

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
FEBRUARY 24, 2004
(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: Karen Stern, District 2, Chair
 Bruce Maguire, District 4, Vice Chair
 Nicholas Meiszer, District 1
 Marc Jacalone, District 3
 James E. Bryant, District 5
 Ben W. Adams, Jr., County Administrator
 Dan Bosanko, County Attorney
 Diane Gorski, Clerk's Office

Also present: Laura Barrow, Assistant County Attorney
 Cheryl Strickland, Clerk of Court
 Dennis Hollingsworth, Tax Collector

(02/24/04 - 1 - 9:05 a.m.)

The meeting was called to order by Chair Stern.

(02/24/04 - 1 - 9:06 a.m.)

The invocation was given by Jacalone and Stern led the Pledge of Allegiance.

(02/24/04 - 1 - 9:07 a.m.)

ROLL CALL

Stern stated that all five Commissioners were present.

(02/24/04 - 1 -9:07 a.m.)

PROCLAMATION DESIGNATING MARCH 2004 AS PREVENT BLINDNESS MONTH

Meiszer read the Proclamation and introduced Dennis Hollingsworth, Tax Collector, who presented the Proclamation to L. Daniel Hutto, Administrator for Residential Programs, Florida School for the Deaf and Blind.

(02/24/04 - 1 - 9:13 a.m.)

Motion by Bryant, seconded by Maguire, carried 5/0, to accept the Proclamation designating March 2004 as Prevent Blindness Month.

(02/24/04 - 1 -9:13 a.m.)

PUBLIC COMMENT

Phyllis Abbatiello, 1133 River Birch Road, Fruit Cove, President of the Northwest St. Johns County Community Coalition, presented the petition that the coalition was circulating for signatures requesting an immediate moratorium on comprehensive plan and zoning changes within the northwest sector of the county. She stated that the current infrastructure would not support continued expansion. Fair share impact fees

were discussed. Abbatiello stated that everyone would be held accountable for the impact developments have on the roadways, parks, schools and the community.

(9:20 a.m.) Bryant stated that the traffic, roadways, parks, and schools were all included in the planning phases and that these things take time. He clarified the process in which government handles growth and assured Ms. Abbatiello that roadways and parks and schools would be built before housing developments and that these things take time.

(9:24 a.m.) Meiszer commented on the concerns of citizens in the northwest sector.

(9:24 a.m.) Commissioner Stern stated that the County would continue to make every effort to keep the public informed.

(9:27 a.m.) Maggie White, P.O. Box 2034, St. Augustine, spoke regarding "Sailors Remembrance Day," and tentatively set a date for throwing the rosary from the Vilano Pier for all of those who had gone before us. This would be a charity event to raise money for scholarships for surf and swimming camp, and other activities for the disabled.

(9:24 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., spoke of his concerns regarding the impact of developments in St. Johns County on the environment and wildlife and the way in which impacts were not being distributed to the public and that the issue was that information was not shared equally amongst the public and staff. Stern responded that the County Commission followed Chapter 380, Florida Statutes, regarding public hearings. Jacalone responded that the County followed the letter of the law and Dan Bosanko, County Attorney, explained the procedure, and intent, a hearing before the Board considered an application. Stern referred to Developments of Regional Impact (DRIs) and public meetings with the intent to review an application. Bosanko stated that projects were a continuing process and were adjusted due to public comment, with the BCC and St. Johns County staff requesting changes. Staff attended each hearing and explained step-by-step what changes were made and why. Stern requested that Adams set up a workshop to discuss these issues with staff.

(02/24/04 - 2 - 9:59 a.m.)

DELETIONS TO CONSENT AGENDA

Adams pulled Item #4, Pediatrics Unit, from the Consent Agenda.

(02/24/04 - 2 - 9:59 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Approval of the Sheriff's Bonds:

Approve:	Shane Tolerico	Geveva Lockwood
	Barbara Mynatt	Theodore Tessier
	Martine Williams	
Cancel:	Gregory G. Leithauser	Ernest L. Thomas

3. Motion to establish March 23, 2004 at 5:30 p.m. and April 6, 2004 at 1:30 p.m. as public hearing dates to consider amendments to the Land Development Code
4. Motion to allow the County Administrator, or his designee, to negotiate with and enter into contract with the No. 1 ranked team D.M. Watson Construction/Fleet Associates for design/build services for a new pediatrics suite at the St. Johns County Health Department. 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 met

This item was removed from the Consent Agenda.

5. Motion to allow the County Administrator, or his designee, to negotiate with and enter into a contract with the No. 1 ranked firm Glatting Jackson for Scenic & Historic A1A Master Plan. 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 (*See Attachment A*)
6. Motion to adopt **Resolution No. 2004-40**, recognizing unanticipated revenue in the amount of \$1,519.83, and increasing the expenditure budget of Fleet Maintenance (1111-1123-54602) in the same amount

RESOLUTION NO. 2004-40

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE AMENDMENT OF ITS FY 2004 FLEET MAINTENANCE BUDGET TO RECOGNIZE UNANTICIPATED REVENUE FOR THE PURPOSE OF REPAIRING A DAMAGED VEHICLE

7. Motion to adopt **Resolution No. 2004-41**, recognizing unanticipated revenue in the amount of \$92,617, from State Grants and appropriating it to 1101-55508 (Family Safety CMH), 1101-55509 (Family Safety CSA), and 1101-55510 (Family Intervention)

RESOLUTION NO. 2004-41

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2004 MENTAL HEALTH TRUST FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT

8. Motion to approve the Letter of Agreement between St. Johns County and Children's Home Society and authorize the County Administrator to sign

RFP 04-24
REQUEST FOR PROPOSALS
"HISTORIC AND SCENIC AIA" (S.R. AIA) MASTER PLAN
 Due Date: December 11, 2003
 Time Due: 4:00 p.m.

COMPANY NAME	ADDRESS	DATE	TIME	PHONE/FAX		DELIVERED BY
				Ph.#	Fax#	
Carter + Burgess	1000 Legion Pl Ste 1400 Orlando, FL 328041041	12/11/03	9:30	Ph.# 407-514-1400 Fax# 407-514-1499		Fedex
Renaissance Planning Group	113 4th St. NE Charlottesville, VA 22902	12/11/03	9:30	Ph.# 434 296-3035 Fax# 434-296-9567		Fedex
Florida Heritage Group	1519 Main St. Sarasota, FL 34233	12/11/03	9:30	Ph.# 941 954-1718 Fax# 941-954 0231		Fedex
Reynolds Smith & Hills	1545 Raymond Drive Tallahassee FL 32308	12/11/03	11:15	Ph.# 850.385.3446 Fax#		Hand Delivered
Glatting Jackson	33 East Pine Street Orlando, FL 32801	12/11/03	12:08	Ph.# Fax#		Hand delivered
Herbert Hallback, Inc.	493 South Keller Rd Suite 300 Orlando, FL 32810-6920	12/11/03	2:10	Ph.# Fax#		Hand delivered
PBSJ	482 South Keller Rd Orlando, FL 32810	12/11/03	2:35	Ph.# 407-647-7275 Fax#		Jeanette Walden (hand delivered)
				Ph.# Fax#		
				Ph.# Fax#		

2/24/04 - Attachment A - Consent Item #5

RESOLUTION NO. 2004-42

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR TO
SIGN THE LETTER OF AGREEMENT BETWEEN ST.
JOHNS COUNTY COMMUNITY BASED CARE ("CBC")
AND CHILDREN'S HOME SOCIETY ("CHS") BUCKNER
DIVISION**

9. Motion to approve the Letter of Agreement between St. Johns County and Daniel Memorial, Inc., and to authorize the County Administrator to sign

RESOLUTION NO. 2004-43

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE COUNTY ADMINISTRATOR TO
SIGN THE LETTER OF AGREEMENT BETWEEN ST.
JOHNS COUNTY COMMUNITY BASED CARE ("CBC")
AND DANIEL MEMORIAL, INC. ("DANIEL")**

10. Motion to adopt **Resolution No. 2004-44**, approving a Final Plat for Southern Creek, Unit Three

RESOLUTION NO. 2004-44

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
APPROVING A SUBDIVISION PLAT FOR SOUTHERN
CREEK UNIT THREE**

11. Motion to approve the County Administrator to sign and submit a statement that St. Johns County is willing to provide the previously approved local financial support on a revised schedule if the Tree of Life, Inc.'s ESE application is approved
12. Proofs:
- a. Proof, Notice to Bidders, Bid No. 04-58
 - b. Proof, Notice to Bidders, Bid No. 04-59
 - c. Proof, Notice of Intent, Senior Management Service Class Directors: Intergovernmental Relations & Growth Management
 - d. Proof, Notice of Special Meeting, St. Johns County Evaluation Team, RFP No. 04-24 Scenic & Historic A1A Master Plan, February 6, 2004 at 9:00 a.m.
 - e. Proof, Notice of Meeting Cancellation, St. Johns County Water & Sewer Authority, Wednesday, February 4, 2004 at 9:00 a.m.
 - f. Proof, Certificate of Insurance, Playpower, Inc., Miracle Recreation Equipment Company, Soft Play, LLC, Spectra Turf, Inc., E-Z Dock, Inc., Playpower Export, Inc., Kid Play, Inc., HAGS Playground
 - g. Proof, Certificate of Insurance, Contract Connection, Inc.
 - h. Proof, Certificate of Liability Insurance, Sunshine Recycling, Inc.
 - i. Proof, Certificate of Liability Insurance, Econosweep, Inc.
 - j. Proof, Certificate of Liability Insurance, Kennico, Inc.

(02/24/04 - 4 - 9:59 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Adams requested to add an item as 1A, regarding Impact Fee Relief, and another regarding a Flagler Hospital request to take over Primary Care, to be addressed under reports. Discussion ensued. **Motion by Jacalone, seconded by Bryant, carried 5/0, to approve the Regular agenda, as amended.**

(02/24/04 - 5 - 10:03 a.m.)

1. PRESENTATION BY MS. SHARON OUTLAND, PROPERTY APPRAISER FOR ST. JOHNS COUNTY

Stern introduced Sharon Outland who discussed the issues and language of a proposed bill before the Florida Legislature. The subject bill was an act relating to a method of fixing millage, which would revise the method for computing the rolled-back rate by the exclusion for new construction, additions to structures, deletions, and increases in the value of certain improvements. Outland stated that the millage rate calculation was not the same as the roll-back rate calculation. Jacalone requested a revenue workshop. Meiszer questioned whether or not the affect of the proposed legislation was to add to the value of the total assessed value of the County. Outland stated that the increase would be added to the calculation in the rolled-back rate. Stern asked Joe Vonasek to explain the implications the legislation would have on the County, should it pass. Vonasek stated that the net impact of this legislation was to adjust what was called "Line 5" on the DR 420, which would eliminate the adjustments, whether they were positive or negative, and that in the County's case it would eliminate the negative. The action would make what was the estimated current year adjusted taxable value equal to the current year taxable value. This legislation would only affect the calculation of the roll-back. Discussion regarding the affect of the proposed legislation continued.

(10:39 a.m.) **Motion by Jacalone, seconded by Bryant, carried 3/2 with Meiszer and Stern dissenting, to not support the proposed legislation.**

(02/24/04 - 5 - 10:39 a.m.)

- 1A. IMPACT FEES FOR HOSPITAL EMERGENCY DEPARTMENT EXPANSION

Joe Gordy, President of Flagler Hospital, discussed the purpose of this request. Bryant expressed his support and understanding of the request. Gordy attempted to clarify the increased Emergency Room patient traffic and need for expansion. He mentioned that Flagler Hospital would like to establish a primary care clinic. Maguire requested the postponement of both of these related requests to the March 2, 2004, Commission meeting and Jacalone concurred. Stern supported both requests. Mr. Gordy stated that delaying these items would be acceptable. It was the consensus of the Board to move this item to a future date.

(10:56 a.m.) The meeting recessed at 10:56 a.m. and resumed at 11:06 a.m.

(02/24/04 - 5 - 11:06 a.m.)

2. CONSIDER A MOTION TO GRANT FREE USE OF THE ST. JOHNS COUNTY CONVENTION CENTER TO THE ST. JOHNS COUNTY ADMINISTRATION ON WEDNESDAY, JUNE 23, 2004 FROM 6:30 A.M. TO 3:30 P.M. TO HOLD THE 7TH ANNUAL SUMMIT

(11:08 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0 to grant free use of the St. Johns County Convention Center to the St. Johns County Administration**

(02/24/04 - 6 - 11:08 a.m.)

3. PRESENTATION OF THE 10-YEAR CAPITAL IMPROVEMENT SCHEDULE FOR HAMMONDS HOTEL OPERATORS OF ST. JOHNS COUNTY CONVENTION CENTER

Glenn Hastings gave a brief explanation of the function and importance of the St. Johns County Convention Center and the Hammonds Hotel Operators. He introduced Terry Crawford, General Manager, Renaissance Resort, World Golf Village (WGV). Crawford explained the 10-Year Capital Improvement schedule and the need to improve the Convention Center. Hastings reviewed the improvements performed in Fiscal Year 2003 and the budget and improvements planned over the next ten years. Jacalone commented that he was pleased with the way the WGV Convention Center was being maintained. Meiszer verified that St. Johns County owned the furniture and contents and that future purchases would utilize County fair bidding standards and that the items would be reused.

(02/24/04 - 6 - 11:19 a.m.)

4. CONSIDER A MOTION TO DIRECT THE COUNTY ADMINISTRATOR TO EXECUTE THE CONTRACT WITH THE DEPARTMENT OF CHILDREN & FAMILIES FOR CHILD WELFARE SERVICES IN ST. JOHNS COUNTY

Dr. Maria Colavito reviewed the contract and background of Community Based Care. She explained that the child protective investigation was still a state function. County employees would provide case management services for foster care and protective services, as well as services provided in the home for the child, family and foster care placement, and all administrative aspects. County staff would oversee subcontracted services. A hand out was distributed, which outlined the program contract request steps already taken by the Mental Health Department to become a member of Community Based Care Initiatives. Colavito gave an overview of the contract and clarified the responsibilities of the agency. Subcontractors, overseen by the agency, were identified. Maguire verified that funding for subcontractors was provided by the grant. Jacalone questioned the process for choosing subcontracting services. Colavito clarified that the process was done using the SJC Request for Qualification process through the Purchasing Department, under the guidance of Joe Burch. Michael Hunt, Assistant County Attorney, explained the contract to the Commissioners. Hunt noted that there was a mutual termination clause inserted so that SJC, or the other party, could dismiss a subcontractor if standards were not meeting the best interest of its citizenry. Jacalone verified that SJC was in agreement with the State, and that no funding was required from the County. Colavito stated that Safe and Stable Families required a 25% contribution, which were in-kind services provided by the agency. Federal and State funding carried the majority of this contract. (11:32 a.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to execute a contract with the Department of Children and Families, District IV, for child welfare services in St. Johns County.**

Colavito and Hunt clarified that the Fidelity and Performance Bond was required, but that the County was exempt. Bryant commended the coordination collaboration of care with Health Care Services and Social Services.

(02/24/04 - 6 - 11:32 a.m.)

5. CONSIDER A MOTION TO APPROVE \$100,000 FROM GENERAL FUND RESERVES TO PROCEED WITH DESIGN, ENGINEERING AND PERMITTING OF BLUFF STABILIZATION AND CREEK ACCESS AT MOULTRIE CREEK AND SHORE DRIVE AND A MOTION TO DIRECT RECREATION & PARKS

TO INITIATE A PROJECT TO FORMALIZE THE TRAILS AND BOAT RAMP
ON SHORE DRIVE

Rob Roberts, HDR Engineering, introduced a PowerPoint presentation, which demonstrated the need to stabilize the Moultrie Creek Bluff to prevent further erosion, and that the boat ramp and informal trails along Shore Drive needed to be made safer and more accessible to the public. Jacalone stated his approval of the plan and Stern agreed. Shorty Robbins, Parks and Recreation Department, provided estimated costs for design, engineering and permitting and stated that \$50,000 would come from the Transportation Trust Fund and \$50,000 would come from the General Fund, if approved. Meiszer questioned the funding and Joe Vonasek explained that the project exceeded the original request to stabilize the bluff, to further improve the trails and sidewalks and that grant funding would absorb some of the costs. Jacalone explained that the project was in the Capital Improvement Program, but that the project needed to be accelerated due to grant fund availability. Part two of the PowerPoint presentation introduced concepts for the trail and boat ramp and alternatives. Jacalone verified that "stabilized trail" meant pavement. Staff reviewed the floating dock on the boat ramp design, parking and aesthetic improvements.

(12:00 p.m.) Barbara Spaulding, 702 Gerona Road, thanked Jacalone for his support. Spaulding expressed concern about the lack of public awareness for these improvements. Spaulding stated that the trail could be made safer, but did not want it paved, and that the bluff needed to be stabilized.

(12:03 p.m.) Dr. Eric Searcy, 2302 Shore Drive, supported the bluff stabilization but opposed major changes to the trail and greenbelt. He advocated provisions for children to continue to enjoy the sandy hilled area of the bluff.

(12:05 a.m.) Pierre Pierce, 104 Falcon Road, supported the stabilization of the bluff and advocated provisions for children to continue to enjoy the sandy hilled area of the bluff. Pierce opposed paved sidewalks and any change to the natural beauty in the area.

(12:06 p.m.) Rob DiPiazza, 1369 Prince Road, supported restoring the bluff. DiPiazza expressed opposition regarding trail improvements, observation decks, and trash receptacles because they would adversely affect the environment in the area. He questioned whether or not the boat ramp improvement would facilitate use by kayak and canoe users.

(12:14 p.m.) Jude Lupinetti, 1902 Shore Drive, supported the stabilization of the bluff and limiting improvements to the boat ramp, and opposed any improvements to the trails.

(12:15 p.m.) Norman Dean, 143 Osage, was opposed to improvements to the trail, but supported limited improvement to the boat ramp and stabilization of the bluff.

(12:16 p.m.) Handly Caraway, 312 Wisteria Road, Director of the St. Augustine South Homeowners Association, supported improvements to the trails, stabilization of the bluff and the boat ramp and stated that the majority of the residents in the neighborhood supported the improvements.

(12:19 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Road, representing the Audubon Society, stated that he supported the trail improvements and stabilization of the bluff, as long as strictly native plants were used in the project. Van Ghent expressed appreciation of the beautiful, natural habitat in the South Subdivision and was opposed

to any removal of native foliage or plants or destruction to the trail area, which would have an adverse affect on the wildlife in the area.

(12:23 p.m.) Donna Pulliam, 561 Segovia Road, supported stabilization of the bluff to prevent further erosion and also for safety reasons. She also supported improvements to the trail system so that the residents had safe access to the neighborhood.

(12:25 p.m.) Jerry Cameron, 518 Gentian Road, supported stabilization of the bluffs, improvements to the boat ramp, and the trail ways.

(12:29 p.m.) Drew Sappington, 5131 Shore Drive, requested signs be posted to deter residents from further destroying the greenbelt by dumping and clearing the land.

(12:30 p.m.) Ed Olsen, 1377 Prince Road, supported erosion control and stabilization of the bluff and improvements to the boat ramp, but opposed the trail way improvements. Olsen stated that a sidewalk along Shore Drive would be better than a paved trail way system. He questioned the funding source for future maintenance of the boat ramp and trail way system.

(12:33 p.m.) Margaret Devin, 250 Swallow Road, was opposed to trail improvements, but supported bluff stabilization.

Stern requested further discussion on these motions. Jacalone spoke briefly about the proposed projects.

(12:43 p.m.) Motion by Jacalone, seconded by Maguire, carried 5/0, to proceed with the design, engineering and permitting of the bluff stabilization and creek access at Moultrie Creek and Shore Drive, approved funding sources \$50,000 from the Transportation Trust Fund and \$50,000 from the General Fund.

(12:43 p.m.) Motion by Jacalone, seconded by Maguire, carried 5/0, to further investigate a more detailed plan for boat ramp improvements to the southern boat ramp, which does not require funding at this time, and for establishing a trail system along the trail way or a sidewalk system along Shore Drive and not committing any funding for either.

(02/24/04 - 8 - 12:45 p.m.)

6. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH DIVERSIFIED DEVELOPMENT SOUTHEAST, INC., IN THE AMOUNT OF \$345,300 FOR RENOVATIONS TO THE EXCELSIOR MUSEUM AND CULTURAL CENTER, PHASE I, AND A MOTION TO APPROVE THE TRANSFER OF \$33,100 FROM THE GENERAL FUND RESERVE (0083-59920) TO THE EXCELSIOR BUILDING (0038-56300)

Mike Rubin, Construction Services, reviewed the project and the bids and explained the request for additional funding. Rubin stated that total project costs exceeded the original bid and that re-bidding the item would cost the County time and money. Rubin requested approval of the transfer of funds. Meiszer questioned the funding used, the use of the space and the operation of the building. Rubin clarified. Joe Vonasek explained the funding. Discussion ensued. (*See Attachment B*)

(12:55 p.m.) Motion by Jacalone, seconded by Bryant, carried 5/0, to authorize the County Administrator to enter into the contract with Diversified Development Southeast, Inc., in the amount of \$345,300 for renovations to the Excelsior Museum



ST. JOHNS COUNTY BID TABULATION

BID TITLE RENOVATIONS TO THE EXCELSIOR MUSEUM & CULTURAL CENTER OF LINCOLVILLE - PHASE ONE
BID NUMBER BID NO. 04-53
OPENING DATE/TIME February 4, 2004, 3:00 P.M.

OPENED BY LEIGH DANIELS
TABULATED BY CHERYL ALBERTSON
VERIFIED BY

ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, 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 BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

PAGE (S) 1 OF 1 PAGE (S)

POSTING TIME/DATE FROM 02/12/04 4:00 PM UNTIL 02/18/04 4:00 PM

BIDDERS	TOTAL BASE BID PLUS ALTERNATES A THRU D	TOTAL BASE BID LUMP SUM	MANDATORY PRE BID	ALTER "A" DEDUCT	ALTER "B" DELETE	ALTER "C" DELETE	ALTER "D" DELETE	ALTER "E" DELETE	ALTER "F" DELETE	BID BOND
B A WILSON CONSTRUCTION INC.	\$445,870.00	\$510,000.00	YES	\$5,990.00	\$20,430.00	\$22,660.00	\$15,050.00	\$41,450.00	\$11,710.00	X
NOONEY CONSTRUCTION INC.	\$355,138.00	\$381,000.00	YES	N/A	\$8,734.00	\$13,128.00	\$4,000.00	\$40,000.00	\$22,000.00	X
BUSH CONSTRUCTION CO., INC.	\$333,410.00	\$389,750.00	YES	\$14,885.00	\$22,095.00	\$16,000.00	\$3,360.00	\$35,975.00	\$9,000.00	X
DIVERSIFIED DEVELOPMENT SOUTEAST, INC.	\$345,300.00	\$402,000.00	YES	\$8,500.00	\$28,000.00	\$13,400.00	\$6,800.00	\$37,900.00	\$13,900.00	X

BID AWARD DATE -

Attachment B 2/24/04 Regular

and Cultural Center, Phase I, and motion to approve the transfer of \$33,100 from the General Fund Reserve.

(02/24/04 - 9 - 12:56 p.m.)

Reports were moved to the afternoon session.

The meeting recessed at 12:55 p.m. and reconvened at 1:46 p.m. with Stern, Maguire, Jacalone, Bryant, Meiszer, Adams, Bosanko, and Deputy Clerk Lenora Newsome present.

(02/24/04 - 9 - 1:46 p.m.)

7. PUBLIC HEARING - COMPAMD 2003-02, COMPREHENSIVE PLAN AMENDMENTS AS RELATED TO THE RIVERTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI) - REQUEST TO AMEND THE COMPREHENSIVE PLAN 2015 FUTURE LAND USE MAP AND GOALS, OBJECTIVES AND POLICIES AS FOLLOWS: 1. AMEND THE FUTURE LAND USE MAP FROM RURAL/SILVICULTURE AND RESIDENTIAL B TO RESIDENTIAL B, RESIDENTIAL C, COMMUNITY COMMERCIAL, MIXED USE DISTRICT AND PARKS AND 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 THE 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 SIDES 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

Proof of publication of the Notice of Public Hearing on File No. COMPAMD 2003-02, RiverTown DRI, was received, having been published in *The St. Augustine Record* on January 12, 2004.

Nicole Cubbedge, AICP, Planner III, reviewed this item and the information that she distributed before the meeting: a fax copy of a letter from David Toner regarding the educational issues and a copy of a Memorandum of Understanding that his office had been working with the developer on; clean and red lined versions of the Development Order dated February 21st and 24th; a Memo from John Ruley from Fire Services, dated February 23rd; a letter from the Florida Department of Transportation to Scott Clem; and three large scale maps that showed the land use changes, the transportation and corridor changes, and the northwest sector plan changes.

(1:50 p.m.) Margaret Jenness, President of North Florida Operations for St. Joe/Arvida Company, gave an overview of the RiverTown development, including the RiverTown Master Plan, connectivity within RiverTown, and the goals and objectives of the Comprehensive Plan. She reviewed the environmental resource impacts concerning the wildlife, the wetlands, the ravines and protection, the RiverTown Greenway Plan, water quality, dock access to the St. Johns River, and wastewater management. She spoke on transportation, the Sector Plan roads, the specifics of the pipelining proposal, and human resource impacts. Jenness also addressed affordable housing, the recreation

and open space element, the St. Johns County level of service standards for recreation and parks, riverfront parks, neighborhood parks, historical and archeological sites, fire services, and having a library site and school sites. Jacalone questioned how the funding mechanism would work and Jenness responded. Meiszer asked when CDD funds were used to build a school, was the attendance at that school limited to residents of the CDD. Bosanko replied that there was no such limitation that he was aware of.

(2:26 p.m.) Tom Beck, Director of Planning for Wilson Miller, Tallahassee, spoke on working with Jenness and the St. Joe Company to plan the RiverTown community to ensure that it was consistent with the local, regional, and state planning requirements of the State of Florida. He stated that the RiverTown Community did not create urban sprawl, and that there was a demonstrated need for this type of community in St. Johns County.

(2:30 p.m.) Jenness spoke on public input and having public meetings. She thanked County Staff for all their help and reviewed some of the great developments that were approved in St. Johns County. Jacalone spoke on DOT having problems with their mitigation plans. Jenness explained what was done when they did their analysis. Jacalone reviewed the idea of pipelining.

(2:56 p.m.) David Toner, Executive Director for Facilities and Operations, St. Johns County School Board, expressed the School Board's concerns: student projections; the number of schools needed; and bringing the schools on line in a timely manner, as the students started to arrive. Stern spoke on schools being overcrowded. Toner responded. Meiszer spoke on fire service.

(3:05 p.m.) John Ruley, St. Johns County Fire/Rescue, spoke on the fire issue. Jacalone questioned the financing mechanism and Toner responded. Bosanko asked about the Memo of Understanding, and if the School Board was comfortable with the BCC taking action today. Toner replied yes. Maguire asked about schools being paid for completely from within the CDD. Toner replied that the schools would be paid for over a period of time, completely from the funds and revenues that would be generated from the boundaries of the RiverTown Project. Discussion followed on transferring debt.

(3:16 p.m.) Bryant asked Mr. Laymen to explain how Regional Planning Council treated the recommendations from the DOT and other agencies. Mr. Laymen responded.

(3:19 p.m.) Cubbedge highlighted the six Comprehensive Plan amendments. (3:19 p.m.) Bryant left the meeting and returned at 3:26 p.m. Cubbedge spoke on the list of priorities of improvements from County Staff. She also spoke on hurricane evacuation, the library site, environmental issues, greenway connections, environmental planning regarding wetlands, and the ravines map and fire service. She also spoke on the comments listed on the Staff Report, in respect to the Northeast Florida Regional Council's recommendations, and she stated that they had been resolved. She spoke on the traffic count.

(3:51 p.m.) Jacalone asked about the traffic impact to SR 13 and he spoke on dock permits. Cubbedge responded that the language in the DO limited the number of docks allowed. Stern left the meeting at 3:53 p.m. and returned to the meeting at 3:57 p.m.

(3:54 p.m.) Shawn Collins, AICP, Transportation Planning Manager, addressed the traffic impact.

(3:57 p.m.) Jeff Kramen, 14775 St. Augustine Road, Jacksonville, consultant for the developer, spoke on a two-lane facility and providing right-of-way for a four-lane

facility. Jacalone questioned the costs. Kramen replied that the cost-per-mile on DOT was strictly construction cost. Maguire questioned what the recommendation not to relocate the parkway was based on. Collins responded. Maguire stated that he was against eminent domain as a condition. (4:05 p.m.) Jacalone left the meeting. Bosanko mentioned that he had two technical corrections to the DO. Stern advised doing them after the break.

The meeting recessed at 4:06 p.m. and reconvened at 4:19 p.m.

(4:20 p.m.) Lea Gabbay, DOT, introduced James Bennett, the Open Area Transportation Development Engineer for the DOT, who followed up briefly on a letter that Secretary Schroeder provided to the Commission in regards to the proposed development. He stated that the Department was still not satisfied with the proportion per share calculations and that it was critical that the extension be provided down to the Shands Bridge. He spoke on the issue of the new river crossing, and stated that public meetings had been scheduled. He asked the Commission to consider imposing restrictions on the order of the development to allow the study to be completed. Gabbay spoke on excess money being placed in an escrow account for the Shands Bridge and stated that they supported putting money into county roads. She spoke on the SR 13 impact. Discussion followed on the proportion per share calculation costs. (4:36 p.m.) Bryant expressed his opinion that the attempt was to bring the bridge through RiverTown. Maguire spoke on not supporting any crossing north of the Shands Bridge.

(4:48 p.m.) Deputy Clerk Lenora Newsome left the meeting and Deputy Clerk Robin Platt entered the meeting. Discussion continued regarding the Board's position on the proposed new river crossing and the DOT's recommendation.

(4:52 p.m.) Cheryl Knapp, 604 Baywood Tr., spoke in favor of the development.

(4:54 p.m.) Don Beattie, 808 Mill Pond Court, addressed the volume of traffic that would be generated by this development and school overcrowding in the northwest. He recommended denial of the CPA and the DRI and discussion followed.

(5:13 p.m.) R.J. Wilson, 10125 Russell Sampson Rd., supported Arvida in the development of RiverTown.

(5:15 p.m.) David Thundershield Queen, 16 Fountain of Youth Blvd., spoke in opposition to the development due to its negative impacts.

(5:20 p.m.) Leslie Miedema, 208 Belmont Dr., spoke in opposition to the development due to flooding and traffic issues.

(5:23 p.m.) Julie Parker, 290 Palmetto Rd., requested that the Board deny this Comp Plan Amendment and she displayed two posters, Exhibit A.

(5:26 p.m.) Robert Krose, 1528 Pintail Dr., spoke in favor of the RiverTown development.

(5:28 p.m.) Jim Mc Carthy, 296 Deer Run Dr., Ponte Vedra, suggested changing the law to allow schools to be built before developments are built and he urged the Board to approve the development.

(5:32 p.m.) Frances Ziolkowski, 260 Bell Branch Lane, commented on eminent domain.

(5:34 p.m.) Julie Parker for Lauren Bitting-Ellis, 166 Twine St., read a statement of opposition to the proposed development.

(5:36 p.m.) Ben Rich, 136 Moses Creek Blvd., supported the PZA's decision to recommend denial of this application, and requested that the Board do the same.

(5:42 p.m.) Louise Thrower on behalf of Jenny Henningsen, 161 CR 13 South, turned in community comment postcards requesting denial, Exhibit B.

(5:42 p.m.) Mike Yuro, 1001 Meadow View Lane, spoke in favor of RiverTown.

(5:44 p.m.) Drew DeCandis, 409 Triple Crown Lane, handed out a copy of his Powerpoint presentation, Exhibit C, and spoke in opposition to the development.

(5:55 p.m.) Randy Nader, 10066 Sawgrass Dr. West, requested that the Board approve the development.

(5:56 p.m.) Valerie Knight, 34 Sailfish Dr., Ponte Vedra, supported the development and asked the Board to approve it.

(5:57 p.m.) David Eason, 182 Vista Grande Dr., Ponte Vedra, supported Arvida and the proposed development.

(5:58 p.m.) Ellen Whitmer, 1178 Natures Hammock Rd. S., Fruit Cove, requested that the Board deny the Comp Plan Amendment and the RiverTown DRI.

(6:02 p.m.) Mary Kohnke, 29 S. Roscoe Blvd., spoke in opposition to the RiverTown development, as she felt the developers would not be paying their fair-share for roads.

(6:09 p.m.) Paul Vetter, 4404 Comanche Trail Blvd., spoke in favor of RiverTown, and stated that he felt the developers were committed to community.

(6:11 p.m.) Charles Hillyer, 104 Cypress Landing, supported the RiverTown development and addressed growth.

(6:15 p.m.) Donald Dunham, 1476 Mallard Landing Blvd., objected to the development and the use of eminent domain by a CDD.

(6:19 p.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., representing the Audubon Society, stated that they did not support the application as currently proposed.

(6:24 p.m.) Marianne Jordan, 5681 Crosswinds Ct., expressed concern regarding the water supply.

(6:27 p.m.) Louise Thrower, 288 Orange Ave., addressed the water franchise, the timeliness of new materials presented by the developer and schools and transportation, illustrated by Exhibit D.

(6:36 p.m.) Phyllis Abbatiello, 1133 River Birch Rd., stated that the public needed to be informed about the details of the development and she requested that a moratorium be imposed.

(6:37 p.m.) Will Pitts, 1017 Meadowview Lane, spoke in favor of the RiverTown project. He also pointed out the favorable benefits of the project.

(6:43 p.m.) Cyndi Stevenson, 148 Cattail Cr., encouraged the Board to increase impact fees and expressed concern regarding the use of eminent domain.

(6:48 p.m.) Ben Williams, 1096 Oak Vale Rd., stated that it was the Board's duty to make sure that the costs associated with this development did not get passed onto the other residents of the County.

(6:52 p.m.) Neil Armingeon, 2800 University Blvd., Jacksonville, spoke in opposition to the development, as he feared negative impacts to the river, and he asked that the application be denied.

(6:57 p.m.) Kerry McCarthy, 604 Baywood Trail, expressed her respect for the Board and she spoke in favor of the development.

(7:01 p.m.) Jenness addressed some of the questions that were raised during the public comment portion of the hearing regarding water, the location of roads, the location of the farm district and the eminent domain provision.

The meeting recessed at 7:09 p.m. and resumed at 7:18 p.m.

(7:18 p.m.) Bosanko stated that he had four changes, under the Special Conditions section, that were agreed to by the developer: 1) On page 17, leaving only the sentence in subparagraph (a) that reads *"The developer will cause the construction of the following transportation improvements, including all right-of-way acquisition costs, if necessary, for all improvements within the time frame specified below."* 2) On page 24, paragraph 26, adding the words *"except for those certain contributions described in Section 29 below."* 3) On page 26, paragraph 29, Education, add a new second sentence to read *"the middle school site will be built to meet Florida Department of Education shelter standards."* 4) In the DO, under Special Conditions, paragraph 13, a grammatical clarification that future regulations would be applicable to the development, if approved.

(7:24 p.m.) Discussion followed with members of the Board addressing their concerns and making comments regarding the amount of control they have with DRIs versus PUDs, the timing of the transportation, the water supply, fire service impact fees and wetlands mitigation. There was further discussion regarding the transportation impacts and pipeling, the needs analysis and water quality.

(7:47 p.m.) Stern disclosed ex parte communications and addressed managing growth versus stopping growth and the roadway improvements proposed by the RiverTown developers. (7:56 p.m.) Bryant and Jacalone also disclosed ex parte communications.

(7:57 p.m.) Bosanko addressed the special conditions regarding wetland buffers and suggested a language change on page 8, to take out the word *"except"* and insert the phrase *"to the extent allowed by the code."* Cubbedge suggested an alternative, adding the words *"and a 25 foot building set-back."* She also addressed the shelter standards language, discussed by Bosanko, and suggested using the language *"the Florida Department of Education shelter standards."*

(8:04 p.m.) Meiszer and Maguire disclosed ex parte communication.

(8:06 p.m.) Jenness stated that she would consider looking at the projected right-of-way for RiverTown Parkway, within the property boundaries, but would like to get credit for it outside the property lines.

(8:07 p.m.) Cubbedge clarified the changes: on page 13 of the DO, Status of Development Rights, the third sentence on page 14, third line, the word "and" would be changed to "unless." On page 8 of the Special Conditions, Section 16(a), add the language "and 25-foot building set-back would be established." Jenness suggested taking out the last bullet on page 8, Section 16 (a) altogether. The Board concurred. The third change, on page 18, paragraph 22(a), Pipeline Improvements, only the first sentence would remain. The next change was to page 25, Special Conditions, Section 26, "except for those certain contributions described in Section 29 below." The final suggested change was on page 27, Section 29, Education, "the middle school site would be built to meet the Florida Department of Education shelter standards."

(8:12 p.m.) **Motion by Maguire, seconded by Stern, carried 3/2 by roll call vote, to enact Ordinance 2004-14, known as RiverTown, COMPAMD 2003-02, adopting Findings of Fact to support the motion.**

Roll call vote:

Maguire	aye
Bryant	aye
Meiszer	nay
Stern	aye
Jacalone	nay

ORDINANCE NO. 2004-14

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND 2015 FUTURE LAND USE MAP FROM RURAL/SILVICULTURE (R/S) AND RESIDENTIAL B TO RESIDENTIAL B, RESIDENTIAL C, COMMUNITY COMMERCIAL (CC), MIXED USE DISTRICT (MD) AND PARKS AND OPEN SPACE FOR APPROXIMATELY 4,170 ACRES, AMEND COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES-POLICY H.1.6 TO ADD POLICY H.1.6.10 TO AUTHORIZE THE RIVERTOWN DRI TO UTILIZE THE STANDARDS AND GUIDELINES SET FORTH IN CHAPTER 163.3180(12) FLORIDA STATUTES, TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS BY PAYMENT OF A PROPORTIONATE SHARE, AMEND THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE TO ADD THE PUBLIC FACILITY IMPROVEMENTS PROPOSED, AMEND COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES-POLICY A.1.3.8 TO ADD A COMMUNITY CENTER DISTRICT (CCD) TO BE LOCATED ALONG THE EAST AND WEST SIDE OF SR 13 AND NOT TO EXCEED 1,600 FEET OF ROADWAY FRONTAGE, AMEND THE NORTHWEST SECTOR OVERLAY MAP TO RELOCATE A COMMUNITY CENTER DISTRICT (CCD) AND PROPOSED ROADWAYS, FOR APPROXIMATELY 4,170 ACRES KNOWN AS THE RIVERTOWN DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

8. PUBLIC HEARING - RIVERTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI) DRI 2003-01 AND DRIDO 2004-01 - THE RIVERTOWN DRI WAS SUBMITTED IN APRIL 2003. DRIS FOLLOW THE PROCEDURES SET OUT IN CHAPTER 380.06 FLORIDA STATUTES. REVIEW OF THE DRI INCLUDES THE NORTHEAST FLORIDA REGIONAL COUNCIL, DEPARTMENT OF COMMUNITY AFFAIRS, ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DEPARTMENT OF TRANSPORTATION, FIRST COAST METROPOLITAN PLANNING ORGANIZATION, STATE DIVISION OF HISTORICAL RESOURCES, US ARMY CORP OF ENGINEERS, US FISH AND WILDLIFE SERVICE, THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND ST. JOHNS COUNTY. THE PROJECT HAS PROCEEDED THROUGH THIS REVIEW AND WAS SCHEDULED FOR PUBLIC HEARINGS WITHIN THE REQUIRED TIMEFRAMES ALLOWED BY FLORIDA STATUTES. THE PROPOSED DEVELOPMENT ORDER (DO) ESTABLISHES THE CONDITIONS, IN WHICH THE RIVERTOWN DRI MAY DEVELOP. THE NORTHEAST FLORIDA REGIONAL COUNCIL (NEFRC) ISSUED AN ASSESSMENT REPORT ON FEBRUARY 5, 2004

Proof of publication of the Notice of Public Hearing on File No. DRI 2003-01, Rivertown, was received, having been published in *The St. Augustine Record* on January 12, 2004.

Items 7 and 8 were heard together.

(8:16 p.m.) **Motion by Maguire to approve Resolution No. 2004-45, known as RiverTown DRI 2003-01 and DRI DO 2004-01, adopting Findings of Fact to support the motion, to included the changes as presented by Mr. Bosanko and Mrs. Cubbedge. Also to include the changes to page 18, Special Conditions, paragraph 22(ii), for the right-of-way acquisition costs associated with the parkway within the boundaries of the project to be backed out and the money added to the rest of the impacts, and change the map on Exhibit 8. On page 28, paragraph 32, the last two sentences should read: "Said county shall use impact fees for construction of a fire station on a fire station site noted in (a) above or any site within the county," deleting the last sentence, based on the comment that it was a redundant statement and unnecessary. On the next page, subparagraph (c), delete the last six or seven words, "within the five mile service delivery area." On Exhibit 2, Master Plan, show the parkway on the west side of the school instead of the east side.**

(8:19 p.m.) Scott Clem, Growth Management Director, suggested that on **page 19, subparagraph (ii), RiverTown Parkway, seventh line down, adding to the end of that sentence the language "less the value of the right-of-way through the RiverTown DRI."** Maguire accepted the addition and agreed to remove the words from subparagraph (c), on page 30, **"within the five mile service area,"** per Ruley's suggestion. (8:24 p.m.) Stern seconded the motion and it carried 3/2 by roll call vote.

Roll call vote:

Bryant	aye
Meiszer	nay
Stern	aye
Jacalone	nay
Maguire	aye

RESOLUTION NO. 2004-45

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONER'S RESOLUTION NO. 2004-45, A DEVELOPMENT ORDER FOR RIVERTOWN, A DEVELOPMENT OF REGIONAL IMPACT UNDER CHAPTER 380, FLORIDA STATUTES; AUTHORIZING DEVELOPMENT OF APPROXIMATELY 4,170 ACRES IN NORTHWEST ST. JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS INCLUDING MITIGATION FOR TRANSPORTATION AND ENVIRONMENTAL IMPACTS, PROVIDING DEVELOPMENT PHASING AND BUILDOUT DATES; ESTABLISHING AN EFFECTIVE DATE

(8:25 p.m.) Motion by Jacalone, seconded by Meiszer, to adjourn the meeting.

(8:25 p.m.) Bosanko stated that he needed permission to schedule an executive session with the Board at 8:00 a.m. on March 16, 2004, regarding the GRIT litigation. The Board concurred. (8:26 p.m.) The motion carried 5/0.

With there being no further business to come before the Board, the meeting adjourned at 8:26 p.m.

REPORTS:

1. St. Johns Board of County Commissioners Check Register, Check No. 346886 through 347185, totaling \$1,760,769.66 (02/17/04)
2. St. Johns Board of County Commissioners Check Register, Check No. 347186, totaling \$15,015.70 (02/17/04)
3. St. Johns Board of County Commissioners Check Register, Check No. 347187 through 347217, totaling \$52,874.06 (02/19/04)

CORRESPONDENCE:

1. Letter dated February 13, 2004 to Liz Cloud, Chief of Bureau of Administrative Code, filing St. John County Ordinance No. 2004-11
2. Letter dated February 19, 2004 to Shelby Jack, Clerk of Town of Hastings, regarding enclosing a fully executed original of the lease renewal agreement between the Town of Hastings and St. Johns County for Dennis Hollingsworth, Tax Collector for space at the Hastings High School Community Building

Approved March 16, 2004

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Karen R. Stern
Karen R. Stern, Chair

ATTEST, CHERYL STRICKLAND, CLERK

RENDITION DATE 03/31/04

By: U. Donna King
Deputy Clerk