item 8)

Kathy Nielsen, Applications Review Manager, stated that they had what they needed for this item.

(4:55 p.m.) **Motion by Manuel, seconded by Sanchez, carried 4/0 with Bryant absent, to adopt Resolution 2007-342 approving the Final Plat for Villas of Casa Bay.**

RESOLUTION NO. 2007-342

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR VILLAS OF CASA BAY

The meeting recessed at 4:56 p.m. and reconvened at 5:08 p.m.

(10/30/07 - 30 - 5:08 p.m.)

15. CONSIDER LOCAL REALTORS' PROPOSAL FOR TEMPORARY RELAXATION OF ARTICLE VII OF THE LAND DEVELOPMENT CODE (PROVISIONS RELATED TO SIGNS ERECTED WITHIN ST. JOHNS COUNTY)

Patrick McCormack, County Attorney, reviewed this item.

(5:08 p.m.) Regina Ross, Assistant County Attorney, reviewed the meeting that she hosted on October 24th regarding the signage issue. Rich voiced concern about signs in the center of the roads and all along the side of the roads. He asked the status regarding KB Homes and fines for their signs all over the county.

(5:12 p.m.) James Acosta, Code Enforcement Director, stated that they had been fining KB Homes since the beginning of the year for having signs in the county rights of way, totaling about \$10,000 in fines. Discussion followed by the Board members. Acosta stated that they were working on the weekends picking up signs and talking to the sign walkers. Acosta spoke on the Land Development Code. Ross spoke on contacting Mr. Carter and explaining to him that staff would be willing to work with him and educating him on the Land Development Code. Acosta stated that they would be more than willing to look at the complaints. Stevenson stated that the issue was enforcement and education. Manuel suggested listening to public comments and then have a broader discussion on it.

(5:20 p.m.) Ed Paucek, 970 Irma Way, spoke on the sign wars and stated that the necessity of signs were a reality. He stated that they were trying not to cause sign pollution and came to the Board for relief. He also stated that they were hoping to get some direction from the Board to talk to Code Enforcement and come up with something. Discussion followed.

(5:34 p.m.) Dennis Ginder, 765 Opossum Lane, builder, spoke on education being helpful, the sign ordinance not being enforced for a long time, and being upset about his signs being picked up and taken to the dump.

(5:36 p.m.) Cliff Starr, 708 Standish Drive, spoke on being in a group that created the present sign ordinance. He asked the Board to vote against any relaxation of Article VII.

(5:39 p.m.) Jerry Zinn, 124 Fonseca Drive, spoke on being in a deed restricted community and the relaxation of Article VII.

(5:41 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., spoke against any relaxation of Article VII and asked for an updated brochure so builders and developers would know

what the rules were. He stated that they would like to see an overlay district in the southeast with some rigorous sign restrictions.

(5:45 p.m.) Mary Kohnke, spoke against the relaxation of Article VII and stated that they didn't need a complaint to enforce the code. McCormack stated that it was not required that there be a complaint for code enforcement. Wanchick stated it was a larger issue of what kind of code enforcement we want for this county. Rich thanked Acosta and his staff for doing a good job and suggested that Wanchick get with Acosta on looking into what else could be done.

(6:00 p.m.) Regarding item 5, Manuel suggested deferring this item. Wanchick mentioned that the County Attorney needed a particular provision in a timely manner. McCormack responded that pushing it back two weeks or a month wouldn't hurt his interest but he didn't want to go too much further than that. Wanchick added that they would go back and look at that proposal in general. Stepp stated that Item 5 was the boat dock issue. Manuel stated that McCormack could draft something up while they do Commissioners' comments.

(10/30/07 - 31 - 9:42 a.m.)

16. PUBLIC HEARING - CONSIDER RENAMING WHETSTONE PLACE - ON MAY 4, 2005, THE BOARD OF COUNTY COMMISSIONERS PASSED AND ADOPTED RESOLUTION 2005-123 WHICH GRANTED A PETITION TO CHANGE A ROAD NAME FROM COKE ROAD TO WHETSTONE PLACE. THE PETITION TO RENAME THE ROAD INCLUDED SIGNATURES OF AT LEAST 51% OF THE PROPERTY OWNERS ON THE ROAD REQUESTING THE ROAD BEING RENAMED, IN ACCORDANCE WITH ST. JOHNS COUNTY RESOLUTION 92-65. RESOLUTION 92-65 DID NOT FORESEE THE INSTANCE WHERE AN ACTUAL OWNER OF THE ROAD ITSELF WAS NOT ALSO AN OWNER OF PROPERTY ALONG THE ROAD, AND THEREFORE NOT INCLUDED ON THE PROPERTY OWNER LIST OF THE PETITION. ST. JOHNS COUNTY HAS RECENTLY REVISED ITS ROAD NAMING AND RENAMING PROVISIONS TO INCLUDE NOTICE TO ALL PROPERTY OWNERS OWNING OR ABUTTING THE ROADWAY INVOLVED. THE REVISIONS ALSO INCLUDED THAT THE BOARD OF COUNTY COMMISSIONERS MAY ON ITS OWN INITIATIVE RENAME ROADS AFTER A NOTICED PUBLIC HEARING, AND RECOGNIZES THAT SEC. 336.05, F.S. PROVIDES AUTHORITY FOR THE BOARD OF COUNTY COMMISSIONERS TO RENAME ROADS. AT THE PUBLIC HEARING, BOARD OF COUNTY COMMISSIONERS MAY CONSIDER: RETAINING THE NAME WHETSTONE PLACE, RENAMING OR REVERTING TO THE NAME COKE ROAD, CHOOSING ANOTHER NAME FOR THE ROAD (E.G., HOSPITAL ROAD OR OTHER NAME)

Proof of publication for the notice of public hearing regarding consideration of renaming Whetstone Place was received, having been published in *The St. Augustine Record* on October 20, 2007.

This item was pulled from the agenda and rescheduled to November 27, 2007.

(10/30/07 - 31 - 6:02 p.m.)

COMMISSIONERS' REPORTS

Commissioner Manuel:

Manuel stated due to a personal conflict, he would not be at the special meeting on November 20 and asked for a consensus of the Board to move it to November 27. Rich asked about changing the rules and policies in reference to the reorganization meeting.

McCormack replied that it was the Board rules, and it would need a vote of 4 to change the rules. Rich asked to vote on the November 13th meeting to change the meeting from the 20th to the 27th.

(6:05 p.m.)

Commissioner Stevenson:

Stevenson spoke on the financing of the fire station. Manuel spoke on working with the fire chief and his staff on funding for the fire station. He spoke on controlling the budget better. Discussion followed.

(6:08 p.m.) Stevenson stated that she was interested in having staff look at the Water Star Provision. Manuel suggested calling Brian Teeple to do a presentation. Locklear replied that they already started looking into it.

(6:13 p.m.) Sanchez spoke on roads needing attention and setting up a reserve to take care of it. Wanchick stated that he would get with Sanchez on some of the specifics.

(6:15 p.m.) Sanchez spoke on the county running the amphitheatre and building a second tier for parking at the amphitheatre.

(6:17 p.m.) Stevenson stated that the county had a way of tracking public works. Locklear stated that the county had a new payment management software that came with the asset management.

(6:19 p.m.) Rich stated that he would like staff to take a closer look at the roads. Sanchez spoke on International Golf Parkway having road drainage problems.

(10/30/07 - 32 - 6:26 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke on the Board entering into an Interlocal agreement with the Town of Hastings on their Emergency Sheltering Shutter Program for their community center. The project took longer than anticipated, so the interlocal agreement had expired, and they would like the Board's authorization to extend the date to December 31st, so they could submit for reimbursement under that grant to the County. (6:27 p.m.) **Motion by Sanchez, seconded by Manuel, carried 4/0 with Bryant absent, to extend the date on the interlocal agreement to December 31st.**

Wanchick asked for the Board's concurrence for Debra Rhodes Gibson for the position of Director of Library Services. The Board agreed.

(10/30/07 - 32 - 6:24 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack stated that Bryant was concerned with the turtle shores code enforcement. Acosta responded that the developer was given until October 22nd to come up with fixing the plan.

McCormack mentioned that the County Charter meeting scheduled on November 13th would be changed to November 27th. The Board agreed with the change.

(10/30/07 - 32 - 6:29 p.m.)

CLERK OF COURT'S REPORT

No report.

Motion by Manuel, seconded by Stevenson, carried 4/0 with Bryant absent to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 6:29 p.m.

REPORTS:

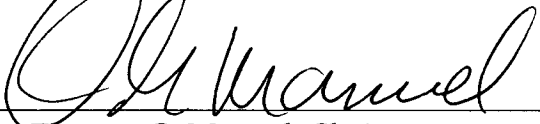
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 409396 through 409744, totaling \$3,810,231.06 (10/09/07)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 409745 through 409770, totaling \$42,990.26 (10/12/07)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 409771 through 410101, totaling \$9,793,167.12 (10/16/07)

CORRESPONDENCE:

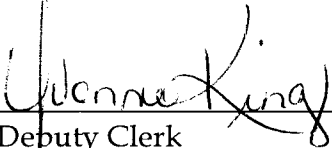
1. Letter to Karen Rogers, City Clerk, regarding a certified copy of the Davis Shores Neighborhood Park Interlocal Agreement (10/17/07)
2. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Numbers 2007-79 and 2007-80 (10/22/07)
3. Letter to Shirley A. Taylor, Program Administrator, Financial Disclosure Coordinator, regarding update of financial disclosure mailing list (10/22/07)

Approved _____ December 18 _____, 2007

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Thomas G. Manuel, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

