

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
OCTOBER 14, 2008  
(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:            Thomas G. Manuel, District 4 Chairman  
                              Cyndi Stevenson, District 1, Vice Chair  
                              Ron Sanchez, District 2  
                              Ben Rich, District 3  
                              James Bryant, District 5  
                              Michael D. Wanchick, County Administrator  
                              Patrick McCormack, County Attorney  
                              Terry Bulla, Deputy Clerk

(10/14/08 - 1 - 9:02 a.m.)  
CALL TO ORDER

Manuel called the meeting to order.

(10/14/08 - 1 - 9:02 a.m.)  
ROLL CALL

Manuel said that all five commissioners were present.

(10/14/08 - 1 - 9:03 a.m.)  
Manuel gave the Invocation and Sanchez led the Pledge of Allegiance.

(10/14/08 - 1 - 9:04 a.m.)  
PROCLAMATION DESIGNATING OCTOBER 19-25, 2008 AS NATIONAL TEEN  
DRIVER SAFETY WEEK

Stevenson read the Proclamation and Patsy Heiss received it on behalf of Dennis Hollingsworth and thanked the Board for the Proclamation. She told about an upcoming workshop.

(10/14/08 - 1 - 9:09 a.m.)  
ACCEPTANCE OF PROCLAMATION

**Motion by Sanchez, seconded by Bryant, carried 5/0, to accept the Proclamations.**

(10/14/08 - 1 - 9:10 a.m.)  
DELETIONS TO CONSENT AGENDA

Wanchick asked that Item No. 14 be removed.

(10/14/08 - 1 - 9:10 a.m.)  
APPROVAL OF CONSENT AGENDA

**Motion by Rich, seconded by Sanchez, carried 5/0, to approve the Consent Agenda as amended.**

1. Approval of the Cash Requirement Report
2. Minutes:  
09/16/08 – BCC Regular Meeting
3. Motion to approve transfer of \$100,000 from the FY 08 County Transportation Trust Fund Reserve [1111-1131-59920] to the Fleet Maintenance Division Cost of Parts [1111-1123-55219] for the purchase of parts and service to repair county vehicles
4. Motion to approve the hiring the Utility Engineer III position at a PG 126 Step 8, and; motion to transfer \$9,796 from the Utility Services Reserve to fully fund the Engineer III position for FY 09
5. Motion to adopt **Resolution No. 2008-289**, approving the terms, and authorizing the Chairman to execute an Interlocal Agreement with the Ponte Vedra Municipal Service District for joint participation in the construction of Phase III of the sidewalk located on the west side of Ponte Vedra Boulevard

**RESOLUTION NO. 2008-289**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS ASSOCIATED WITH AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE PONTE VEDRA MUNICIPAL SERVICE DISTRICT, CONCERNING CONSTRUCTION OF A SIDEWALK, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE INTERLOCAL AGREEMENT ON BEHALF OF THE COUNTY

6. Motion to adopt **Resolution No. 2008-290**, approving the terms, provisions, conditions and requirements of an agreement between St. Johns County, Florida and Alpha Omega Miracle Home for Choose Life License Plate Funds (as recommended by the St. Johns County Health and Human Services Advisory Council) and authorizing the Chair of the Board of County Commissioners to execute the agreement on behalf of the County

**RESOLUTION NO. 2008-290**

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ALPHA OMEGA MIRACLE HOME, AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

7. Motion to adopt **Resolution No. 2008-291**, approving the terms, provisions, conditions and requirements of an agreement between St. Johns County, Florida 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 Chair of the Board of County Commissioners to execute the agreement on behalf of the County

**RESOLUTION NO. 2008-291**

**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**

8. Motion to adopt **Resolution No. 2008-292**, approving the terms, provisions, conditions and requirements of an agreement between St. Johns County, Florida and EPIC Community Services for the provision of services through the THINK ASAP Program and authorizing the Chair of the Board of County Commissioners to execute the contract on behalf of the County

**RESOLUTION NO. 2008-292**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND EPIC COMMUNITY SERVICES FOR THE THINK ASAP PROGRAM, AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

9. Motion to adopt **Resolution No. 2008-293**, approving the terms, conditions, and requirements of Amendment #23 to the Community Based Care contract # DJ993 between St. Johns County, Florida and the State of Florida, Department of Children and Families, and authorizing the County Administrator to execute Contract Amendment #23 on behalf of the County

**RESOLUTION NO. 2008-293**

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

10. Motion to adopt **Resolution No. 2008-294**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property required for Segment III of the Volusia Street/Four Mile Road project (13th of 17 parcels)

**RESOLUTION NO. 2008-294**

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

11. Motion to adopt **Resolution No. 2008-295**, 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

**RESOLUTION NO. 2008-295**

**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 MENTAL HEALTH DROP IN CLINIC AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID LEASE**

12. Motion to adopt **Resolution No. 2008-296**, approving the terms and authorizing the Chairman to execute a Conservation Easement over ~ 8.6 acres at Alpine Groves Park to mitigate for wetland impacts associated with the development of the park

**RESOLUTION NO. 2008-296**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE CHAIRMAN TO EXECUTE A CONSERVATION EASEMENT OVER APPROXIMATELY 8.6 ACRES AT ALPINE GROVE PARK TO MITIGATE FOR WETLAND IMPACTS DUE TO CONSTRUCTION OF THE PARK**

13. Motion to adopt **Resolution No. 2008-297**, approving the terms and authorizing the Chairman to execute a Conservation Easement over approximately 5.45 acres between San Sebastian View and US1 to mitigate for wetland impacts associated with the construction of the County Administrative Building

**RESOLUTION NO. 2008-297**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE CHAIRMAN TO EXECUTE A CONSERVATION EASEMENT OVER APPROXIMATELY 5.45 ACRES BETWEEN SAN SEBASTIAN VIEW AND US 1 TO MITIGATE FOR WETLAND IMPACTS ASSOCIATED WITH CONSTRUCTION OF THE COUNTY ADMINISTRATIVE BUILDING**

*This item was pulled.*

14. Motion to adopt a Resolution accepting the conveyance of a 113 acre Community Park Sites per the RiverTown DRI Development Order
15. Motion to rename Calvin Peete Park to "Collier-Blocker-Puryear Park"
16. Motion to adopt **Resolution No 2008-298**, approving the terms, and conditions of a Contract between the Board of County Commissioners of St Johns County, Florida and the Council on Aging, Inc., in order to provide Sunshine Bus Service, paratransit service DOT/ VANS and enhanced veteran services for a period of 12 months, and authorizing the Chairman of the Board of County Commissioners to execute the Contract on behalf of the County

**RESOLUTION NO. 2008-298**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A CONTRACT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS COUNTY COUNCIL ON AGING, INC. IN ORDER TO PROVIDE SUNSHINE BUS SERVICE, PARATRANSIT SERVICE, DOT/VANS AND ENHANCED VETERAN SERVICES FOR A PERIOD OF 12 MONTHS, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE CONTRACT ON BEHALF OF THE COUNTY**

17. Motion to adopt **Resolution No. 2008-299**, approving the St Johns County Transit Development Plan 2008 Minor Update

**RESOLUTION NO. 2008-299**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ST. JOHNS COUNTY TRANSIT DEVELOPMENT PLAN (TDP) 2008 MINOR UPDATE**

18. Motion to approve the extension of the 2008 Tax Roll prior to completion and adjustments of the Property Value Adjustment Board parcels
19. Motion to adopt **Resolution No. 2008-300**, approving the Final Plat for Kessler Replat of Lot 11

**RESOLUTION NO. 2008-300**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR KESSLER REPLAT OF LOT 11**

20. Proofs:
  - a. Proof, Notice to Bidders, Bid No. 08-162
  - b. Proof, Notice of Hearing, Board of County Commissioners, Resolution continuing the automatic indexing of St. Johns County

- Utility Water & Sewer Rates and Unit Connection Fees for FY 2009, Tuesday, Sept. 30, 2008 at 9:00 a.m.
- c. Proof, Notice of Hearing, Board of County Commissioners, Resolution incorporating TOPO Inc. & H&J Investments dba Fruit Cove Properties (Fruit Cove Utility) into the St. Johns County Utility System, Tuesday, Sept. 30, 2008 at 9:00 a.m.
  - d. Proof, Notice of Hearing, Board of County Commissioners, Resolution continuing the automatic indexing of St. Johns County Ponte Vedra Utility Water & Sewer Rates and Unit Connection Fees for FY 2009, Tuesday, Sept. 30, 2008 at 9:00 a.m.
  - e. Proof, Notice of Hearing, Board of County Commissioners, Unsafe Building Abatement Code Ordinance pertaining to the abatement fund, Tuesday, Sept. 30, 2008 at 9:00 a.m.
  - f. Proof, Notice to Bidders, Bid No. 08-168
  - g. Proof, Notice of Hearing, Board of County Commissioners, Fire Rescue Assessment Ordinance, Tuesday, June 10, 2008 at 9:00 a.m. (Ponte Vedra Recorder)
  - h. Proof, Certificate of Liability Insurance, Miller Electric Company

(10/14/08 - 6 - 9:10 a.m.)

PUBLIC COMMENT

Dwight Hines, 150 Nesmith Avenue, asked about contracts being let and if they would have a clause in them saying that the contractor's records would have to be public records. Michael Hunt, Assistant County Attorney, responded that contracts were subject to the Public Records Law of Florida and that clause was in the contracts.

(10/14/08 - 6 - 9:12 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Manuel asked that language for the one cent sales tax, pertaining to the development area, be added as Item No. 9 for clarification purposes.

(10/14/08 - 6 - 9:13 a.m.)

APPROVAL OF REGULAR AGENDA

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

(10/14/08 - 6 - 9:13 a.m.)

1. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE CHANGE ORDER 22 IN THE AMOUNT OF \$6,479,424 FOR COMPLETION OF DESIGN & CONSTRUCTION OF THE NORTHWEST WATER PLANT PHASE B AND FOR THE COMPLETION OF CONSTRUCTION OF THE ENTIRE PROJECT FOR CONTRACT VALUE UP TO \$8,151,895

Joe Burch, Purchasing Director, gave background information on the project and noted that the project was designed to be constructed in four distinct phases. He said the Tillman Ridge portion had been completed, and had been converted from an aeration plant to a reverse osmosis plant with increased output. He reviewed the Northwest Water Plant Improvements constituted the fourth phase and described its various components.

(9:17 am.) Stevenson said she had received favorable comments from people in the area.

(9:17 a.m.) Bryant said it had been a long process to move forward from the previous water caution area designation for that area. He said they had been removed from the water caution area because of the expertise and work done in that area.

(9:18 a.m.) **Motion by Bryant, seconded by Stevenson, carried 5/0, to authorize the County Administrator, or his designee, to execute Change Order 22 in the amount of \$6,479,424 for completion of design & construction of the Northwest Water Plant Phase B and for the completion of construction of the entire project for contract value up to \$8,151,895.**

(9:19 a.m.) Manuel asked to return to Public Comment as a speaker had inadvertently been missed.

(9:19 a.m.) Gerald Eubanks, 785 Viscaya Blvd., Florida Memorial University, said he was representing the Chairmanship of the Abram, Lincoln, Lewis Archway Legacy Committee. He said he was there to praise the Board for their approval for changing the name of Calvin Peete Park to Collier-Blocker-Puryear Park. He said it would help to reset the course of history and reviewed the legacy of those individuals for whom the arch was renamed. He thanked the Board for their help and said they would like to move forward together.

(9:24 a.m.) The Rev. Helen Toby, 904 Palermo Rd., thanked the Board for their service. She commented on missing campaign signs and said their theft constituted a felony. She asked the Board to have the Sheriff's Department investigate the theft. (9:28 a.m.) Rich responded to Toby's comments.

(10/14/08 - 7 - 9:30 a.m.)

2. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE WITH AND, IF NEGOTIATIONS ARE SUCCESSFUL, ENTER INTO CONTRACT WITH THE NUMBER ONE RANKED FIRM, TURNBULL ENVIRONMENTAL, INC., IN THE AMOUNT OF \$1,195,000 FOR RFP NO. 08-11R, TURNBULL CREEK REGIONAL OFF-SITE MITIGATION AREA

Joe Burch, Purchasing Manager, gave the presentation and explained the policy regarding wetland consumption and/or usage. He said in order to meet the requirements of other agencies responsible for wetland restoration and preservation, the County desired to create an off site regional mitigation area, known as the Turnbull Creek Regional Mitigation Area. He noted that Turnbull Environmental, Inc., was the No. 1 ranked firm based on specified criteria.

(9:32 a.m.) Rich clarified that the mitigation area would be in St. Johns County. He asked for the source of the funding. Tony Cubbedge, St. Johns County Land Management, said the Transportation Trust Funds was set aside for funding for mitigation.

(9:35 a.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to authorize the County Administrator, or his designee, to negotiate with and, if negotiations are successful, enter into contract with the number one ranked firm, Turnbull Environmental, Inc., in the amount of \$1,195,000. If an agreement cannot be reached with the No. 1 ranked firm, authorization is requested to terminate negotiations and begin negotiations with the next ranked firm and continue until an agreement is reached with one firm.**

(10/14/08 - 8 - 9:35 a.m.)

3. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO NEGOTIATE WITH AND, IF SUCCESSFUL WITH NEGOTIATIONS, ENTER INTO CONTRACT WITH RELIANCE STANDARD LIFE INSURANCE COMPANY AS PROPOSED BY THE BAILEY GROUP AND L.B. BRYAN (CO-BROKERS) FOR RFP #08-113 LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

Joe Burch, Purchasing Manager, gave the presentation and said their task was to evaluate all insurance purchases which the County had. He said there were 17 responses for RFP, and the recommendation of Cyber Consulting who evaluated the proposals, was to give the contract to Reliance Standard Life Insurance Company. He said the resulting savings would be estimated at \$87,000.

(9:38 a.m.) Stevenson clarified that \$26,000 was savings for the County, but the remainder of the savings went to the employees as premium savings.

**(9:39 a.m.) Motion by Rich, seconded by Sanchez, carried 5/0, to authorize the County Administrator, or his designee, to negotiate with and, if successful with negotiations, enter into contract with Reliance Standard Life Insurance Company as proposed by the Bailey Group and L.B. Bryan (Co-Brokers).**

(10/14/08 - 8 - 9:40 a.m.)

4. PUBLIC HEARING - REZ 2008-13, RAVENHEIR ENTERPRISES - THIS IS A REQUEST TO REZONE FROM INDUSTRIAL WAREHOUSE (IW) TO COMMERCIAL INTENSIVE (CI). SUBJECT PROPERTY IS APPROXIMATELY 5 ACRES AND IS LOCATED ON THE SOUTH SIDE OF SR 16, WEST OF RACE TRACK RD. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO COMMERCIAL INTENSIVE SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS AS SUBMITTED BY THE APPLICANT, THE LOCATION OF THE PROPERTY WITHIN THE MIXED USE LAND USE AND OTHER RELEVANT INFORMATION AVAILABLE TO STAFF. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR AUGUST 25, 2008 MEETING BY A VOTE OF 7 TO 0 (MOTION BY NELSON, SECOND BY LAIDLAW)

Proof of publication of the notice of public hearing on Proposed Rezoning/REZ 2008-13/Ravenheir was received, having been published in *The St. Augustine Record* on September 29, 2008.

Michael Blackford, Planner II, gave the presentation. He said they had received only one objection from the property owner notifications, and PZA had recommended approval by a vote of 7/0.

**(9:41 a.m.) Motion by Sanchez, seconded by Rich, carried 5/0, to enact Ordinance No. 2008-50, known as REZ 2008-13, Ravenheir Enterprises, adopting findings of fact one through four to support the motion.**



ORDINANCE NO. 2008-50

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

(10/14/08 - 9 - 9:42 a.m.)

5. PUBLIC HEARING - MAJMOD 2008-08, MISSION TRACE PUD - THIS IS A MAJOR MODIFICATION TO THE MISSION TRACE PUD, SEEKING TO REVISE ACCESS ALONG KENTON MORRISON RD. AND ADD ADDITIONAL SIGN LANGUAGE. THE PLANNING DIVISION FINDS THE REQUESTED MAJOR MODIFICATION, SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS, THE FUTURE LAND USE DESIGNATION OF MIXED USE DISTRICT, AND COMMENTS BY THE ST. JOHNS COUNTY PUBLIC WORKS DEPARTMENT. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR AUGUST 25 MEETING BY A VOTE OF 7/0 (MOTION BY NELSON, SECOND BY WILLIAMS)

Proof of publication of the notice of public hearing on Proposed Major MOD/MAJMOD 2008-08/Mission Trace was received, having been published in *The St. Augustine Record* on September 29, 2008.

Michael Blackford, Planner II, gave the presentation. He said it was planned for improved safety to the intersection Kenton Morrison, Woodlawn and SR16. He said the main access would be moved about 600 from the intersection. He said it was also a request to revise the commercial sign language to specify compliance with the Land Development Code and there were no deviations. It was recommended for approval by the PZA by a vote of 7/0.

(9:43 a.m.) Tom Ingram, 245 Riverside Ave., Jacksonville, the applicant, stated that he had nothing further to add.

(9:43 a.m.) **Motion by Sanchez, seconded by Rich, carried 5/0, to enact Ordinance No. 2008-51, known as MAJMOD 2008-08, Mission Trace, adopting findings of fact one through six to support the motion.**

ORDINANCE NO. 2008-51

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE MISSION TRACE (PUD) ORDINANCE NUMBER 2007-88, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR EFFECTIVE DATE

The Board recessed at 9:43 a.m. and resumed at 9:50 a.m.

(10/14/08 - 10 - 9:51 a.m.)

6. PUBLIC HEARING - COMPAMD 2008-01, COMPREHENSIVE PLAN AMENDMENTS RELATED TO THE ADDED LANDS TO THE NOCATEE DRI (HYDRY AND US 1 PARCELS) - THIS REQUEST IS FOR THE TRANSMITTAL HEARING FOR A DEVELOPMENT OF REGIONAL IMPACT RELATED COMPREHENSIVE PLAN AMENDMENT, CONSISTING OF A PROPOSED LAND USE AMENDMENT TO CHANGE THE 2015 ST. JOHNS COUNTY FUTURE LAND USE MAP (FLUM) FROM RURAL SILVICULTURE TO NEW TOWN FOR APPROXIMATELY 562.46 ACRES FOR TWO PARCELS OF LAND WITHIN ST. JOHNS COUNTY TO BE CONSIDERED ADDED LANDS TO THE NOCATEE DEVELOPMENT OF REGIONAL IMPACT. THE PLANNING DIVISION FINDS THE REQUEST TO TRANSMIT THE AMENDMENT TO THE 2015 ST. JOHNS COUNTY COMPREHENSIVE PLAN SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS (INCLUDING THE STATEMENT OF FACTS) AS SUBMITTED BY THE APPLICANT. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE PUBLIC HEARING. AT THE SEPTEMBER 4TH PUBLIC HEARING, THE PLANNING & ZONING AGENCY RECOMMENDED APPROVAL OF TRANSMITTAL BY A VOTE OF 6-1, WILES DISSENTING

Proof of publication of the notice of public hearing on Proposed Future Land Use Amendments was received, having been published in *The St. Augustine Record* on September 29, 2008.

Manuel recused himself, and stated he had been invited to and attended several hunting outings held by a relationship to the applicant. He turned the chairmanship over to Stevenson.

(9:52 a.m.) Jason Cleghorn, Planner III, started the presentation and reminded the Board it was a Transmittal Hearing for a Development of Regional Impact (DRI) Related Comprehensive Plan Amendment. He reminded the public that there was a sign in sheet at the back of the room provided by DCA to allow the public to receive information regarding the project.

(9:52 a.m.) Stevenson asked Whitehouse, Assistant County Attorney, about the rules for Commissioner Manuel recusing himself, to ensure that the rules were being met appropriately. Whitehouse said a form needed to be filled out and the ethical reasons for doing so needed to be stated for the record. *The required form, CE Form 8B, was given to Commissioner Manuel, to be completed and returned to the Deputy Clerk within 15 days.*

(9:53 a.m.) Cleghorn continued with the presentation and gave specific details relating to the project. He said it was a change from Rural Silviculture to New Town and would be considered as added lands to the Nocatee DRI. He said this hearing was only to determine whether the County wished to transmit the amendment. He said there were two separate parcels and were not contiguous. One was the HyDry Parcel, along the Intercoastal, and the other was the US1 Parcel. He reviewed the specifics for each parcel and the land use in the area. He reviewed the impacts to the existing development. He noted the PZA had recommended transmittal of the COMPAMD 08-01 by a vote of 6/1.

(9:59 a.m.) Stevenson asked if there were any interconnectivity issues with the US 1 parcel. She noted they had received correspondence earlier with business owners in the area expressing concerns. Cleghorn said it was difficult to know that at this time, because this was only the land use change, but the issues would come forward during the incremental MDPs.

(10:00 a.m.) Greg Barber, The Parc Group, 4314 Pablo Oaks Court, Jacksonville, said they were asking for the transmittal of the Comp Plan Amendment, and it was just one step in the entire process. He explained the review process. He gave a PowerPoint presentation for the Nocatee Comprehensive Plan Amendment (Exhibit A). He reviewed acquisition of the HyDry Parcel as part of the right-of-way necessary for Racetrack Road. He said the remainder of that parcel would be developed as low density Single Family. He gave an update on the Nocatee Plan Summary including regional transportation improvements, conservation and environmental protection, the Nocatee Preserve, the Nocatee Greenway, public school sites, libraries, parks and recreation areas, land donations for civic services and cash contributions, part of the transportation plan, which would be made over the life of the project. He reviewed the status of development and roadway improvements.

(10:11 a.m.) Rich asked when the parcel in consideration was bought. Barbour said it was acquired in the 1980's and was owned by the Davis family for quite some time. Rich asked why the request was not incorporated into the original Nocatee Development. Barbour said it was owned by the Davis family entity, a different entity from the one that Nocatee was owned under, and he did not know. Rich asked how many home sites were presently occupied in the Nocatee development. Barbour responded about 250 were occupied and another 100 were under construction.

(10:12 a.m.) Don Smith, England Timms and Miller, 14775 St. Augustine Rd., Jacksonville, said they had filed DRI modifications which had been reviewed by staff and another PUD modification would be filed soon for staff review within the next four months. He reviewed the site of the parcels and explained the purpose of their acquisition. He said the request was to change the land use designation from Rural Silviculture to New Town for 18.5 acres along US 1. He reviewed the land use around the parcel. He reviewed the HyDry Parcel and said the request for the land use designation was also from Rural Silviculture to New Town, and consisted of 545 acres with 156 acres of uplands to be developed into low density single family residences. He also reviewed the addition to be made to the Nocatee Greenway.

(10:17 a.m.) Rich questioned the relocation of residential units within the development not increasing the amount of units and decreasing the density. He asked about the areas where the units would have been built and how that land would be used. Smith said they had evaluated the impacts for the total number of residential units and they were not increasing the entitlements. He said they were bringing land in without changing the entitlements. Rich clarified that there was not future plan use designated for the land from which the units would be moved. Smith said it was just a change in the allocation of units and not taking land out of Nocatee or changing it to a different use. Rich asked how many units would be in the new area. Smith said approximately 150 units or 1 unit per acre.

(10:19 a.m.) Stevenson expressed concern about the movement of units to other areas. She asked if there was a commitment to low density to deal with compatibility as the logic of the intent. She said she wanted it memorialized at the highest level. Smith said he recommended they include those restrictions in the Development Order and it would memorialize what could be done at HyDry. He said specific conditions could be

included. He reviewed the 3.6 miles of frontage preserve donated to St. Johns County along the Tolomato River.

(10:24 a.m.) Stevenson disclosed ex parte with Palm Valley Community Association meetings and had heard presentations from Barbour and the concerns of the citizens and had met with a citizens' group who lived on the Intercoastal regarding their concerns about docks, spoken with Mr. Barber about issues of buffers, docks, density and buffering on the Colater Bridge Road area. She noted she had also met with Roger Osteen to discuss low impact development. (10:24 a.m.) Rich disclosed ex parte with the people who Stevenson had mentioned as well as with representatives of the Parc Group and their attorneys and with Mr. Kelly of the Sawgrass Golf Group and they were general conversations as to how it would positively affect St. Johns County. (10:25 a.m.) Sanchez stated he had a phone call from Mr. Osteen to discuss general things and from Mr. Kelly and the Golf Association. (10:25 a.m.) Bryant said he had received e-mails and the written material. He said he had not met with or talked to the applicants. Stevenson said she also received a phone call from Kelly.

(10:26 a.m.) Jeff Baldwin, 151 S. Roscoe, Ponte Vedra, questioned the environmental impact of the development. He said 388 acres of wetland could be included in their transmittal request and assumed it would be a requirement. He said he would like to request that the upland buffer be extended. He said they had initially been told by the Parc Group that it would not be developed. He said impacts of docks, bulkheads, increase in water traffic and other things needed to be considered. He asked if environmental studies had been done. He said they could not afford to affect any more of the buffer. (10:31 a.m.) Rich responded regarding the environmental impacts. He expressed concern regarding agreements made prior, that no development would be made on that particular land. Baldwin said it was only a verbal agreement that they would not extend Nocatee any closer to the Intercoastal.

(10:35 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, Fruitcove, said she had been involved a long time with the project. She said assurances had been given that it would not be developed, but it was not in the Development Order. She asked that it not be transmitted to the Department of Community Affairs (DCA) and proceeded to cite her reasoning. She concluded there was no need for it.

(10:42 a.m.) Dorothy Wardell, 2622 Lighthouse Bend Drive, Ponte Vedra Beach, for the Northeast Florida Sierra Club, said there would be no public interest served in developing additional land. She cited the reasons why the natural environment should not be disturbed any further and turned into more housing developments. She said the land was environmentally sensitive and would do untold damage to our economy. She asked that the proposal not be sent to the DCA.

(10:46 a.m.) William Wardell, 2622 Lighthouse Bend Drive, Ponte Vedra, said he was speaking for not only himself but for friends and acquaintances in St. Johns County. He spoke in opposition to the request. He said this proposal was definitely not in the public interest and asked specifically that they not transmit the proposal to the DCA. He said only the developer would gain and everyone else would lose.

(10:49 a.m.) Rich asked John Ruley, Department Planner for St. Johns County Fire Rescue, to come forward. Rich asked him to give a general idea showing where the proposed fire station would be and what purpose the new fire station would serve to that area. Ruley said that two fire station sites had been promised to the Nocatee Development. He reviewed their analysis for the site locations and said they were trying to eliminate station sites that gave most of their run coverage within another county's jurisdiction, and to get the best coverage for the development without losing

any of their travel distance. He said they negotiated with the Sheriff's office to have a joint public safety fire station and police site. He said their aim was to maintain travel distances to gain the greatest returns on their efforts. He reviewed the proposed areas of coverage. He said the southern site would be within a five mile coverage based on road construction locations. Rich asked if the southernmost station would be able to cover the proposed area from Palencia to Walden Chase. He said they had been able to save one fire station site by that movement. Ruley said the Pine Island station would not cover the proposed parcel in question, which would be covered by the Roscoe Blvd. station. Rich asked if they would need another fire station other than the one at Davis Park current planned site. Ruley said no. Rich said he must have misunderstood something he had previously seen, proposed by the developer. Ruley confirmed that there was only one planned fire station for the Nocatee development.

(10:58 a.m.) Stevenson asked that they be sure that coverage would be provided by the other station. She said the way the roads were configured might cause them to be outside the five mile drive range. Ruley said the unknown factor was where the roads would be.

(10:59 a.m.) Sanchez said that all of this was proposed and there were no fire stations within Nocatee at that time. Ruley said that was correct. He said the locations proposed were suitable to their needs. He said it was separate property from Davis Park. He said that five miles was based on road miles.

(11:02 a.m.) Stevenson asked staff about the conversion table in the DRI allowing conversion from non-residential use to residential and that it might increase. Cleghorn said that was the way the conversion tables worked, however there was no move within the application to do that, but that conversion tables were included in all DRIs. Stevenson asked how many dwelling units could be placed on the land under the existing land use and zoning. Cleghorn responded that Rich had also asked him that question and in calculating the number, he chose the 90 percent preserve and 10 percent development area, and came up with 489 acres of reserve would yield approximately 55 acres of development area or 110 units. He said it was more complicated than that and he could not compute it quickly. He said he was comfortable with approximately 100 units. Stevenson asked Jan Brewer to come forward. Rich asked Cleghorn if they were asking to build approximately 150 homes to the land. Cleghorn said that was correct. However, he said there were different strategies which would yield different numbers. Stevenson asked if the 100 units would be in addition to the Nocatee units. Cleghorn said his calculations were made on a generic basis and would be different because there were some uplands on the site. Stevenson said she wanted to establish that although it was Rural Silviculture, there was some provision for them to put single family housing on that parcel and could be sold and developed separate from the current ownership and ingress and egress would have to be established on Palm Valley Road.

(11:08 a.m.) Jan Brewer came forward and Stevenson said she had spoken with her yesterday. She asked if Brewer was familiar with this site. Brewer said she was and had been present during the original Nocatee application. She said she had made a visit to the HyDry parcel and it was not a part of the original proposed development. Stevenson asked if staff had proposed anything to protect the buffered area. Brewer said there were wetlands on the HyDry piece and she explained what would be allowed. She said there would be minimal impact to the look of the area, and that was their goal. She said the area was highly regulated by the Army Corps of Engineers and they had a right-of-way on the property and would be the regulating area for any docks in the area. There was discussion on who could participate in the discussion for docks. Brewer said anyone could participate.

(11:15 a.m.) Bryant asked Barbour to come forward. Bryant said he was present during the original Nocatee process. He said he had never heard that the parcel in question would never be developed. He said it was owned by the Davis family under a separate corporation and that was why it was not included. Barbour showed which areas were clearly shown outside of the boundary of Nocatee. He said it was not included because it was outside the development area and it was owned by the Davis family entity. Bryant said that was his recollection as well. He said he was not sure the Corps of Engineers would allow docks on the west side of the Intercoastal because of the narrowness of the canal. Barber said their land abutted the Army Corps land. He said they were the responsible permitting agency and that any homeowners would have to meet the criteria of the Corps. There was discussion on the upland buffers and their necessity for protection of the waterway. Barber said the homes would be set back considerably. He said there would be no bulkheads because of the upland buffer and because of the regulations.

(11:20 a.m.) Rich asked if the FLUM designation or the zoning of that particular land had changed since the approval of the original Nocatee Development. Barbour said it had not.

The Board recessed at 11:21 a.m. and resumed at 11:35 a.m.

Stevenson said the staff and applicant presentations had been completed as had the Commission comments.

(11:35 a.m.) Bryant said it had been before PZA with a 6/1 vote and had been sent on to the Board for recommendation. He said that during these dire economic times they needed to be doing whatever they could to expand the tax base and the proposed project would have a huge economic impact. He said the HyDry parcel had development rights on its own merit. He said another benefit would include that it would be forever taken away from future development. He said they would be able to contain the increase in the number of residential units. He said it would have an overall positive impact on the County.

(11:38 a.m.) Rich concurred with Bryant, and said the land had development rights and would be impacted sooner or later. He said there was some information given to him in private which made this a better deal for the County in the long run. He said it would be high income property which would pay its way. He asked staff to look at rolling over the construction of the proposed fire station at the southern end of the property into the existing CDD and to present that information to the Board.

(11:42 a.m.) Whitehouse clarified that to amend the Comprehensive Plan was a legislative function. He said it was not a quasi judicial function.

(11:43 a.m.) Sanchez said he agreed with Rich and Bryant but had some problems which would have to be worked out when it arrived back to them. He said there were already 250 homes without fire service and they were talking about adding more. He said he had concerns about the New Town designation spreading out. He said those issues would need to be addressed.

(11:46 a.m.) Stevenson said she had watched projects change over time and she wanted to be sure at the highest levels, that the intention of the Board was to carry it out in the future and it was not to be changed. She said she would not support any changes in the future.

(11:47 a.m.) Rich asked Bryant to base his decision on the comments made by the Board and to disregard the findings of fact previously provided. Bryant said that was his

intent. He went on to explain there was no rubber stamping by the Board. He said the DCA would provide an additional layer of scrutiny.

**(11:49 a.m.) Motion by Bryant, seconded by Rich, carried 4/0 with Manuel recused, to approve transmittal of COMPAMD 08-01, Nocatee Added Lands, supported by the discussions of the Board.**

The Board recessed for lunch at 11:49 a.m. and reconvened at 1:30 p.m. with four commissioners present and Rich absent, Wanchick, McCormack, Whitehouse, and Deputy Clerk Lenora Newsome present.

(10/14/08 - 15 - 1:30 p.m.)

7. PUBLIC HEARING - PUD 2006-30, KEY PARCEL - THIS IS A REQUEST TO REZONE 101.4 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR PROPERTY LOCATED NORTHWEST OF SR 207, ACCESSED THROUGH THE TWIN LAKES PLANNED UNIT DEVELOPMENT. THE PLANNING & ZONING AGENCY RECOMMENDS DENIAL OF THE APPLICATION (MOTION BY WHEELER/SECONDED BY WILLIAMS) PASSING BY A VOTE OF 4/3 (GREEN, HANSON, & NELSON DISSENTING) AFTER MOTIONS TO CONTINUE AND THEN REHEAR THE ITEM. THE RECOMMENDATION IS BASED UPON TWO FINDINGS: COMPATIBILITY RESULTING FROM THE SOUTHERN VEHICULAR CONNECTION AND TIMING RELATING TO PENDING SCHOOL CONCURRENCY REGULATIONS. DISCUSSION DURING THE HEARING ADDRESSED THE SR 207 CORRIDOR IMPROVEMENT GROUP DEVELOPMENT AGREEMENT AND INTERCONNECTIVITY RESULTING FROM TRANSPORTATION PLANNING. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO PLANNED UNIT DEVELOPMENT (PUD) SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE. THIS FINDING IS BASED ON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS (INCLUDING THE STATEMENT OF FACTS AND COMPATIBILITY FACTORS), THE LOCATION OF THE PROPERTY ADJACENT TO SIMILAR SINGLE FAMILY PLANNED UNIT DEVELOPMENTS AND CONSISTENCY WITH THE RESIDENTIAL B LAND USE. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE QUASI JUDICIAL PUBLIC HEARING

Proof of publication of the notice of public hearing on Proposed Rezoning/PUD 2006-30, Key Parcel was received, having been published in *The St. Augustine Record* on September 29, 2008.

Lindsay Haga, AICP Chief Planner, stated that she did not have any changes to present to the Board.

(1:31 p.m.) Sanchez disclosed ex-parte communication with Kathy Whittington and her client. Bryant and Stevenson disclosed ex-parte communication with Whittington and Bart Walchle having discussed the over all project and its compliance with the Comp Plan.

(1:33 p.m.) Kathy Whittington, Attorney, reviewed the item, stating that at the Planning and Zoning hearing, two collateral issues were discussed. She stated that the first one was the school concurrency application fee of \$150.00. Manuel spoke on concurrency approval. Haga responded on the dates and timing. Manuel stated that they would have to meet school concurrency requirements. Whittington stated that the second issue was that staff requested the project be designed with interconnectivity with the

Twin Lakes PUD. Manuel encouraged interconnectivity. Stevenson spoke on design issues on local roads. Whittington stated that the transportation staff requested that they maintain the right-of-way width in the project and they also maintained a pedestrian interconnection between the two. Bryant mentioned that policy should be that the right-of-way for interconnectivity be reserved in case it was needed. Manuel asked if they were paying the rest of their funds that were due under the CR 207 agreement. Whittington replied. Manuel asked to include in the motion the language, *that the proportionate share of the CR 207 concurrency transportation dollars were to be paid by January 10th.* Whittington stated that the development agreement stated it and if they didn't pay it, they would cancel the concurrency certificate. Whitehouse spoke on the legal description in the packet and asked that they correct the scrivener's error in it. He stated that the maker of the motion should clarify that the full legal description should be listed prior to it being published and recorded.

**(1:42 p.m.) Motion by Sanchez, seconded by Bryant, carried 4/0 with Rich absent, to enact Ordinance 2008-52, known as PUD 2006-30, Key Parcel, adopting findings of fact 1 through 7 to support the motion and that the applicant will make scheduled payments to the Highway 207 transportation agreement subject to any improved extensions.**

#### ORDINANCE NO. 2008-52

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

(10/14/08 - 16 - 1:43 p.m.)

#### 8. WATER CONSERVATION INITIATIVE WORKSHOP

Bryant left the meeting. Whitehouse left the meeting and Michael Hunt, Deputy County Attorney, entered the meeting.

Darrell Locklear, Assistant County Administration of Operations, introduced the item and spoke on water being a limited resource. He stated that for the purpose of the workshop that day, they would like to accomplish; 1) to show what they were currently doing in St. Johns County to conserve water, 2) to present to the Board a range of options that were available to them to further promote water conservation, and 3) at the end of the presentation, they would like to solicit input from the Board on those recommendations on things they presented this day, and on which issues they would like them to move forward.

(1:46 p.m.) Bill Young, Utility Director, gave the presentation on water conservation initiatives. He started with the utility service areas map, positive impact of conservation, rate structure, residential accounts, public education, school presentations on request, beneficial reuse of wastewater effluent, wetland creations and enhancements, public access application, brackish water-source treatment, and future utility strategies. Manuel spoke regarding the need for in depth discussion on how they would continue to advance their utility assets to meet their needs and the needs of the citizens. Stevenson stated that until there was utility coverage for the entire county, there would be issues. Discussion followed.



(2:01 p.m.) Stan DeAngelis, Chief Building Official, Director of Development Services and Building Services, gave a presentation from the Building Services Division reviewing, the Florida Building Code 2004, the Florida Energy Code, the Florida Plumbing Code 2004, put in a moisture sensor, water efficiency summary, Florida Green Building Coalition, Florida Building Code update, and recommendations. Stevenson stated that she fully supported the moisture sensors and all the measures they could take toward energy efficient building. DeAngelis stated that they had put in a rainwater reuse system at the wind mitigation building by the Agricultural Building. Sanchez asked about adding cost to a house when inserting the moisture sensor. Manuel spoke on water being a commodity. He voiced concern on homeowners associations regarding landscape requirements. Locklear stated that he had thought about that concern and discussed it. Manuel spoke on utility bills going up and putting certain water conservation plans into place. Stevenson spoke on homeowners associations' concerns.

(2:19 p.m.) Jan Brewer, Growth Management Services, gave a presentation on the water conservation plan, current state laws, Florida Administrative Code, Chapter 40c-2, Florida Statutes Section 373.32, current Land Development Code requirements, current request of development, water conservation proposals for consideration, and consideration of adopting a water conservation resolution. Manuel spoke on Brewer working on the resolution. Brewer continued the presentation with adopting a ready made conservation program. Manuel and Stevenson spoke on the Water Star Program. Manuel stated that he would like to learn more as they continued the discussion at the Board level. Wanchick said that they were getting ahead of Brewer's presentation because part of the message was, as much as those programs had merit, none of them should be entered into lightly. Manuel said that they were not saying to enter into any of them at this point, and the only thing that they had agreed upon so far was the resolution of a direction. Wanchick stated that the Water Management District had their own program, which they did not really enforce because they did not have the ability. He stated that any program that they chose, should be market driven rather than enforcement driven from the County side. (2:32 p.m.) Brewer continued the presentation with, issues to consider in adopting a ready-made conservation program, and adopting a State law as one of the local ordinances. She stated the most obvious one would be the Water Management District's irrigation requirements. McCormack stated that he didn't know if it was a self executing State law, but would check it out. Stevenson stated that her understanding was, that it was a State law, but they didn't have the ability to enforce it. Brewer replied that it was a State law within 40C-2 of the Florida Administrative Code, and within that code it did have a provision for enforcement and fines. She said the difficulty was that the Water Management did not have the staff to go out and enforce it on a proactive basis, so it was more of a complaint driven enforcement action. She said that they could consider additions to the Land Development Code. Locklear spoke on lot coverage. Stevenson stated that she wanted to adopt the Water Star Program. Brewer stated that the goal was to conserve saving money. She showed examples-comparison, reviewed the current and future actions, and County water conservation initiative. Sanchez spoke on the State law requiring the rain sensor and asked if the moisture sensor met that State law and the reply was yes. McCormack remarked on one other aspect of water conservation. Stevenson spoke on the moisture sensors and requirements. Locklear responded. Stevenson spoke on it being an appropriate step having a 50 percent spray irrigation and added, to consider having a maximum spray irrigation area of a half acre. Manuel stated that all of Stevenson's suggestions should be placed on a list for consideration.

(2:50 p.m.) Locklear addressed the state of the art landscaping around the new Administration Building. Stevenson spoke on the issue regarding clean ponds.

(10/14/08 - 18 - 2:54 p.m.)

9. DISCUSSION ON ONE PERCENT SALES TAX DEFINITION

Manuel stated this sales tax was to define what the County considered existing development areas today. He asked staff to draft a resolution or ordinance, and to release that information to the press and the public. Wanchick stated that staff had put together three maps to cover the one percent sales tax. He also stated that staff would get the information out concerning the one percent sales tax to the public. McCormack commented that this was an illustration of what the County considered development area. Manuel stated that the actual language that was proposed was as followed: *improved transportation systems, enhanced safety and ease traffic congestion within existing developments*. He stated that there were no changes to the words at all on the ballot, but this would help people understand what the term meant.

(10/14/08 - 18 - 2:58 p.m.)

COMMISSIONERS' REPORTS

Commissioner Rich:

Rich was absent.

(2:58 p.m.)

Commissioner Sanchez:

No comment.

(2:58 p.m.)

Commissioner Stevenson:

Stevenson congratulated the River Feast 2008 Student Art Show winners. She stated that the Arts Council for St. Johns County hosted the northwest section. She stated that one of the things they had held was a school art show and announced the winners.

(2:58 p.m.)

Commissioner Bryant:

Bryant was absent.

(3:00 p.m.)

Commissioner Manuel:

Manuel commented on the performance of the Planning and Zoning Agency stating over the past year that they had done a great job for the Commission.

Manuel stated that at the October 28<sup>th</sup> BCC meeting they would have a discussion of the County Administrator's annual performance review.

(10/14/08 - 18 - 3:04 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick spoke on sending a memo out on October 10<sup>th</sup>, indicating that due to the holidays in November and December, they had reshuffled some of the meetings.

(10/14/08 - 19 - 3:02 p.m.)  
COUNTY ATTORNEY'S REPORT

McCormack spoke on being in Sanford on a court case, "Water War," in his opinion that went quite well. He stated that the Water Management District was requiring an additional condition to the propose Seminole County water withdrawal because of the litigation.

(3:04 p.m.) Stevenson spoke on going green and water consumption. She spoke on extraction from the St. Johns River.

(3:06 p.m.) Manuel stated that this was the last meeting of the Commission in this auditorium. He announced that the opening ceremony in the new building was scheduled for October 28th.

(10/14/08 - 19 - 3:07 p.m.)  
CLERK OF COURT'S REPORT

No report.

**Manuel announced that the meeting was adjourned at 3:07 p.m.**

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 427066 through 427079, totaling \$247,681.87 (09/18/08)
2. St. Johns County Board of County Commissioners Check Register, Check No. 427080 through 427402, totaling \$1,699,526.51 (09/23/08)
3. St. Johns County Board of County Commissioners Check Register, Check No. 427403, totaling \$634.56 (09/23/08)
4. St. Johns County Board of County Commissioners Check Register, Check No. 427404 through 427434 \$68,185.83 (09/25/08)
5. St. Johns County Board of County Commissioners Check Register, Check No. 427435 through 427826 \$3,088,997.73 (09/30/08)

CORRESPONDENCE:

1. Letter dated October 2, 2008 to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing St. Johns County Ordinances Number 2008-47 and 2008-48.

Approved November 18, 2008

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson  
Cyndi Stevenson, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Uwanne King  
Deputy Clerk