

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JULY 16, 2002
(9:00 A.M.)**

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

Present were: James E. Bryant, District 5, Chair
Nicholas Meiszer, District 1, Vice Chair
John Reardon, District 2
Marc Jacalone, District 3
Mary Kohnke, District 4
David Halstead, Assistant County Administrator
Michael Hunt, Assistant County Attorney
Yvonne King, Deputy Clerk

Also present were: Cheryl Strickland, Clerk of Courts; and Allen MacDonald, County Finance Director.

(07/16/02 - 1 - 9:07 a.m.)

Chair Bryant called the meeting to order.

(07/16/02 - 1 - 9:07 a.m.)

Jacalone gave the Invocation. Reardon led the Pledge of Allegiance.

(07/16/02 - 1 - 9:10 a.m.)

ROLL CALL

Bryant announced that all commissioners were present.

(07/16/02 - 1 - 9:10 a.m.)

PUBLIC COMMENTS

Dante Salamone, 5225 Datil Pepper Road, requested the Board institute a fire ban in the County. He also requested the Board publish the various evacuation shelters around the County.

(07/16/02 - 1 - 9:14 a.m.)

DELETIONS TO CONSENT AGENDA

There were no deletions to the Consent Agenda.

(07/16/02 - 1 - 9:14 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Jacalone, seconded by Reardon, carried 5/0, to approve the Consent Agenda, as follows:

1. Approval of the Cash Requirement Report

2. Approval of Minutes:
06/04/02 – BCC Regular Meeting
06/11/02 – BCC Regular Meeting
3. Motion to adopt **Resolution No. 2002-132** recognizing unanticipated revenues in the amount of \$155,830 in the General Fund (0001-33440) and appropriating it to the expenditure budget of the Council on Aging (0072-55305)

RESOLUTION NO. 2002-132

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AMENDING THE FISCAL YEAR 2002 GENERAL FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY COUNCIL ON AGING

4. Motion to adopt **Resolution No. 2002-133** authorizing the Clerk of Courts to file the survey map of Knowlton Street claiming a vested interest by St. Johns County in the right-of-way

RESOLUTION NO. 2002-133

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AUTHORIZING THE CLERK OF THE COURTS TO FILE THE SURVEY MAP OF KNOWLTON STREET CLAIMING A VESTED INTEREST IN ST. JOHNS COUNTY IN THE RIGHTS-OF-WAY DESCRIBED IN THIS SURVEY BY PRESCRIPTIVE RIGHTS OF THE PUBLIC IN ACCORD WITH THE PRINCIPLES SET FOR IN DOWNING V. BIRD, 100 SO.2D 57 (FLA. 1950)

5. Motion to adopt **Resolution No. 2002-134** authorizing the Clerk of Courts to file the survey map of Nassau Street claiming a vested interest by St. Johns County in the right-of-way

RESOLUTION NO. 2002-134

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AUTHORIZING THE CLERK OF THE COURTS TO FILE THE SURVEY MAP OF NASSAU STREET CLAIMING A VESTED INTEREST IN ST. JOHNS COUNTY IN THE RIGHTS-OF-WAY DESCRIBED IN THIS SURVEY BY PRESCRIPTIVE RIGHTS OF THE PUBLIC IN ACCORD WITH THE PRINCIPLES SET FORTH IN DOWNING V. BIRD, 100 SO.2D 57 (FLA. 1950)

6. Motion to adopt **Resolution No. 2002-135** authorizing the County Administrator to execute, on behalf of St. Johns County, the A1A Beach Blvd Three – Lane Transportation Project Pond System Maintenance Agreement

RESOLUTION NO. 2002-135

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, APPROVING THE EXECUTION OF AN AGREEMENT WHICH SECURES A JOINT DRAINAGE DETENTION AND RETENTION FACILITY THAT WILL PROVIDE THE STORMWATER PERMIT REQUIREMENTS FOR THE A1A BEACH BLVD. THREE-LANE TRANSPORTATION PROJECT

7. Motion to direct the County Administrator to execute a Joint Participation Agreement between the First Coast Metropolitan Planning Organization (FCMPO) and St. Johns County authorizing the provision of assistance to the FCMPO
8. Motion to allow the County Administrator or his designee, to enter into contract under Bid No. 02-93, Construction of S.R. 16 Sidewalk, with Jacksonville Eighteen Constructions, Inc. in the amount of \$326,757.78 (*See Exhibit "A"*)
9. Motion to adopt **Resolution No. 2002-136** amending Resolution 96-153 to reflect changes in Social Services criteria for participation in St. Johns County non-mandated Social Service programs

RESOLUTION NO. 2002-136

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, AMENDING RESOLUTION NO. 96-153, WHICH ESTABLISHED THE CRITERIA OF CARE FOR ST. JOHNS COUNTY NON-MANDATED SOCIAL SERVICE PROGRAMS, IN ORDER TO AMEND THE CRITERIA FOR RECEIVING BENEFITS FROM THE NON-MANDATED SOCIAL SERVICE PROGRAMS AS ADMINISTERED BY ST. JOHNS COUNTY

10. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 02-110
 - b. Proof, Request for Proposals, RFP No. 02-108

(07/16/02 - 3 - 9:14 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Bryant requested to add an item to the agenda as Item #6a at the request of the Economic Development Committee; a resolution supporting the American Culinary Federation. Jacalone requested to add an item to the agenda as Item #10a; drainage issues in and around Wahoo Drive in Vilano Beach.

(07/16/02 - 3 - 9:16 a.m.)

APPROVAL OF REGULAR AGENDA

Motion by Kohnke, seconded by Bryant, carried 5/0, to approve the Regular Agenda, as revised.

(07/16/02 - 4 - 9:17 a.m.)

1. INFORMATIONAL PRESENTATION ON THE CONSTRUCTION OF A PROPOSED "LIBRARY INTERPRETIVE TRAIL" ON THE PROPERTY BEHIND THE PONTE VEDRA BRANCH LIBRARY

Joan Van Vleck, Member of the Citizen Group for the "Library Interpretive Trail," made a presentation of the revised concept, which consists of: a gazebo, a board walk around the pond, a story telling area, a children's maze, walking trails with sculpture, and bench areas with sculpture. Van Vleck then requested the Board to approve the concept. (9:20 a.m.) Chris Monti further explained the design of the trail. Discussion followed regarding the committee participants, the conceptual site plan, parking, and the involvement of the Library Advisory Board in this project. (9:45 a.m.) Marie Seifert, 109 Buck Island Court, Ponte Vedra Beach, commented in favor of the proposed Library Interpretive Trail. (9:46 a.m.) Sarah Bailey, 2202 Bishop Estates Road, commented in favor of the proposed Library Interpretive Trail. (9:48 a.m.) Kohnke suggested that Van Vleck make a presentation before the Library Advisory Board, the Recreation Advisory Board, and the Ponte Vedra Beaches Coalition regarding the trail to receive their input on the trail.

(07/16/02 - 4 - 9:49 a.m.)

2. PRESENTATION OF A BRIEF INFORMATIONAL VIDEO REGARDING THE WILLIAM BARTRAM SCENIC HIGHWAY

Donna Godfrey, Planning Department, informed the Board that Mary Cornwell was not able to attend the meeting. Godfrey relayed that the first draft of the video was presented to the Board in May, when the eligibility application was approved for the William Bartram Scenic and Historic Trail proposal. At that time, the Corridor Group promised to bring the final video. Godfrey informed that the Scenic Highway Advisory Committee has reviewed the eligibility application, and has approved Staff to proceed with the designation application phase. (10:20 a.m.) Subsequently, Godfrey showed a video regarding the William Bartram Scenic Highway.

(07/16/02 - 4 - 9:51 a.m.)

3. PRESENTATION ON THE RESULTS FROM ST. JOHNS COUNTY'S ROUTE SPEED ZONE STUDY

Greg Kennedy, Traffic Operations Manager, made a presentation of the speed zone study of five of the eleven roads. (9:57 a.m.) Bernard O'Connor, Prosser Hallock, Jacksonville, gave a brief overview of the speed zone study objectives and then the results of all five roadways, as follows: explained the purpose of the study; reviewed the Florida Statute regarding speed limits; explained how speed limits are posted; explained the FDOT criteria for speed zones; and reviewed the five roadways that were studied. It was recommended that there be no speed limit change to Greenbriar Road. It was recommended that there be no speed limit change to International Golf Parkway. It was recommended that the West Portion be increased to 40 mph, and the East Portion be increased to 35 mph on Palmo Fish Camp Road. It was recommended that there be no speed limit change on Racetrack Road. It was recommended that there be no speed limit change on Roberts Road. Discussion followed regarding the speed zone study. (10:19 a.m.) **Motion by Jacalone, seconded by Kohnke, carried 5/0, to approve the proposed speed zones per study prepared by Prosser, Hallock, Inc. Consulting Engineers, dated June 24, 2002 for Greenbriar Road, International Golf Parkway, Palmo Road, Racetrack Road, and Roberts Road.**

The meeting recessed at 10:34 a.m. and reconvened at 10:44 a.m.

(10:25 a.m.) County Attorney James Sisco and Deputy County Attorney Daniel Bosanko entered the meeting.

(07/16/02 - 5 - 10:45 a.m.)

4. DISCUSSION OF THE COUNTY ATTORNEY'S OFFICE IN ST. JOHNS COUNTY

The Board discussed the staffing of the Legal Department, the contract for the current County Attorney, the Deputy County Attorney assuming the duties of County Attorney, and a contract for an assistant county attorney. (11:21 a.m.) *It was the consensus of the Board to continue this issue until Tuesday, July 23, 2002.*

(07/16/02 - 5 - 11:32 a.m.)

6a. RESOLUTION SUPPORTING THE AMERICAN CULINARY FEDERATION

Bryant explained the resolution in support of the Chamber of Commerce Business Incentive Grant Proposal on behalf of the American Culinary Federation, Inc. to retain their corporate home office within St. Johns County. (11:33 a.m.) Motion by Jacalone, seconded by Reardon, to adopt Resolution No. 2002-137. Kari Hall, 1 Riberia Street, gave reasons the Board should adopt the resolution. Discussion followed regarding the resolution. (11:51 a.m.) Matthew Sinow, 2063 Sara Lynn, St. Augustine, employee of First Coast Technical Institute, commented in favor of the resolution. (11:58 a.m.) Ruth Stinson, 7877 U.S. 1 South, St. Augustine, Chairperson of the St. Augustine and St. Johns County Chamber of Commerce, commented in favor of the resolution. (12:00 p.m.) Don Patrick, 1 Riberia Street, St. Augustine, commented in favor of the resolution. (12:03 p.m.) Jacalone withdrew his motion. Reardon withdrew his second to the motion. (12:03 p.m.) *It was the consensus of the Board to continue this agenda item to the afternoon session of the meeting.* (See page 11.)

(12:03 p.m.) Bryant announced that the remainder of the agenda (Items 5, 6, & Reports) will be considered in the afternoon session of the meeting.

The meeting recessed at 12:03 p.m. and reconvened at 1:30 p.m. with Bryant, Meiszer, Kohnke, Jacalone, Reardon, Halstead, Bosanko, and Deputy Clerk Judy Hamilton in attendance.

(07/16/02 - 5 - 1:40 p.m.)

7. PUBLIC HEARING - VAC ROA 01-003 PARTIAL VACATION OF PINE ISLAND ROAD. THIS IS A PETITION TO VACATE A PORTION OF PINE ISLAND ROAD. PINE ISLAND ROAD IS A COUNTY MAINTAINED DIRT ROAD. THE PORTION TO BE VACATED IS THE EASTERN MOST 325 FEET THAT IS COUNTY MAINTAINED. UPON APPROVAL OF THE VACATION, AN EASEMENT TO THE COUNTY FROM THE APPLICANT WILL PROVIDE A TURNAROUND AT THE END OF PINE ISLAND ROAD. THE STRATTON'S OWN THE ONLY OTHER PARCEL AFFECTED BY THE REQUESTED VACATION. THEY HAVE JOINED IN THE REQUEST TO VACATE. A 30' EASEMENT FROM THE END OF PINE ISLAND ROAD TO THEIR PARCEL HAS BEEN PROVIDED TO ENSURE PROPER ACCESS. BASED ON THE SUBMITTED INFORMATION, STAFF RECOMMENDS APPROVAL OF THE PROPOSED VACATION.

Proof of publication on Notice of Public Hearing in the matter of Petition to Vacate Pine Island Road Closure was received, having been published in *The St. Augustine Record* on July 2, 2002.

Darrell Locklear, Development Review Engineering Manager, addressed the Board, advising them of the proposed vacation. Don Smith, England, Thims & Miller, Inc., representing the applicant, Flagler Development Company, made a presentation to the Board utilizing visual display. Discussion followed on the proposed vacation. **Motion by Jacalone, seconded by Meiszer, carried 4/1 with Kohnke opposing, to approve Resolution No. 2002-137, to vacate a portion of Pine Island Road.**

RESOLUTION NO. 2002-137

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, VACATING A PORTION OF PINE ISLAND ROAD AS MORE FULLY DESCRIBED BELOW

(07/16/02 - 6 - 2:12 p.m.)

8. PUBLIC HEARING - RESOLUTION AUTHORIZING THE EXCAVATION AND TRANSPORT OF FILL MATERIALS FROM ANDERSON PARK PUD PROPERTY OF I-95 CONSTRUCTION PROJECT. THE I-95 WIDENING PROJECT IS ABOUT TO COMMENCE BY THE FLORIDA DEPARTMENT OF TRANSPORTATION. THE PROJECT HAS BEEN BID WITH AN EXPEDITED CONSTRUCTION SCHEDULE. DUE TO A RECENT DESIGN CHANGE OF THE RETENTION SYSTEM, OFF-SITE FILL MATERIAL IS NEEDED TO SUPPLEMENT THE WIDENING TO SIX LANES. THE LDC SECTIONS 2.03.10.B.1.A AND 6.04.09.A.1. ALLOW ACTIVITIES REQUESTED BY A GOVERNMENTAL AGENCY OR AN APPLICANT UNDER THE PERMISSION OF A GOVERNMENTAL AGENCY TO BE EXEMPT FROM THE LDC REGULATIONS FOR LAND EXCAVATION AND BORROW AREAS, WITH THE PERMISSION OF THE BOARD OF COUNTY COMMISSIONERS. ANDERSON COLUMBIA HAS BEEN AWARDED THE CONSTRUCTION PROJECT FOR THE PORTION OF THE WIDENING OF I-95 BETWEEN SR 207 AND INTERNATIONAL GOLF PARKWAY. THE FDOT AND ANDERSON COLUMBIA HAVE REQUESTED THAT THE ANDERSON PARK PUD PROPERTY BE USED FOR EXCAVATION OF FILL MATERIAL FOR THE I-95 CONSTRUCTION PROJECT. THE ATTACHED RESOLUTION, IF ADOPTED BY THE BCC, AUTHORIZES ANDERSON COLUMBIA TO USE THE ANDERSON PARK PUD PROPERTY TO EXCAVATE AND TRANSPORT FILL MATERIAL FOR THE I-95 PROJECT. A SITE PLAN WILL BE SUBMITTED TO THE COUNTY FOR THE LAND EXCAVATION ACTIVITIES, AND HOURS OF OPERATION WILL BE LIMITED TO MONDAY THROUGH SATURDAY FROM 6:00 A.M. TO 7:00 P.M. IT IS EXPECTED THAT THE EXCAVATION WOULD BEGIN IN AUGUST AND CONTINUE THROUGH THE END OF THE YEAR. ATTACHED IS THE RESOLUTION AUTHORIZING THE EXCAVATION AND TRANSPORT OF FILL MATERIAL FROM THE ANDERSON PARK PUD PROPERTY FOR THE I-95 CONSTRUCTION PROJECT, A LETTER FROM FDOT STATING THE NEED FOR THE FILL MATERIAL, A LOCATION MAP OF THE ANDERSON PARK PUD PROPERTY, AND A COPY OF A PORTION OF THE FDOT CONTRACT WITH ANDERSON COLUMBIA.

Proof of publication of Notice of Hearing in the matter of Anderson Park PUD was received, having been published in *The St. Augustine Record* on July 1, 2002.

Scott Clem, Director of Growth Management Services, made a presentation to the Board utilizing visual display. Discussion was held on the Resolution. (2:19 p.m.) Isabelle Lopez, Assistant County Attorney, entered the meeting. **Motion by Reardon, seconded by Jacalone, carried 5/0, to adopt Resolution No. 2002-138, authorizing the excavation**

and transport of fill material from the Anderson Park PUD property for the I-95 construction project, striking Item No. 3 from the Resolution.

RESOLUTION NO. 2002-138

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXCAVATION AND TRANSPORT OF FILL MATERIAL FROM THE ANDERSON PARK PUD PROPERTY TO THE INTERSTATE 95 CONSTRUCTION SITE FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION INTERSTATE 95 IMPROVEMENT PROJECT

(2:25 p.m.) Dan Bosanko, Deputy County Attorney, left the meeting.

(07/16/02 - 7 - 2:24 p.m.)

9. PUBLIC HEARING - PUD 2001-20 REGIS PINES PLANNED UNIT DEVELOPMENT. THIS REQUEST SEEKS TO REZONE APPROXIMATELY 55.38 ACRES LOCATED AT 1065 STATE ROAD 207 FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW FOR THE DEVELOPMENT OF 554,935 SF OF COMMERCIAL, RETAIL/SHOPPING CENTER AND LIGHT INDUSTRIAL/WAREHOUSE USES. THE PROPERTY IS COMPRISED OF 12.97 ACRES OF WETLANDS AND 42.41 ACRES OF UPLANDS. THE PROJECT WILL BE DEVELOPED IN TWO (2) FIVE-YEAR PHASES. CENTRAL WATER AND SEWER SERVICE WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE MAJOR ACCESS WILL BE FROM SR 207. IT IS STAFF'S OPINION THAT THE REQUESTED REZONING AND THE PROPOSED PLAN OF DEVELOPMENT COMPLY WITH THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE DESIGNATION OF MIXED USE DISTRICT (MD). SUBJECT TO THE APPROVAL OF THE BOARD FOR THE WAIVERS REQUESTED, THE REVIEW PROCESS AND APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 5.03, WHICH PROVIDES STANDARDS FOR PLANNED UNIT DEVELOPMENTS. STAFF FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. STAFF HAS NO OBJECTIONS TO APPROVAL OF THIS REZONING, SUBJECT TO THE BOARD'S APPROVAL OF THE WAIVERS REQUESTED. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR JUNE 20, 2002 MEETING WITH A 6-0 VOTE.

Proof of publication of Notice of Hearing in the matter of PUD 2001-20/Regis Pines was received, having been published on July 1, 2002 in *The St. Augustine Record*.

Nicole Clayton, Planner II, made visual presentation to the Board of the requested rezoning. Discussion was held on concurrency, cutting of wetlands, and various other aspects of the rezoning. (2:37 p.m.) Kevin Denny - Genesis Group, 5300 SW 91st Ter., Suite A, Gainesville, representing the applicant, answered questions from the Board. Further discussion was held on trees, buffer triangles, and the phases of the project. **Motion by Reardon, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2002-39, known as PUD 2001-20 Regis Pines, adopting Findings of Fact 1 through 6 to support the motion.**

ORDINANCE NO. 2002-39

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

(07/16/02 - 8 - 2:52 p.m.)

10. PUBLIC HEARING - PUD 2002-04 THE ESTATES AT PONTE VEDRA PUD. THIS REQUEST SEEKS TO REZONE 12.96 ACRES ON PALM VALLEY ROAD FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT OF 14 SINGLE-FAMILY RESIDENTIAL UNITS. THE SUBJECT PROPERTY IS DESIGNATED RESIDENTIAL B COASTAL ON THE 2015 FUTURE LAND USE MAP. THE PROPOSED PROJECT PROVIDES APPROXIMATELY 1.29 ACRES OF ACTIVE RECREATION OF WHICH THE FACILITIES SHALL INCLUDE TENNIS COURTS, A SWIMMING POOL AND MAY ALSO INCLUDE A GAZEBO AND THE LAKE. THE PROJECT IS ACCESSED BY PALM VALLEY ROAD. WATER AND SEWER IS PROVIDED BY INTERCOASTAL UTILITIES. THERE IS NO KNOWN SIGNIFICANT NATURAL COMMUNITIES HABITAT AS DEFINED BY THE LAND DEVELOPMENT CODE OR LISTED SPECIES ON THE SUBJECT PROPERTY. THE PROJECT SHALL COMMENCE WITHIN THREE YEARS OF APPROVAL AND BE CONSTRUCTED IN ONE FIVE-YEAR PHASE. THE REVIEW PROCESS AND THE APPLICATION ARE CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, PARTICULARLY PART 5.03, WHICH PROVIDES STANDARDS FOR PLANNED UNIT DEVELOPMENTS. IT IS STAFF'S OPINION THAT THE REQUESTED REZONING AND THE PROPOSED PLAN OF DEVELOPMENT SUPPORT THE GOALS, OBJECTIVES AND POLICIES OF THE COMPREHENSIVE PLAN AND THE FUTURE LAND USE DESIGNATION OF RESIDENTIAL-B COASTAL. STAFF ALSO FINDS THAT THE PROPOSED DEVELOPMENT IS CONSISTENT AND COMPATIBLE WITH THE SURROUNDING DEVELOPMENT. THEREFORE, STAFF HAS NO OBJECTIONS TO THE APPROVAL OF THIS REZONING, SUBJECT TO THE BOARD OF COUNTY COMMISSIONERS APPROVAL OF THE WAIVERS. THIS REQUEST WAS BEFORE THE PLANNING AND ZONING AGENCY ON JULY 10, 2002 AT A SPECIAL SESSION AND WAS PRE-SCHEDULED FOR THE BOARD OF COUNTY COMMISSIONERS HEARING.

Proof of publication of Notice of Proposed Rezoning in the matter of File #PUD 2002-04, The Estates of Ponte Vedra was received, having been published in *The St. Augustine Record* on June 24, 2002.

Danielle Mayoros, Planner II, addressed the Board, explaining the rezoning request, and handing out a revised map. Visual display was also utilized by Mayoros. (2:53 p.m.) Allen MacDonald, Finance Director, entered the meeting. Kohnke disclosed ex-parte' communication with Peter Schwab a couple of months ago and discussing the entire situation with him. (2:58 p.m.) Cheryl Strickland, Clerk of Courts, entered the meeting. Bryant stated he had met with Stevenson, the landowners, and a representative of the developer, regarding the map as presented in the agenda packet. (2:59 p.m.) Gary Davenport, representing the applicant Peter Schwab, made visual presentation to the Board on the rezoning request. Discussion was held on payment into the sidewalk fund. Public comment was then received.

(3:07 p.m.) Jared Stevenson, 4585 Palm Valley Rd., Ponte Vedra Beach, spoke in favor of the project. (3:07 p.m.) Bruce Schilling, 4515 Palm Valley Rd., Ponte Vedra Beach, spoke in support of the project. (3:10 p.m.) **Motion by Kohnke, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2002-40, known as The Estates at Ponte Vedra PUD (PUD 2002-04), adopting Findings of Fact 1 through 5, and granting waiver to Section 2.02.04.B.10, which will allow them to have two model homes on the property.**

ORDINANCE NO. 2002-40

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

The meeting recessed at 3:10 p.m. and reconvened at 3:24 p.m.

(07/16/02 - 9 - 3:24 p.m.)

10a. DRAINAGE ISSUES AT WAHOO DRIVE IN VILANO BEACH

Discussion was held, with pictures shown on the overhead projector, of the drainage problems at Wahoo Drive in Vilano Beach. Halstead had spoken with Public Works Director Joe Stephenson earlier and stated they would get back with the residents on the issue. Staff was requested to do an assessment of the situation.

(07/16/02 - 9 - 3:28 p.m.)

11. DISCUSSION OF REFUNDING BOND ISSUES BY MITCH OWENS, WILLIAM R. HOUGH & CO.

Cheryl Strickland, Clerk of Courts, made a presentation to the Board of this item, and introduced Mitch Owens. (3:30 p.m.) Isabelle Lopez, Assistant County Attorney, left the meeting, and Jim Sisco, County Attorney, entered the meeting. Discussion was held on the refunding of Sales Tax Revenue Bonds, Series 1994 and Transportation Revenue Bonds, Series 1992. (3:36 p.m.) Michael Hunt, Assistant County Attorney, entered the meeting. Further discussion ensued. *It was Board consensus to instruct the County Administrator to work with the Clerk's Office in going forward with the issues.*

(07/16/02 - 9 - 3:43 p.m.)

11a. ST. JOHNS COUNTY REPRESENTATION TO THE NORTHEAST FLORIDA COMMUNITY ACTION AGENCY *(This was previously numbered Item #6 on the Regular Agenda)*

Patsy Heiss, Assistant to the Administrator, presented this item to the Board for their review. Reardon nominated Gloria Benischeck, Community Services Manager. Discussion was held. Motion by Jacalone, seconded by Reardon, to appoint Kathy Drake, to this position. Kohnke nominated Errol Jones. **Motion by Jacalone, seconded by Reardon, carried 5/0, to appoint Kathy Drake to serve as the St. Johns County representative to the Northeast Florida Community Action Agency for a one-year term, scheduled to expire July 16, 2003.** (3:46 p.m.) Jim Sisco, County Attorney, left the meeting.

(07/16/02 - 10 - 3:54 p.m.)

5. WORKSHOP TO DISCUSS THE COMPATIBILITY INDEX CONTAINED WITHIN ST. JOHNS COUNTY'S COMPREHENSIVE PLAN

Teresa Bishop, Planning Director, presented this item to the Board for their consideration. Discussion was held on the proposed changes to Section A.1.3.12. (4:08 p.m.) Michael Hunt, Assistant County Attorney, left the meeting. Dan Bosanko, Deputy County Attorney, entered the meeting. Public comment was then received. (4:38 p.m.) Karen Taylor, 3070 Harbor Drive, voiced her concerns. (4:42 p.m.) Jerry Cameron, 518 Gentian Road, expressed his views. (4:47 p.m.) George McClure, 170 Malaga Street, stated his concerns and views. Revisions to the Policy will be included in a package of Comprehensive Plan amendments proposed by the Staff for Board consideration later in the year.

(4:45 p.m.) Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Judy Hamilton left the meeting.

(4:46 p.m.) Kohnke left the meeting.

(4:58 p.m.) Motion by Reardon, seconded by Bryant, carried 4/0 with Kohnke absent, to direct Staff to amend Policy A.1.3.12 known as the Compatibility Policy to be included in the proposed Comprehensive Plan amendment package.

(07/16/02 - 10 - 4:58 p.m.)

COMMISSIONERS' REPORTS

Commissioner Jacalone:

No report.

(4:58 p.m.)

Commissioner Meiszer:

No report.

(4:59 p.m.)

Commissioner Reardon:

Reardon congratulated Meiszer on receiving his certification for commissioners through the Florida Association of Counties.

(4:59 p.m.)

Commissioner Bryant:

Bryant reported that the ribbon cutting ceremony at the Palm Valley Bridge was very successful.

(07/16/02 - 10 - 5:00 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Halstead announced that there is a shade meeting scheduled for August 6, 2002 at 9:00 a.m. in Conference Room "A" regarding the Kathy Minnis/Julington Creek Impact Fee lawsuit.

Halstead announced the Joint School Board meeting scheduled for Thursday, July 25, 2002 at 9:00 a.m. at the Mental Health Conference Room at the County Health Center.

(07/16/02 - 11 - 5:01 p.m.)
COUNTY ATTORNEY'S REPORT

Bosanko presented a resolution for Agenda Item #6a.

(07/16/02 - 11 - 5:01 p.m.)
6a. RESOLUTION SUPPORTING THE AMERICAN CULINARY FEDERATION

Bosanko distributed copies of the resolution. Bryant reviewed the changes to the resolution. (5:02 p.m.) Motion by Jacalone, seconded by Meiszer, carried 4/0 with Kohnke absent, to approve Resolution No. 2002-139.

RESOLUTION NO. 2002-139

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, IN SUPPORT OF THE ST. AUGUSTINE/ST. JOHNS COUNTY CHAMBER OF COMMERCE BUSINESS INCENTIVE GRANT PROPOSAL ON BEHALF OF THE AMERICAN CULINARY FEDERATION, INC. TO RETAIN THEIR CORPORATE HOME OFFICE WITHIN ST. JOHNS COUNTY; PROVIDING FINDINGS OF FACT TO SUPPORT THIS ACTION; PROVIDING AN EFFECTIVE DATE

(07/16/02 - 11 - 5:02 p.m.)
CLERK OF COURT'S REPORT

No report.

There being no further business to come before the Board, the meeting adjourned at 5:02 p.m.

REPORTS:

1. St. Johns Board of County Commissioners Check Register; approving checks number 321173 through 321182 totaling \$2,367.27 (07/01/02)
2. St. Johns Board of County Commissioners Check Register; approving checks number 321183 through 321671 totaling \$2,041,417.16 (07/09/02)

Approved _____ September 3 _____, 2002

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chair



ATTEST: CHERYL STRICKLAND, CLERK

By: Wenae King
Deputy Clerk