

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
SEPTEMBER 9, 2003
(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
 Karen Stern, District 2, Vice Chair
 Nicholas Meiszer, District 1
 Marc Jacalone, District 3
 Bruce Maguire, District 4
 Ben W. Adams, Jr., County Administrator
 Michael Hunt, Assistant County Attorney
 Cecelia Aldrich, Deputy Clerk

Also present: Allen MacDonald, Finance Director, Clerk of Courts

(09/09/03 - 1 - 9:04 a.m.)

Chairman Bryant called the meeting to order and requested a moment of silence in memory of the events of Tuesday, September 11, 2001 and to honor those who died.

(09/09/03 - 1 - 9:06 a.m.)

The Invocation was given by Commissioner Jacalone and the Pledge of Allegiance was led by Maguire.

(09/09/03 - 1 - 9:06 a.m.)

ROLL CALL

Bryant stated that all five Commissioners were present.

(09/09/03 - 1 - 9:06 a.m.)

PROCLAMATION DESIGNATING SEPTEMBER 2003 AS ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

Stern noted that Susan Reed, Adult Substance Abuse Coordinator, James Tucker, Judicial Community Program Coordinator, and Regina Ford, Adolescent Substance Abuse Coordinator, from the Mental Health Department, would accept the Proclamation. Mr. Tucker came forward to receive the Proclamation and thanked the Commission. Tucker invited the Commissioners and the public to attend a "Recovery Month" event to be held at the St. Johns County Library on September 26th from 1:00 p.m. to 4:00 p.m.

(09/09/03 - 1 - 9:10 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Jacalone, seconded by Stern, carried 5/0, to adopt the previously read Proclamation.

(09/09/03 - 1 - 9:11 a.m.)

PUBLIC COMMENT

There was none.

(09/09/03 - 2 - 9:11 a.m.)

DELETIONS TO CONSENT AGENDA

Adams requested that Item 5 be pulled and it was added to the Regular Agenda as Item 7A.

(09/09/03 - 2 - 9:12 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Motion to approve the transfer of \$6,700 from the Water and Sewer Authority Reserves (1103-59920) to Refund of Prior Year Revenues in the amount of \$5,200 (1103-59301) and to Travel and Training Per Diem in the amount of \$1,500 (1103-54000)
3. Motion to approve the transfer of \$7,723 from the State Attorney's Reserves (1132-59920) to Office Equipment (1132-56401) for a new Canon Image Runner 5000 Copy Machine
4. Motion to approve the transfer of \$7,000 from the General Fund Reserves (0083-59920) to West Augustine CRA (1281-56100) for cost of flagging and creating a GPS map of the wetlands as related to the In-Fill Housing Program

(The following Item 5 was pulled and placed on the Regular Agenda as Item 7A.)

5. Motion to approve the transfer of \$1,410.50 from the General Fund - Reserves (0083-59920) to the Building Services Fund-Unlicensed Contractors (1104-35108) and its appropriation to the Construction Department (1190-53120)
6. Motion to adopt **Resolution No. 2003-165**, approving the assessment roll for the Ponte Vedra Wastewater Assessment area established pursuant to Resolution No. 2002-245, authorizing the Chairman to validate the Assessment Roll

RESOLUTION NO. 2003-165

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE ASSESSMENT ROLL FOR THE PONTE VEDRA WASTEWATER ASSESSMENT AREA ESTABLISHED PURSUANT TO ORDINANCE NO. 2002-55; ESTABLISHING THE LIEN ASSOCIATED THEREWITH; DIRECTING THAT THE ASSESSMENT ROLL BE CERTIFIED TO THE ST. JOHNS COUNTY TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE

7. Motion to adopt **Resolution No. 2003-166**, establishing the solid waste collection and recycling assessment fee level at \$87.57 per non-exempt residential unit for collection and \$16.30 per non-exempt residential unit for recycling and Motion to

adopt **Resolution No. 2003-167**, establishing the solid waste disposal assessment fee level at \$87.57 per non-exempt residential unit

RESOLUTION NO. 2003-166

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE RATE OF THE ANNUAL SOLID WASTE NON AD VALOREM DISPOSAL ASSESSMENT PURSUANT TO ST. JOHNS COUNTY ORDINANCE 89-20, AS AMENDED BY ORDINANCE 99-27

AND

RESOLUTION NO. 2003-167

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE RATE OF THE ANNUAL SOLID WASTE NON AD VALOREM COLLECTION ASSESSMENT AND THE ANNUAL SOLID WASTE NON AD VALOREM RECYCLED ASSESSMENT PURSUANT TO ST. JOHNS COUNTY ORDINANCE 94-07, AS AMENDED.

8. Motion to adopt **Resolution No. 2003-168**, accepting an Easement for Utilities for water and sewer service to Marshall Creek Unit EV-2/SV-1 Unit One Subdivision and a Bill of Sale conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2003-168

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO MARSHALL CREEK UNIT EV-2/SV-1 UNIT ONE SUBDIVISION AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

9. Motion to adopt **Resolution No. 2003-169**, accepting an Easement for Utilities for water and sewer service to Marshall Creek Unit EV-3 (a/k/a D-One) Subdivision and a Bill of Sale conveying all personal property associated with the water and sewer system

RESOLUTION NO. 2003-169

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO MARSHALL CREEK UNIT EV-3 (a/k/a D-ONE) SUBDIVISION AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER SYSTEM

10. Motion to adopt **Resolution No. 2003-170**, accepting an Easement for Utilities for sewer service to Meadows at St. Johns Unit Three (a/k/a Phase Three) Subdivision and accepting a Bill of Sale conveying all personal property associated with the sewer system

RESOLUTION NO. 2003-170

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR SEWER SERVICE TO MEADOWS AT ST. JOHNS UNIT THREE (a/ka/a Phase Three) SUBDIVISION AND ACCEPTING A BILL OF SALE CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE SEWER SYSTEM

11. Motion to adopt **Resolution No. 2003-171**, approving a final Plat for Saint Johns Six Mile Creek Unit 2 Tract 13

RESOLUTION NO. 2003-171

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR SAINT JOHNS SIX MILE CREEK NORTH UNIT 2 TRACT 13

12. Motion to adopt **Resolution No. 2003-172**, approving a final Plat for St. Johns Golf & Country Club Unit Four, Phase Three-A

RESOLUTION NO. 2003-172

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR ST. JOHNS GOLF & COUNTRY CLUB UNIT FOUR, PHASE THREE-A

13. Motion to allow the County Administrator, or his designee, to negotiate with and enter into a contract with the No. 1 ranked firm, Connelly and Wicker, Inc., for Traffic Engineering Hurricane Event Master Planning. If an agreement cannot be reached with the No. 1 ranked firm, authorization is requested to terminate negotiations and begin negotiations with the No. 2 ranked firm and continue until an agreement is reached (*Attachment A*)
14. 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
15. Motion to approve and execute five (5) originals of the Memorandum of Agreement (MOA) with the Florida Department of Transportation and the Florida Department of Financial Services, Division of Treasury (Treasury)
16. Motion to adopt **Resolution No. 2003-173**, recognizing \$24,360 in unanticipated revenue in the Law Enforcement Trust Fund and appropriating it for use and

SUMMARY SHEET
FOR RANKING OF PROFESSIONALS

ST. JOHNS COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS
CRITERIA FOR RANKING:

DATE: August 21, 2003 @ 9 a.m.
PROJECT: RFQ NO. 03-100, Traffic Engineering Hurricane Event
Master Planning

FIRM	RATER	RATER	RATER	COST	COST SCORE	TOTAL	RANK	COMMENTS
	KENNEDY	BARRO	RASMUSSEN					
PROSSER HOLLACK PLANNERS & ENG.	29	32	35	\$158,500.00	9	105	3	
TRANS SYSTEMS CORP	27	30	26	\$330,360.00	4	87	4	
CONNELLY & WICKER	36	35	36	\$146,250.00	10	117	1	
EDWARDS & KELCEY	35	31	34	\$145,000.00	10	110	2	

*SEE CALCULATION SHEET
APPROVED: PURCHASING MANAGER *[Signature]* DATE 8-21-03
DIRECTOR OF TRAFFIC OPERATIONS *[Signature]* DATE 8/22/03

NOTE: THE RANKING SHOWN ABOVE MUST BE FOLLOWED UNLESS SPECIAL CONDITIONS MERIT A CHANGE IN THE NEGOTIATING ORDER. IN THIS CASE, THE SPECIAL CONDITIONS MUST BE EXPLAINED IN DETAIL IN THE COMMENTS SECTION OR ATTACHED TO THIS RANKING SHEET.
POSTING TIME/DATE FROM 4:00 p.m. 8/22/03 UNTIL 4:00 p.m. 8/22/03 PAGES 1 OF 1 PAGES (S)

ANY RESPONDENT AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY REQUEST FOR PROPOSAL, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY-TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE SUMMARY SHEET. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.
T:\PROJECTS\SUMMARY\03-100 sum.doc

Attachment "A" Consent #13 9-09-2003

Motion to transfer \$30,640 from the 1105-1194-59920 (Law Enforcement Trust Fund - Reserve) to 1105-1194-56400 (Law Enforcement Trust Fund - Equipment)

RESOLUTION NO. 2003-173

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2003 LAW ENFORCEMENT TRUST FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY SHERIFF

(09/09/03 - 5 - 9:12 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams requested that Item 4 be pulled and rescheduled at a later date.

(09/09/03 - 5 - 9:12 a.m.)

APPROVAL OF REGULAR AGENDA

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

(09/09/03 - 5 - 9:12 a.m.)

1. CONSIDER REQUEST FOR EXTENSION OF THE 2003 TAX ROLL

Dennis W. Hollingsworth, CFC, St. Johns County Tax Collector, explained that, in compliance with Florida Statute, the extension would allow ample time to complete the corrections from the Value Adjustment Board and have the tax bills out by November 1, 2003.

(9:13 a.m.) Jacalone established that this was not an unusual request. Discussion followed regarding the process. (9:15 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to honor the request of the Tax Collector, Dennis Hollingsworth, for the extension of the Tax Roll.**

(09/09/03 - 5 - 9:15 a.m.)

2. CONSIDER MOTION TO ALLOW MR. MARK P. MINER TO CONTINUE SERVING AS A MEMBER OF THE RECREATION ADVISORY BOARD SHOWING GOOD CAUSE AND EXCEPTIONAL CIRCUMSTANCES TO WAIVE THE ATTENDANCE REQUIREMENT DURING THE PERIOD OF HIS MILITARY DUTY

Melissa A. Lundquist, Administrative Coordinator, explained the request.

(9:16 a.m.) Maguire questioned the current vacancies and asked if there were any pressing issues facing the Recreation Advisory Board. Lundquist responded that there are three vacancies and did not know of any pressing issues. Support of the military was acknowledged and encouraged by members of the Board.

(9:19) **Motion by Jacalone, seconded by Stern, to allow Mr. Mark P. Miner to continue serving as a member of the Recreation Advisory Board showing that good cause is evident in the fact that he is having to serve in the military.** (9:19 a.m.) Meiszer suggested that the vote should include exemption for volunteers of all Boards and Committees from attendance at meetings, if called for active military duty. Stern

agreed with Meiszer. (9:21 a.m.) With there being no public comment, Bryant called the vote, **motion carried 5/0.**

(09/09/03 - 6 - 9:21 a.m.)

3. DISCUSSION ON SALE OF TRACT E-1 EAGLE CREEK SUBDIVISION SURPLUS PROPERTY TO EAGLE CREEK HOMEOWNERS ASSOCIATION

Mary Ann Blount, Real Estate Manager, reviewed what had transpired with regard to the subject tract at Eagle Creek. She reported that the tract was appraised at \$40,000 and one bid had been received in the amount of \$1,000 from the Eagle Creek Homeowners Association. She asked the Board for its direction.

(9:23 a.m.) Meiszer stated that the County acquired the site free of charge and has no investment in it. He proposed offering a 50-year lease, at a dollar per year, since the site is to be used as a playground, and there might be a future use for the County. (9:26 a.m.) Jacalone noted that the property was declared surplus by Resolution. Discussion followed relating to a use restriction on the property and what the two acres would be worth as lots. (9:27 a.m.) Jacalone said he didn't think it would be in the best interest of the neighborhood to re-advertise as lots and supported the idea of leasing it to the association for the residents' use. (9:28 a.m.) Stern also supported the recommendation of a license agreement for \$700.00 per year, rather than selling it considerably below the appraised value. Maguire asked about liability to the County. (9:29 a.m.) Hunt responded that the lease would be drafted with the liability falling on the Homeowners' Association. Maguire asked how much money the County has spent on the subject property. Blount said she was unsure, but that there was an amount of money spent to comply with the EPA (Environmental Protection Agency). Maguire said he thought it was about \$40,000 to \$50,000, could not justify selling it for one dollar, and would support a lease for \$700.00 per year.

(9:30 a.m.) Carl "Bud" Markel, 801 Sugar Cane Avenue, St. Augustine, stated that he is President of the Eagle Creek Homeowners' Association. Markel said the County would have had to spend the money on the tract anyway to resolve the sewage treatment plant, the ponds and because of EPA considerations. Markel talked about the lack of recreation, in general, in that part of town and asked the Board to consider the bid. Markel referred to the 2002 Aerial Imagery Map of Eagle Creek Subdivision Property Surplus, identified the site and noted some improvements that would be needed. He indicated they would be interested in purchasing the site, but would consider a lease.

(9:36 a.m.) Jacalone said he wasn't willing to sell the tract for the price offered, but would be willing to lease it. There was discussion about raising the assessment to homeowners and whether a recreation area would serve only Eagle Creek or be made available to all County residents. Jacalone suggested that the attorneys draft a lease agreement for consideration. Meiszer said he would not want to turn away non-Eagle Creek children. (9:40 a.m.) Maguire agreed with Meiszer that it would be difficult to turn children away from a playground facility and would drop the rental rate down to have it open to everyone. (9:41 a.m.) **Motion by Maguire, seconded by Jacalone, to lease it [the recreation site] for \$100.00 per year and have it open to the general public.** Jacalone said he did not think it would get a favorable response from the [Eagle Creek] Board, but suggested the Commission let it happen and see what the reaction is. **The motion carried 5/0.**

4. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE CLERK OF THE COURTS TO FILE THE SURVEY MAP FOR A PORTION OF YELVINGTON ROAD CLAIMING A VESTED INTEREST IN ST. JOHNS COUNTY AND APPROVING THE TERMS AND CONDITIONS OF AN

INTERLOCAL AGREEMENT AND AUTHORIZING EXECUTION OF SAID AGREEMENT

Item 4 was pulled from the Agenda.

(09/09/03 - 7 - 9:42 a.m.)

5. CONSIDER MOTION TO APPROVE THE APPARENT LOW BID PROPOSAL FOR DESIGN BUILD SERVICES ON THE PONTE VEDRA MUNICIPAL VACUUM SEWER PROJECT AND THE STORM WATER DRAINAGE PROGRAM FOR SEAVIEW PARK CONTINGENT ON THE COUNTY RECEIVING THE APPROPRIATE EASEMENTS

John Schwab, Special Projects Manager, reported that the necessary meetings, Resolutions and Ordinances had been completed to establish the Ponte Vedra Vacuum Sewer Project. He explained that the contract is between JEA and the low bidder, and the County will come back to the Board with a contract for the drainage between the Engineering Department and the contractor. (*Attachment B*)

(9:43 a.m.) Jacalone noted there was a huge difference between respondents. He talked about the fact that people were going to be very unhappy during the destruction of the MSD area and strongly urged that they employ some public relations (PR) people.

(9:46 a.m.) Don Maurur, CDM, 8659 Baypine Road, Suite 200, Jacksonville, 32256, stated that the contractors do have customer service responsibility and there is a heavy emphasis on public education. He said they have outlined a schedule for the project within the bid. Maurur stated that landscaping would be replaced.

(9:48 a.m.) Maguire said an issue of a right-of-way has been brought to his attention by some residents. Schwab said permitting fees are an obligation of the contractor and there is a fixed price for that cost and he was unaware of a right-of-way fee. Maguire indicated he did not think there was a PR person available as yet and wanted to ensure that someone would be.

(9:50 a.m.) Motion by Jacalone, seconded by Maguire, carried 5/0, to approve the low bid proposal for design build services on the Ponte Vedra municipal Vacuum Sewer Project and the Storm Water Drainage Program for Seaview Park, contingent on the County receiving the appropriate easements, with Calloway Construction being the low bidder.

(09/09/03 - 7 - 9:51 a.m.)

6. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE ROAD IMPACT FEE CREDIT AGREEMENT WITH SOUTH HAMPTON PARTNERS, LTD. IN THE AMOUNT OF \$152,000 AND SOUTH HAMPTON DEVELOPERS, LTD. IN THE AMOUNT OF \$24,000 AND TO ACCEPT THE EXECUTED DEEDS

Nicole Clayton, AICP, Planner III, reviewed the request, including the location and size of the parcels included in the deeds. She referred to the General Location Map, Impact Fee Agreement for South Hampton PUD, to identify the property.

(9:55 a.m.) Maguire established that this procedure is warranted by County Ordinance. Discussion followed about the appraisal and impact fee credit amount. (9:56 a.m.) Daniel Bosanko, County Attorney, stated that an impact fee agreement can be rejected and one of the judgment calls necessary is whether the County wants or needs the real estate or construction that is offered for the credits. He said this type of decision could be delegated to the County Administrator by changing the Ordinance. (9:58 a.m.) In

Ponte Vedra Phase 2 Evaluation Matrix (100 possible points)

Factor ↓	Company →	Callaway	Haskell	WPC	Comments
Price: <u>70% weight</u> -Lowest Total Bid: <u>70 points</u> -Within 0 and 2.5% of Lowest Total Bid: <u>68 points</u> -Between 2.5% and 5% of Lowest Total Bid: <u>66 points</u> -Between 5% and 7.5% of Lowest Total Bid: <u>64 points</u> -Between 7.5% and 10% of Lowest Total Bid: <u>62 points</u> -Between 10% and 15% of Lowest Total Bid: <u>60 points</u> -Between 15% and 20% of Lowest Total Bid: <u>55 points</u> -Greater than 20% of Lowest Total Bid: <u>40 points</u>		70 \$9,478,702.91	40 \$18,757,071.00	40 \$15,409,215.08	
Project Approach & Schedule: <u>10% weight</u> Well Phased & Shorter Schedule: <u>10 points</u> Well Phased & Contract Duration: <u>7 points</u> Minimal Phasing & Shorter Schedule: <u>7 points</u> Minimal Phasing & Contract Duration: <u>4 points</u> Minimal Phasing & Longer Duration: <u>3 points</u> No Phasing & Longer Duration: <u>1 point</u>		7	7	7	
Use of Trenchless Technology (TT): <u>10%</u> -Most use (\$ or footage) of TT of submitting firms: <u>10 points</u> -Second most use (\$ or footage) of TT of submitting firms: <u>7.5 points</u> -Third most use (\$ or footage) of TT of submitting firms: <u>5 points</u>		5	10	7.5	
Customer satisfaction Plan: <u>10%</u> -Superlative understanding and operational CSP: <u>10 points</u>		8	10	8	

Reg. Agenda

Item #5

ATTACHMENT "B"
9-09-2003

-Good understanding and operational CSP: <u>8</u> points				
-Adequate understanding and operational CSP: <u>5</u> points				
-Poor understanding and operational CSP: <u>2</u> points				
Totals	90	67	62.5	

response to questioning, Blount reported that the appraisal was done prior to the road being constructed. She explained that part was given a residential value and part commercial, and the benefit to the County would be the extension of a right-of-way.

(9:59 a.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to adopt Resolution No. 2003-174, authorizing the County Administrator to execute the Road Impact Fee Credit Agreement with South Hampton Partners, Ltd. in the amount of \$152,000 and South Hampton Developers, Ltd. in the amount of \$24,000 and to accept the executed deeds.**

RESOLUTION NO. 2003-174

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT WITH SOUTH HAMPTON PARTNERS, LTD., AND SOUTH HAMPTON DEVELOPERS, LTD

(Item 7A was heard before Item 7)

(09/09/03 - 8 - 9:59 a.m.)

7A. MOTION TO APPROVE THE TRANSFER OF \$6,717.50 FROM THE GENERAL FUND RESERVES (0083-59920) TO THE BUILDING SERVICES FUND- UNLICENSED CONTRACTORS (1104-35108) AND ITS APPROPRIATION TO THE CONSTRUCTION DEPARTMENT (1190-53120)

Joe Vonasek, Budget Officer, Management and Budget, explained that the Contractor Review Board fine revenues used to go into the General Fund, but since Building Services is no longer part of the General Fund, a budgetary change has become necessary. The amount indicated on the Consent Agenda cover sheet was incorrect.

(10:01 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to approve the transfer of \$6,717.50 from General Fund - Reserves to the Building Services Fund - Unlicensed Contractors and its appropriation to the Construction Department.**

Bryant called a recess at 10:02 a.m. and the meeting reconvened at 10:13 a.m.

(09/09/03 - 8 - 10:13 a.m.)

7. DISCUSSION CONCERNING GLASS RECYCLING IN ST. JOHNS COUNTY

John Schwab, Administration, gave a synopsis of the circumstances surrounding the glass recycling issue. He stated that he contacted BFI (the company that had been accepting the recyclable glass), prior to the bid solicitation, to see if the contractual arrangement could be continued. BFI indicated they could no longer take it without charge, because the County had previously tagged onto a contract with the City of Jacksonville, and there were certain commodities that had become difficult to dispose of, i.e., glass. Discussion followed as to whether or not there are other companies in the area that recycle glass and what the difference is between recycling and reuse. Schwab explained that there is a specific end use, i.e., an alternate product such as roof shingles, with "reuse" glass, and "recycled" glass is simply passed through for another use, back into glass. (10:16 a.m.) Meiszer talked about the process and cost of separating glass. (10:17 a.m.) Since the glass recycling information was not included in the bid packets, Schwab reported that he notified the vendors that there could be a cost for disposal of the product. He said they decided it would be most cost effective to exclude the glass and take it off the commodity list. Schwab said it lowered the cost of the non Ad

Valorem assessment and reviewed those costs. He said after talking with Mr. Arnold from Seaboard, he learned that the BFI recycling firm had changed its position and would now take the recycling glass at no cost to anyone. Schwab said there is a manufacturing company that has indicated it would take the material, though they would charge a processing or disposal fee, as they do not take mixed glass at no charge.

(10:19 a.m.) Bryant asked for a breakdown of what happens to the glass after it is picked up at curbside. Schwab reported that a homeowner's unbroken glass in the recycling container at curbside becomes broken through the pick up and transportation process, and therefore becomes un-recyclable. It goes via truck from curbside to the landfill and onto a conveyor, at which point about 40% goes into the landfill. (10:21 a.m.) Jacalone asked for clarification about BFI resuming the taking of the glass at no charge. Schwab said BFI was willing to take the glass at no charge, but there would be a charge to put it back into the program for the time consumption and the actual labor. Jacalone expressed frustration and disappointment with the fact that it had not been brought to the Board's attention that the glass recycling had been taken out of the new contracts. He noted that he should not have missed it, and acknowledged that currently it is not on the list and therefore not an obligation of the haulers to include glass as a recyclable, but he said it should have been brought up by Staff. Discussion followed regarding the decrease in residential unit assessment and increase in the solid waste collection assessment. (10:24 a.m.) Jacalone expressed discouragement in stating that after the bidding process and all related efforts, the County doesn't recycle glass any more, only \$2.78 per residential assessment has been saved and it does not seem that a thing has been accomplished. Jacalone said he wants the glass back in the contract and asked Hunt what it would take. (10:26 a.m.) Hunt said there is a practical problem because this is done by assessment as opposed to a strict contract. He said the vendors have no obligation, but the County could try to re-negotiate the contract. (10:28 a.m.) Bryant said when people put recyclable products in their yard, they expect them to be recycled and he expressed disappointment that this was not entirely happening. (10:29 a.m.) Maguire noted that this issue has created more phone calls than any other issue since he has been on the Board. He questioned why it would not cost any additional money to get the glass put back into the program. Schwab reiterated that BFI would not charge a processing fee, but there would be a cost for the additional collection. Discussion followed about BFI taking the glass. (10:30 a.m.) Maguire said he would like to go back to the haulers with an amendment and re-negotiate to put the glass back in the contract for pick-up. Meiszer talked about the separation process of the recycled glass and explained what happens when the collection trucks deliver it to the recycling center. He said the cost should not go up much and summed up that it would be good if the collectors and the disposers address how it would be handled. (10:34 a.m.) Stern expressed her discouragement about recyclable glass ending up in the landfill and stressed the importance of recycling. Bryant talked about the fact that the Federal and State governments had been subsidizing the recycling programs and those grants have not been available lately. He said the marketplace dictates the recyclable materials. (10:39 a.m.) Jacalone noted it was unfortunate that no one was present from Advanced Disposal. He said he would like to see the glass back on the list of recyclables at no additional cost to the County or the residents. Bryant noted that three years previous, the assessments were drastically reduced. (10:41 a.m.) Schwab said the goal was to keep the rate consistent, or reduce it, from 1999 until a new franchise was let, so homeowners would not have an increase. (10:42 a.m.) Meiszer reviewed that the State had previously mandated that the materials going into landfills be reduced. He noted that it has pretty much ceased due to economics. Meiszer suggested that in addition to glass recycling, he would like to see the composting of yard waste and a reevaluation of waste reduction in general. Meiszer asked Hunt if the glass recycling could be dealt with by a separate contract with the collectors. (10:46 a.m.) Because this County uses assessment and the rate was adopted earlier in the meeting, Hunt said the Board could

do a supplemental agreement, revision, or an amendment to the agreement, but would have to adopt something this date, to effectuate the change. He said he had not examined the ramifications. (10:49 a.m.) Stern said she would like to see the recycling of glass added back and work with the franchisees about doing it at no additional cost. In defense of the Board, Bryant noted that BFI said they would not take it [glass] and now have changed their position, but at present, there is no place to put it.

(10:50 a.m.) Jim Arnold, Seaboard Waste Systems, explained that the haulers and the Staff had just gone through a responsible bid process. He reviewed the structure of the bid and the cost savings to customers. Arnold said they did their part in reducing costs, and he did not know how the County arrived at its assessments. There was a \$432,000 reduction in the cost of recycling due to the bid process. He said part was due to the glass and part for competitive reasons. Arnold said they never told anybody that they would not take glass and it is common knowledge that glass has been a problem for recyclers. He said that about 60% of it gets landfilled and added that there is about 60% participation in recycling, which is above average. Arnold said they have been working hard on trying to find a solution, reviewed several possibilities, and had talked with BFI about hooking up with Glass Recycling Technologies. He said they assured him they would continue to take glass at no charge for a period of time. Arnold reviewed costs related to the current program, the drop off system, and curbside recycling as submitted on Exhibit A. Arnold indicated that they (Seaboard) are willing to work this out with the County.

(11:00 a.m.) Bryant asked Arnold if BFI is trying to work out an agreement with GRT (Glass Recycling Technologies). Arnold responded that he was not sure, but that BFI has reassured him that they will take all of St. Johns County's recyclables, including glass. Jacalone asked why the assessment was not commensurate to the \$12.00 per unit savings. (11:01 a.m.) Joe Vonasek, Budget Manager, explained that the cost of the assessment is calculated based on the cost of the program. Discussion followed on a breakdown of associated costs. (11:05 a.m.) Bryant considered the commercial tipping fee, noted there is a cushion, in essence, that subsidizes the residential waste. (11:07 a.m.) Jacalone summed up that the contract doesn't include glass as a recyclable material and needs to, there is a place to take it, and the haulers would be remiss if they do not include it. (11:08 a.m.) Stern questioned the absence of cost relating to drop off centers. Schwab said he was not sure, but at this moment, both Seaboard and Advanced Disposal are willing to support the satellite pick-up centers. Stern encouraged a compromise. (11:11 a.m.) Meiszer said it was strange that there would be a curbside pick up for aluminum, paper, etc., but not glass. Bryant asked if there was the capability within the solid waste budget to take care of the glass disposal. Schwab said that could be evaluated and he thought the capability was there. Maguire said he thought drop off locations were a waste of time and was disappointed in only 60% participation. He said if the County is going to recycle, it should be for everything, and done at curbside. (11:12 a.m.) There was a consensus of the Board to go back to the haulers with the request that they pick-up the glass, as before, at no additional cost.

(11:13 a.m.) Adams said there would be a problem with the assessment if it went beyond today and asked Vonasek to explain. Vonasek stated that part of the County Ordinance and State Statute requires that the assessment roll and the amount of the assessment be established prior to September 15th, which is why the assessment resolutions were on today's Consent Agenda. He said that another term of the assessment Ordinances requires that the cost of the services provided be paid by the assessments. Vonasek stated that if the service was increased, and thus the cost, the assessment would not cover that cost, and would be in violation of the Ordinance. He said the Board would have to increase the assessment and it is unknown what Advanced Disposal would want.

(11:14 a.m.) Jacalone said he was not interested in increasing the assessment or paying the haulers any more money to recycle glass. He said he thinks that they should be willing to resume pick-up of the glass under the current terms of their contract, but if not, they would re-address it next year should market conditions warrant that. (11:15 a.m.) Schwab agreed that the assessment has been established and suggested that if the vendors would do it at no extra charge that would be fine, and if not, do an interim program for a period of a year and then re-establish the assessment next year. (11:16 a.m.) Bryant asked if all the commercial franchisees required transporting the solid waste to the transfer station. Schwab said the County does not have the legal authority to direct commercial waste because it is a commodity and can go to any disposal facility the vendor chooses. He said the hauler could pay a five per cent franchise fee and bring all the material to the transfer station or go to another facility outside of St. Johns County for a 12% franchise fee.

(09/09/03 - 11 - 11:17 a.m.)
COMMISSIONERS' REPORTS

Commissioner Maguire:

Maguire stated that he had given a presentation to Nassau County the previous evening about joining the MPO. He reported that he has an Intern, a student from the Florida School for the Deaf and Blind, who has started work for him.

(11:18 a.m.)

Commissioner Stern:

Stern reported that she also has an Intern, from Flagler College, who is scheduled to start Monday, September 15, 2003.

(11:19 a.m.)

Commissioner Meiszer:

Meiszer reported that he has received numerous complaints about the intersection of Racetrack Road and U.S. 1. He noted that it is under construction and apparently has hit a snag. He asked that the Public Works Department look into it for information about the problem. (11:21 a.m.) Adams responded that he would be glad to bring back information to the Board next Tuesday.

(09/09/03 - 11 - 11:21 a.m.)
COUNTY ADMINISTRATOR'S REPORT

Adams commented that there has been progress on the drainage and that there have not been nearly the problems given the large amount of rain lately.

(09/09/03 - 11 - 11:21 a.m.)
COUNTY ATTORNEY'S REPORT

Bosanko reported that Mr. Paffe, a property owner in the County, has a claim against the County regarding drainage. He noted that Staff has reviewed it and believes there is no liability to the County. Bosanko asked the Board for direction.

(11:24 a.m.) Bryant said he has been involved in this and concurs with Staff. He said if Mr. Paffe thinks he has a claim against the County he should get an attorney and pursue a legal course of action. (11:26 a.m.) Jacalone noted that Bosanko did not need to respond as he is reviewing the information and is scheduled to meet with Mr. Paffe

Bosanko noted that he put a letter from Marks Gray Attorneys in the meeting packets for review. (11:27 a.m.) Bryant noted that he received a phone call from Susan Etterly, who wanted to discuss the most recent lawsuit that was thrown out of court. Bosanko said he had a long talk with her and it was still in the appeal period and he was not sure if the plaintiffs are going to appeal. He said there was a strong order from the Federal Judge, in favor of the County. He said the County has a right to costs incurred, not including attorneys' costs. He said if they do come back, he would hope they ask to waive those costs for not appealing. There was consensus among Board members to do so.

(09/09/03 - 12 - 11:29 a.m.)
CLERK OF COURT'S REPORT

There was no report.

The meeting recessed at 11:29 a.m. and reconvened at 1:34 p.m., with Bryant, Jacalone, Stern, Maguire, Meiszer, Adams, Bosanko and Lenora Newsome, Deputy Clerk present.

(09/09/03 - 12 - 1:35 p.m.)

8. PUBLIC HEARING - REZ 2003-09 FLORIDA EAST COAST RAILWAY PROPERTY - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 4.11 ACRES LOCATED AT 4305 AVENUE D FROM INDUSTRIAL WAREHOUSING (IW) TO OPEN RURAL (OR) TO ALLOW FOR FUTURE USE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE MIXED USE DISTRICT (MD) FUTURE LAND USE DESIGNATION. A FINAL CERTIFICATE OF CONCURRENCY (FCOC), CONMAJ 2003-11 HAS BEEN APPROVED FOR A 46-BED CONGREGATE CARE FACILITY. THE FCOC SATISFIES THE REQUIREMENT THAT A MINIMUM OF 1/3 OF THE MAXIMUM DEVELOPMENT ALLOWED BY THE PROPOSED REZONING IS REQUIRED PRIOR TO APPROVAL OF SUCH REZONING. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR AUGUST 21, 2003 MEETING WITH A VOTE OF 4-2.

Proof of publication of Notice of Public Hearing on Notice of proposed rezoning on File #REZ 2003-09, Florida East Coast Railway was received, having been published in *The St. Augustine Record* on August 25, 2003.

Nicole Clayton, AICP, Planner III, stated that this request seeks to rezone approximately 4.11 acres located at 4305 Avenue D from Industrial Warehouse (IW) to Open Rural (OR). Jacalone questioned the County allowing any uses that fell in a lesser category to happen on more intense rezoned property. Teresa Bishop, Director of Planning, responded that they did list out the uses in the zoning categories that were allowed and the Zoning Code had not been written to say that everything in Commercial General (CG) and Commercial Neighborhood (CN) are allowed in Commercial Intensive (CI). Clayton stated that the applicant has plans for the property in the future. Maguire disclosed ex parte communication with Karen Taylor on this issue. Meiszer spoke on the future expansion and development. Stern disclosed ex parte communication with Karen Taylor about the development and possible use on this parcel. Clayton spoke on the rezoning.

(1:47 p.m.) Karen Taylor, 3070 Harbor Drive, utilizing the overhead projector, reviewed the site by using a map. (1:53 p.m.) **Motion by Stern, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2003-75, known as REZ 2003-09 Florida East Coast Railway Property adopting Findings of Fact in our package to support the motion.**

ORDINANCE NO. 2003-75

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, REZONING LANDS AS
DESCRIBED HEREINAFTER FROM THE PRESENT
ZONING CLASSIFICATION OF INDUSTRIAL
WAREHOUSING (IW) TO OPEN RURAL (OR); MAKING
FINDINGS OF FACT; REQUIRING RECORDATION;
AND PROVIDING AN EFFECTIVE DATE**

(09/09/03 - 13 - 1:54 p.m.)

9. PUBLIC HEARING - TRANSMITTAL HEARING FOR THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS REQUESTED FOR THE PROPOSED RIVERTOWN DRI (FILE NO. COMPAMD 2003-02 (RIVERTOWN)) - THIS IS THE TRANSMITTAL HEARING FOR THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS AS REQUESTED FOR THE RIVERTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI). THIS REQUEST WAS CONTINUED FROM THE JULY 22, 2003 MEETING. THESE PROPOSED AMENDMENTS WERE SUBMITTED CONCURRENTLY WITH THE RIVERTOWN DRI. THIS PUBLIC HEARING IS FOR TRANSMITTAL OF THE PROPOSED AMENDMENTS; IT DOES NOT APPROVE THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS OR THE DRI. THE PROPOSED AMENDMENTS INCLUDE: 1. AMEND THE FUTURE LAND USE MAP FROM RURAL/SILVICULTURE TO RESIDENTIAL-B, RESIDENTIAL C, COMMUNITY COMMERCIAL, MIXED USE DISTRICT AND PARKS & OPEN SPACE. 2. AMEND OBJECTIVE H.1.6 TO ADD A POLICY AUTHORIZING THE RIVERTOWN DRI TO UTILIZE THE STANDARDS AND GUIDELINES AS ESTABLISHED IN CHAPTER 163.3180(12), FLORIDA STATUTES, ALLOWING THE PAYMENT OF A PROPORTIONATE SHARE CONTRIBUTION TO ADDRESS TRANSPORTATION CONCURRENCY (PIPELINING). 3. AMEND THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE TO ADD PUBLIC FACILITY IMPROVEMENTS PROPOSED IN THE RIVERTOWN DRI. 4. AMEND POLICY A.1.3.8 TO ADD THAT A COMMUNITY CENTER DISTRICT WILL BE LOCATED WITHIN THE RIVERTOWN DRI, ALONG THE EAST AND WEST SIDE OF SR 13 AND WILL NOT EXCEED 1,600 FEET OF ROADWAY FRONTAGE. 5. AMEND THE 2015 TRAFFIC CIRCULATION MAP TO INCLUDE ROAD IMPROVEMENTS PROPOSED IN THE RIVERTOWN DRI. 6. AMEND THE NORTHWEST SECTOR OVERLAY MAP TO RELOCATE A COMMUNITY CENTER DISTRICT (CCD) AND PROPOSED ROADWAYS. THE PLANNING AND ZONING AGENCY DID RECOMMEND TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENT AT THEIR AUGUST 21, 2003 MEETING WITH A VOTE OF 6-0.

Proof of publication of Notice of Public Hearing on file #COMP AMD 2003-02 Rivertown, SR 13 South of Greenbriar Road was received, having been published in *The St. Augustine Record* on August 6, 2003.

Teresa Bishop, AICP, Planning Director, announced that on the back table where the speaker cards are located, there is a sheet called the Comprehensive Plan Citizen Courtesy Information List, for the public, who is interested, to fill out to receive information concerning the issuance of the Notice of Intent by DCA. She mentioned that there were two exhibits passed out today to the Commissioners, the proposed Capital Improvement Schedule for the applicant that shows transportation

improvements, and the Water and Sewer availability letter from JEA. She stated that this is the transmittal hearing for the Comprehensive Plan amendments that are associated with the Rivertown DRI. She reviewed what the proposed amendments included. She reviewed what the DRI actually included. She stated that Planning & Zoning recommended it being transmitted and that Staff has no objection. Discussion followed on the proposed roads, proposed improvements, traffic studies, and amendments to the policy.

(2:09 p.m.) Margaret Jenness, 224 St. Johns Golf Drive, Avida St. Joe, gave an overview presentation on Rivertown, utilizing visual display, Exhibit A. She illustrated where the schools were located in this area.

(2:20 p.m.) Tom Beck, Wilson Miller Consultant Firm, Tallahassee, spoke on working with Margaret Jenness to help her realize her vision for the Rivertown Community. He gave a general idea of the location, and showed the things around the Rivertown area, Exhibit B. He reviewed the proposed changes on the sector map. Beck reviewed the 2015 Traffic Circulation Map. Bryant asked if the right-of-way, on that part of Greenbriar, was already in County hands. Beck replied that was correct. Meiszer questioned four-laning Greenbriar all the way to CR 13. (2:33 p.m.) Randy Cohen, Wilson Miller, Tampa, answered the question about four-laning Greenbriar Road. Meiszer spoke on Roberts Road. Jenness spoke on the existing road network that was on the Comprehensive Plan, and then showed the amended future road network. Jacalone questioned the fair share payment. Beck replied on the fair share payments and on the five-year Capital Improvement Plan. Jenness spoke on the three school sites.

(2:51 p.m.) Don Beatty, 808 Millpond Court, spoke in opposition of this item speaking on traffic road trips and asked to see a traffic and road plan. Maguire mentioned that they are not approving a DRI today.

(3:02 p.m.) Harry Waldron, 118 Colon Avenue, spoke in favor of the DRI.

(3:07 p.m.) Ellen Whitmer, 1178 Natures Hammock Road, requested that a denial of the transmittal be made for the Rivertown Development of Regional Impact.

The meeting recessed at 3:11 p.m. and reconvened at 3:18 p.m.

(3:18 p.m.) Abel Harding, 130 St. Johns Common Road, recommended transmittal to Tallahassee on the Rivertown DRI.

(3:20 p.m.) Curtis Loftis, 3355 SR 13, spoke in favor of the DRI.

(3:22 p.m.) Bill Akin, 3940 Palm Street, spoke in favor of the DRI.

(3:23 p.m.) Al Abbatiello, 1133 River Birch Road, spoke on slowing down the approval process.

(3:29 p.m.) Mary Kohnke, 29 South Roscoe, spoke on not transmitting this to DCA, until coming up with accurate figures and distributed information on Remarks on the Rivertown DRI and Comp Plan Changes, Exhibit C.

(3:52 p.m.) Neil Armingson, 2800 University Blvd., Jacksonville, St. Johns River Keeper, spoke on the environmental impact this project could cause.

(3:57 p.m.) Phylliss Abbatiello, 1133 River Birch Road, spoke on having petitions signed, Exhibit D, regarding not approving this DRI until everything is considered. She spoke on roads needing expanded lanes, Exhibit E.

(4:07 p.m.) Sharon Browder, 2580 W. Pheasant Court, expressed concern on Rivertown needing 16-acre commercial property between two already existing communities.

(4:09 p.m.) Marjorie Ford, 6020 CR 208, spoke on objecting to the transmittal.

(4:11 p.m.) Lynn Chapin, 1981 River Oaks Drive, spoke on there being a big problem with transportation and against transmitting.

(4:14 p.m.) Marshall Catlin, 1500 Bishop Estates Road, Villa 26A, suggested getting the Rivertown people, and Aberdeen people and run a road up to Durbin Creek, then to Bishop Estate and then build a small bridge across the river.

(4:17 p.m.) Tina Jordan, 2612 Pheasant Court W., spoke in opposition of the DRI.

(4:19 p.m.) Charles Hillyer, 104 Cypress Landing, spoke in favor of the DRI.

(4:22 p.m.) David Valentine, 304 St. Johns Golf Drive, recommended to transmit the DRI.

(4:24 p.m.) Mitchell Tidwell, 440 North Bridge Stone Ave., Jacksonville, recommended transmittal and dealing with some of the infrastructure issues when going forward.

(4:26 p.m.) Jennifer London, 1458 Mallard Landing Blvd., utilizing visual display, using a general location map showing traffic figures, Exhibit F, spoke in opposition of the DRI regarding the traffic issue.

(4:32 p.m.) Louise Thrower, 288 Orange Avenue, utilizing visual display, Exhibit G, spoke on the reasons for DRI denial.

(4:41 p.m.) Frances Smith, 1341 Roberts Road, utilizing visual display of a map on roads, Exhibit H, spoke on the traffic on CR 13 and Roberts Road.

St. Johns County Northwest Sector Plan, Exhibit I; Letter from St. Joe Utilities, Exhibit J; Letters from JEA, Exhibit K; Emails of denial, Exhibit L; Letters of support, and Exhibit M; were handed in at the meeting.

(4:45 p.m.) Newsome left the meeting and Robin Platt, Deputy Clerk, entered the meeting.

(4:45 p.m.) William Burkhart, 794 Opossum Lane, Jacksonville, stated that he liked the proposed development, but that he was very concerned about the additional traffic.

(4:50 p.m.) Mike Yuro, 1001 Meadow View Lane, spoke in favor of the RiverTown development.

(4:52 p.m.) Mary Cornwell, 2652 State Road 13, Switzerland, spoke in opposition to the CPA transmittal due to transportation concerns.

(4:56 p.m.) James O' Nan, 3476 Indian Creek Blvd., spoke in favor of the transmittal and stated that he was working on trying to get a 24 hour medical services facility within the development.

The meeting recessed at 4:58 p.m. and reconvened at 5:07 p.m.

(5:08 p.m.) Jenness addressed some of questions that were raised by the speakers and stated that transmittal would trigger a review and input by the DCA. Discussion followed regarding DRIs and the traffic count figures. (5:12 p.m.) Beck addressed the urban sprawl indicators, and stated that this development did not constitute urban sprawl.

(5:13 p.m.) Randy Cohen addressed how and when the traffic counts were done and their plan for keeping traffic off of SR 13. He stated that they are putting in an internal roadway to run parallel to SR 13. Discussion followed regarding the 75-foot town center buffers, the footage of the Town Center along SR 13, the inconsistency with the traffic figures, the location of the community/commercial areas, access points and the transportation disadvantaged residents.

(5:25 p.m.) Meiszer questioned if a CDD was going to be created to pay for the infrastructure, and Jenness responded yes. He then referenced a letter from the St. Johns River Water Management District regarding the use of groundwater in the area.

(5:26 p.m.) Don Smith, England, Timms and Miller, 14775 St. Augustine Road, stated that he submitted a sufficiency response to the SJRWMD that stated that they would use 100% reclaimed water, obtained from JEA, for irrigation. Discussion followed regarding using stormwater ponds as a back-up to reuse water, the groundwater shortage that already exist, potable water sources, and the location of the commercial/town center areas. Meiszer stated that he would be happy to approve transmittal of the request to the DCA, as long as it was sent as a complete picture, including the application and all of the other data that was generated at the hearing.

(5:33 p.m.) Stern questioned access to the commercial center at Greenbriar Road and the community center area. Jenness explained, and then addressed the residential access points on to SR13, as well as schools and recreation. Stern pointed out that the park along the river would be dedicated to the County as a public park.

(5:41 p.m.) Meiszer stated that it should be made clear in the transmittal letter to the DCA that approval to transmit was not an endorsement, or approval, of the development. He also commented on buffers. (5:44 p.m.) Jacalone addressed the per-unit costs for transportation impacts and the transportation studies.

(5:45 p.m.) **Motion by Jacalone, seconded by Stern, to transmit the proposed Comp Plan Amendments, as submitted, concurrently with the RiverTown DRI.** Meiszer requested that all of the correspondence, exhibits and documentation generated during this hearing be included with the transmittal package to the DCA. **Jacalone amended his motion to include all correspondence and information that was included in this meeting to be included with that submittal. Stern accepted the change and the motion carried 5/0.**

(5:47 p.m.) Dan Bosanko, County Attorney, stated that Assistant County Attorney, Laura Barrow attended the City Commission meeting last night to gather information regarding the CRA at the Ponce Golf Course. She reported to him that the City Commission decided not to pursue purchase of the golf course, but to go ahead with the CRA. He reminded the Board that they gave their support for the CRA, with the idea

that the money would go to save the golf course, but if the City were not going to save the golf course it could cost the County a substantial amount of money.

(5:48 p.m.) Jacalone stated that they, the Board, should not support establishing the CRA without the golf course being restored. There was a consensus by the Board to withdraw their support for the CRA if it did not include saving the golf course.

(5:50 p.m.) **Motion by Bryant, seconded by Stern, carried 5/0, to adjourn.**

With there being no further business to come before the Board, the meeting adjourned at 5:50 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 339288 through 339638, totaling \$854,811.26 (08/26/03)
2. St. Johns County Board of County Commissioners Check Register, Check No. 339639 through 339640, totaling \$314.30 (08/27/03)
3. St. Johns County Board of County Commissioners Check Register, Check No. 339641 through 339645, totaling \$106,319.66 (09/03/03)

CORRESPONDENCE:

1. Letter dated August 25, 2003, to Liz Cloud, Chief Bureau of Administrative Code, filing St. Johns County Ordinance Nos. 2003-65 through 2003-67
2. Letter dated August 29, 2003, to Liz Cloud, Chief Bureau of Administrative Code, filing St. Johns County Ordinance Nos. 2003-68 through 2003-74

Approved _____ October 7 _____, 2003

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

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

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland
Deputy Clerk