

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
OCTOBER 20, 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
 Daniel Bosanko, County Attorney
 Lenora Newsome, Deputy Clerk

Also present: Cheryl Strickland, Clerk of Court

(10/20/04 - 1 - 9:04 a.m.)
Stern called the meeting to order.

(10/20/04 - 1 - 9:05 a.m.)
Bryant gave the Invocation and Maguire led the Pledge of Allegiance.

(10/20/04 - 1 - 9:05 a.m.)
ROLL CALL

Stern announced that all Commissioners were present.

(10/20/04 - 1 - 9:06 a.m.)
PROCLAMATION DESIGNATING OCTOBER 2004 AS BREAST CANCER
AWARENESS MONTH

Stern read the proclamation. Jean Carver and Carol Wyninger, St. Johns County Health Department, were present to accept the Proclamation. Stern announced the County employees who were cancer survivors, Karen Van Volkenburg, Cecelia Aldrich, and Ann Hassel who came forward. Carol Wyninger spoke on the grants for prevention of breast cancer. Ann Hassel spoke on raising money for the prevention of breast cancer.

(10/20/04 - 1 - 9:15 a.m.)
ACCEPTANCE OF PROCLAMATION

Motion by Stern, seconded by Jacalone, carried 4/0, with Bryant in the audience, to accept the Proclamation.

(10/20/04 - 1 - 9:15 a.m.)
PUBLIC COMMENT

Maguire mentioned that Michele Barth was holding office for Senator Nelson in Conference "A" for discussion on any public concerns in the County.

Maguire announced that October 31st was Stern's birthday and the Commissioners presented her with balloons and a cake.

(10/20/04 - 2 - 9:16 a.m.)

DELETIONS TO CONSENT AGENDA

Maguire requested to pull Item 1, the Cash Requirement Report, and placed it at the end of day. Bosanko requested to pull Item 8 to be rescheduled at a later date.

(10/20/04 - 2 - 9:19 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report

This item was removed from the Consent Agenda and was added to the Regular Agenda at the end of the day.

2. Minutes:
09/22/04 - BCC Regular Meeting
09/29/04 - BCC Special Meeting

3. Sheriff's Office Bonds:

Cancel: Schwartz, Lori Stewart, Kyle

4. Motion to adopt **Resolution No. 2004-312**, authorizing the County Administrator to execute a Termination of an Easement located on Intracoastal Circle in Eagle Creek Subdivision

RESOLUTION NO. 2004-312

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TERMINATION OF AN EASEMENT LOCATED ON INTRACOASTAL CIRCLE IN EAGLE CREEK SUBDIVISION

5. Motion to adopt **Resolution No. 2004-313**, accepting an Easement for Utilities for a water main extension along Kings Road to be connected to the existing water main on Kings Estate Road

RESOLUTION NO. 2004-313

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR A WATER MAIN EXTENSION ALONG KINGS ROAD TO BE CONNECTED TO THE EXISTING WATER MAIN ON KINGS ESTATE ROAD TO PROVIDE BETTER FLOW TO THE NEIGHBORHOOD AND PROVIDE WATER SERVICE TO OTHER RESIDENTS IN THE AREA

6. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the No. 1 ranked firm, Woolpert LLP for RFQ No: 04-89, Transportation Infrastructure Asset Inventory (GASB 34). 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"*)
7. Motion to adopt **Resolution No. 2004-314**, approving a Final Plat for Moultrie Crossing

RESOLUTION NO. 2004-314

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

8. Motion to adopt a Resolution approving a Final Plat for Stonehurst Plantation Unit Two-B

This Item was pulled and would be rescheduled at a later date.

9. Motion to adopt **Resolution No. 2004-315**, approving the contract with Stewart-Marchman to provide detoxification and substance abuse residential (Level III) services for adult residents of St. Johns County and authorize the County Administrator to sign

RESOLUTION NO. 2004-315

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE CONTRACT WITH THE STEWART-MARCHMAN CENTER

10. Motion to adopt **Resolution No. 2004-316**, approving the contract with Gateway for detoxification and residential services and authorize the County Administrator to sign

RESOLUTION NO. 2004-316

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE CONTRACT WITH GATEWAY

11. Motion to adopt **Resolution No. 2004-317**, approving the terms, provisions, conditions, and requirements of an extended landscaping agreement between St. Johns County, Florida, and the State of Florida Department of Transportation, for maintenance of landscaping and rights-of-way on portions of State Route (SR) A1A, and authorizing the County Administrator to execute the agreement on behalf of St. Johns County

RESOLUTION NO. 2004-317

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS,

**COMBINED SUMMARY SHEET
FOR RANKING OF PROFESSIONALS**

**ST. JOHNS COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS**

DATE: September 21, 2004
PROJECT: RFQ No. 04-89, Transportation Infrastructure
Asset Inventory (GASB 34)

*Comment #6
10/20/04*

FIRM	WRITTEN	WRITTEN	ORAL	ORAL	OVERALL TOTALS	OVERALL RANK	COMMENTS
	POINTS	RANK	POINTS	RANK			
WOOLPERT	438	1	380	1	818	1	
KISINGER CAMPO	387	3	293	3	680	3	
PBS&J	388	2	316	2	704	2	

APPROVED: PURCHASING MANAGER *[Signature]* DATE 9-30-04

DIRECTOR OF PUBLIC WORKS *[Signature]* DATE 09/23/04

NOTE: THE RANKING SHOWN ABOVE MUST BE FOLLOWED UNLESS SPECIAL CONDITIONS MENT 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. / UNTIL 4:00 P.M. / 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.

Attachment "A"

CONDITIONS, AND REQUIREMENTS OF AN EXTENDED LANDSCAPING AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FOR MAINTENANCE OF LANDSCAPING AND RIGHTS-OF-WAY ON PORTIONS OF STATE ROUTE (SR) A1A, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

12. Motion to adopt **Resolution No. 2004-318**, approving the terms of a lease agreement between St. Johns County, Florida and St. Augustine Beach, Florida for a portion of Pier Park, and authorizing the County Administrator to execute the agreement on behalf of St. Johns County

RESOLUTION NO. 2004-318

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ST. AUGUSTINE BEACH, FLORIDA, FOR A PORTION OF PIER PARK, THE AGREEMENT ON BEHALF OF THE COUNTY

13. Motion to adopt **Resolution No. 2004-319**, approving the terms, provisions, conditions, and requirements of an adopt-a-park agreement between the Ponte Vedra Beach Park at Library Boulevard, Inc and St. Johns County, Florida and authorizing the County Administrator to execute the agreement on behalf of St. Johns County

RESOLUTION NO. 2004-319

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIEMENTS OF AN ADOPT-A-PARK AGREEMENT BETWEEN THE PONTE VEDRA BEACH PARK AT LIBRARY BOULEVARD, INC., AND ST. JOHNS COUNTY, FLORIDA, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

14. Motion to authorize the County Administrator, or his designee, to purchase Personal Computer Units from Shea PC in accordance with Bid No. 05-08 in the amount of \$100,637 (*See Attachment "B"*)
15. Proofs:
- a. Proof, Notice of Private Meeting, St. Johns County Board of County Commissioners, Wednesday, September 22, 2004 at 8:00 a.m.
 - b. Proof, Notice of Meeting, Evaluation Team RFQ 04-89, September 9, 2004 at 9:00 a.m.
 - c. Proof, Notice to Bidders, RFQ No. 04-112
 - d. Proof, Notice of Public Hearing, Oil and Grease Ordinance, Wednesday, September 22, 2004 at 9:00 a.m.
 - e. Proof, Notice to Bidders, RFQ No. 04-94

**ST. JOHNS COUNTY
BID TABULATION**



BID TITLE

PURCHASE OF PERSONAL
COMPUTER UNITS

BID NUMBER

BID NO. 05-08

OPENING DATE/TIME

October 6, 2004 3:00 P.M.

POSTING TIME/DATE

10/06/2004 4:00 PM 10/11/2004 4:00 PM

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.

OPENED BY

LEIGH DANIELS

TABULATED BY

CHERYL ALBERTSON

VERIFIED BY

[Signature]

PAGE (S) 1

OF 3 PAGE (S)

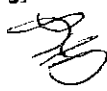
*Consent # 14
10/20/04*

BIDDERS	TOTAL PACKAGE BIDD	EXTENDED COST LINE ITEM 1 (82 UNITS)	EXTENDED COST LINE ITEM 2 (18 UNITS)	EXTENDED COST LINE ITEM 3 (2 UNITS)	EXTENDED COST LINE ITEM 4 (1 UNIT)	DELIVERY DATE	ADDED #
HOWARD COMPUTERS	\$124,784.00	\$102,500.00	\$17,586.00	\$3,114.00	\$1,584.00	2 WEEKS POR	NO
MICRO SUPPLY	\$107,205.00	\$88,970.00	\$14,580.00	\$2,390.00	\$1,265.00	14 DAYS ARO	YES
MIC IT-MEGABYTE INTL. CORP.	\$126,299.00	\$103,828.40	\$17,447.40	\$3,348.80	\$1,674.40	30 DAYS ARO	YES
MICRO EXPRESS	\$194,374.00	\$158,506.00	\$28,998.00	\$4,534.00	\$2,336.00	SEPT 2004	NO
GTSI	\$141,267.85	\$111,351.90	\$24,443.10	\$3,605.90	\$1,866.95	3 WEEKS	NO
MULTIWAVE/CLT COMPUTERS INC	\$106,628.00	\$88,068.00	\$14,184.00	\$2,874.00	\$1,502.00	14-30 DAYS ARO	YES
CYBERTRON INTERNATIONAL	\$121,210.50	\$100,306.50	\$16,110.00	\$2,976.00	\$1,818.00	3 WEEKS	YES

BID AWARD DATE -

Attachment 4 B

**ST. JOHNS COUNTY
BID TABULATION**



BID TITLE: PURCHASE OF PERSONAL COMPUTER UNITS
 BID NUMBER: BID NO. 05-08
 OPENING DATE/TIME: October 6, 2004 3:00 P.M.

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.

OPENED BY: LEIGH DANIELS
 TABULATED BY: CHERYL ALBERTSON
 VERIFIED BY: 

POSTING TIME/DATE: 10/06/2004 4:00 PM UNTIL 10/11/2004 4:00 PM

PAGE (S) 2 OF 3 PAGE (S)

BIDDERS	TOTAL PACKAGE BID	EXTENDED COST LINE ITEM 1 (82 UNITS)	EXTENDED COST LINE ITEM 2 (18 UNITS)	EXTENDED COST LINE ITEM 3 (2 UNITS)	EXTENDED COST LINE ITEM 4 (1 UNIT)	DELIVERY DATE	ADDED #
ALPHA INTEGRATED NETWORK	✓ \$126,983.00	\$104,632.00	\$17,334.00	\$3,296.00	\$1,721.00	OCT 16 OR 10 BUS. DAYS	YES
VIRTUCOM INC	✓ \$93,154.00	\$74,435.50	\$14,980.50	\$2,446.50	\$1,291.50	OCT 4, 2004	YES
CUSTOM FIT INC	✓ \$97,823.00	\$76,178.00	\$16,992.00	\$2,521.00	\$1,229.00	30 DAYS ARO	NO
VYNK NETWORK, LLC	✓ \$136,417.54	\$107,417.54	\$23,526.54	\$3,625.68	\$2,328.68	1-2 WEEKS	YES
J.N.V. COMPUTER SOLUTIONS	✓ \$139,146.00	\$114,472.00	\$21,528.00	\$1,521.00	\$1,600.00	15 DAYS AFTER PO REQUEST	YES
STORAGE APPLICATIONS INC	✓ \$138,882.20	\$114,914.80	\$19,366.20	\$3,042.80	\$1,558.40	15 DAYS AFTER PO	YES
GLOBAL ASSOCIATES COMPUTERS	✓ \$192,846.00	\$153,258.00	\$33,786.00	\$3,868.00	\$1,934.00	7-21 DAYS	NO

BID AWARD DATE -

**ST. JOHNS COUNTY
BID TABULATION**

BID TITLE PURCHASE OF PERSONAL

COMPUTER UNITS

BID NUMBER BID NO. 05-08

OPENING DATE/TIME October 6, 2004 3:00 P.M.

POSTING TIME/DATE 10/06/2004 4:00 PM UNTIL 10/11/2004 4:00 PM

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.

OPENED BY
TABULATED BY
VERIFIED BY

LEIGH DANIELS
CHERYL ALBERTSON 

PAGE (S) 3 OF 3 PAGE (S)

BIDDERS	TOTAL PACKAGE BID	EXTENDED COST LINE ITEM 1 (82 UNITS)	EXTENDED COST LINE ITEM 2 (18 UNITS)	EXTENDED COST LINE ITEM 3 (2 UNITS)	EXTENDED COST LINE ITEM 4 (1 UNIT)	DELIVERY DATE	ADDED #
SHEA-PC	✓ \$104,287.00 100,637.--	\$82,656.00	14,544 \$18,444.00	\$2,250.00	\$1,187.00	14 DAYS ARO	YES
DATA VOICE INC	✓ \$135,930.93 135,855.29	\$111,427.34	\$19,022.22	\$3,603.82	\$1,801.91	21 DAYS ARO	NO
TECH DEPOT	NO BID						
ELEPHIG COMPUTERS, INC.	✓ \$134,610.72	\$111,753.70	\$17,583.48	\$3,465.70	\$1,807.84	21 DAYS ARO	YES
KOMPUTER KINGDOM	✓ \$176,248.54 176,248.44	\$144,248.44 144,218.36	\$25,688.36 25,688.34	\$4,114.26	\$2,127.48	30 DAYS AFTER PO	NO
VISION COMPUTER, INC	✓ \$106,913.00	\$88,519.00	\$14,247.00	\$2,723.00	\$1,424.00	2-3 WEEKS FROM PO	YES

- f. Proof, Notice to Bidders, Bid No. 05-03
- g. Proof, Notice to Bidders, Bid No. 05-02
- h. Proof, Notice to Bidders, Bid No. 05-01
- i. Proof, Notice to Bidders, Bid No. 04-113
- j. Proof, Notice of Meeting, Special Board Meeting to finish agenda, Wednesday, September 15, 2004 at 9:00 a.m.
- k. Proof, Notice of Meeting, Joint Meeting with SJC Community Redevelopment Agency, Wednesday, September 8, 2004 at 5:30 p.m.
- l. Proof, Notice of Rescheduled Meeting, St. Johns County Board of County Commissioners and Community Redevelopment Agency, Wednesday, October 20, 2004 at 6:00 p.m.
- m. Proof, Notice to Bidders, Bid No. 04-110
- n. Proof, Certificate of Liability Insurance, Clarkson's Landclearing & Fill
- o. Proof, Certificate of Liability Insurance, V J Usina Contracting Inc.
- p. Proof, Certificate of Liability Insurance, St. Johns River Construction Inc.
- q. Proof, Certificate of Liability Insurance, Hal Jones Contractor, Inc.
- r. Proof, Notice of Meetings, St. Johns County Water & Sewer Authority, Regular Meetings on the second Tuesday of each month at 9:00 a.m.
- s. Proof, Notice of Meeting, Canceled Water & Sewer Authority Meeting, Tuesday, September 14, 2004 at 9:00 a.m.
- t. Proof, Notice of Meeting, Special Meeting of Representatives of the Board of County Commissioners, Friday, September 24, 2004 at 11:00 a.m.
- u. Proof, Notice of Meeting, Strategy for the Metropolitan Planning Organization, Tuesday, September 14, 2004 at 9:00 a.m.
- v. Proof, Notice to Bidders, Bid No. 04-101
- w. Proof, Notice to Bidders, Bid No. 05-04
- x. Proof, Notice to Bidders, Bid No. 04-97
- y. Proof, Notice to Bidders, Bid No. 05-05
- z. Proof, Notice of Meeting, Canceled Private Meeting, St. Johns County Board of County Commissioners, Wednesday, September 22, 2004 at 8:00 a.m.
- aa. Proof, Notice of Intent, Senior Management Positions
- bb. Proof, Certificate of Liability Insurance, Citrus Maintenance Inc.
- cc. Proof, Certificate of Liability Insurance, All Waste Inc.

(10/20/04 - 5 - 9:19 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams requested to add the discussion of the Rulon Agreement as Item 1a. Maguire requested to move Item 17 to Item 1b. Bosanko requested to add the discussion of an Interlocal Agreement between the City of St. Augustine and the St. Johns County Redevelopment Agency as Item A22, the first item at 6:00 p.m.

(10/20/04 - 5 - 9:21 a.m.)

APPROVAL OF REGULAR AGENDA

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

Stern announced that the Health Fair at the Ag Center started early this morning.

(10/20/04 - 5 - 9:24 a.m.)

1. ANNUAL REPORT OF INCOME AND EXPENDITURES

Dennis W. Hollingsworth, St. Johns County Tax Collector, presented the Board with the Annual Report of Income and Expenditures. (Exhibit A) (9:30 a.m.) Michael Hunt, Assistant County Attorney, entered the meeting.

(10/20/04 - 6 - 9:30 a.m.)

1a. RULON AGREEMENT

John Schwab, Special Projects Coordinator, reviewed this item. He stated that the contract changed slightly and reviewed those changes. (9:32 a.m.) **Motion by Maguire, seconded by Jacalone, to authorize Adams to execute the contract.** Hunt mentioned that the contract would be slightly different than the one presented to the Board, there was another party subsidiary to Ring Power that would be added to the agreement because they have an interest in it and he just wanted to let the Board know so he could put it on the record. **The motion carried 5/0.** Hunt left the meeting.

(10/20/04 - 6 - 9:33 a.m.)

1b. DISCUSSION OF CONSTRUCTION FOR A SENIOR CENTER BUILDING ON THE LANDRUM LANE PROPERTY (Formerly Item 17)

Mary Ann Blount, Real Estate Manager reviewed this item.

(9:38 a.m.) Cathy Brown, Executive Director of Council on Aging, spoke on how many seniors were in the area below poverty level. Bryant spoke on the transportation system in the northeast. Meiszer voiced concern about the size of the facility and questioned the \$300,000 Grant from the PGA that was being returned to the County. Blount responded. Stern remarked that she thought this was excellent, but was not nearly enough space, but was a beginning. Discussion followed on the expansion of the building.

(9:47 a.m.) Donald Blackburn, 220 Settlers Road N., spoke in favor of the Senior Center.

(9:50 a.m.) Bruce Barber, 3010 Cypress Creek Drive E, celebrated raising \$4,000 in a very short time for the Senior Center and he requested for the Board to support this.

(9:51 a.m.) **Motion by Maguire, seconded by Bryant, to direct the County Administrator to have staff move forward with construction and permitting for a 4,000 square foot Senior Center Building with room for expansion built in and draft a lease between St. Johns County and the Council on Aging for the management and operations of a multi-purpose Senior Center with funding from the General Fund Reserves.** Adams stated that the Board might wish to put a \$550,000 limit on it. **The maker of the motion accepted and so did the second. The motion carried 5/0.**

(10/20/04 - 6 - 9:52 a.m.)

2. CONSIDER A MOTION TO GRANT OR DENY FREE USE OF SPACE AT THE ST. JOHNS COUNTY CONVENTION CENTER TO THE DR. MARTIN LUTHER KING, JR. CELEBRATION COMMITTEE TO HOLD THE 20TH ANNUAL COMMEMORATIVE BREAKFAST ON MONDAY, JANUARY 17, 2005 FROM 7:30 A.M. UNTIL 10:00 A.M.

Dena Masters, Office Manager, Tourist Development presented the request for free use of the convention center for the 20th Annual Dr. Martin Luther King, Jr. Commemorative Breakfast on Monday, January 17, 2005 from 7:30 a.m. until 10:00 a.m. (9:53 a.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to grant the free use of space at the St. Johns County Convention Center to the Dr. Martin Luther King, Jr. Celebration Committee to hold the 20th Annual Commemorative Breakfast on Monday, January 17, 2005 from 7:30 a.m. until 10:00 a.m.**

(10/20/04 - 7 - 9:54 a.m.)

3. PUBLIC HEARING - CHARTER FOR PONTE VEDRA ZONING DISTRICT - CONSIDER A MOTION TO APPROVE DRAFT CODIFIED CHARTER APPLICABLE TO THE PONTE VEDRA ZONING DISTRICT IN ACCORDANCE WITH SECTION 189.429, FLORIDA STATUTES, AND TO SUBMIT DRAFT CODIFIED CHARTER TO THE FLORIDA LEGISLATURE

Proof of publication of the Notice of Public Hearing on PV CHARTER ACT, was received, having been published in *The St. Augustine Record* on October 5, 2004.

Bosanko, County Attorney, reviewed this item with the assistance of maps on the overhead projector. (Exhibit A) He stated that they were asking the Board for approval to submit the document to the Legislature of the State of Florida. He mentioned, that in his opinion, that there were no major subsidy changes between how this District would operate under the new Charter compared to the Charter now. He spoke on the Staff meeting the second Tuesday of each month. Bosanko mentioned two changes, to delete the word *beach* from the title on line 15, and the set of maps presented by him be added to the document as Exhibit B. Meiszer asked how a local zoning ordinance should be state law. Bosanko responded. Meiszer stated that the County should adopt its own ordinances, and spoke on codifying. (10:07 a.m.) **Motion by Maguire, seconded by Jacalone, carried 4/1 with Meiszer opposing, to approve the draft codified charter applicable to the Ponte Vedra Zoning District in accordance with Section 189.429, Florida Statutes, and to submit the draft codified charter to the Florida Legislature and including the two changes mentioned by Bosanko.** Bosanko left the meeting and Isabelle Lopez, Senior County Attorney, entered the meeting.

The meeting recessed at 10:09 a.m. and reconvened at 10:22 a.m.

(10/20/04 - 7 - 10:23 a.m.)

4. PUBLIC HEARING - NZVAR 04-003 2410 JOE ASHTON ROAD - THE APPLICANTS, CHARLES PACETTI AND SUZANNE PACETTI BUSBEE, OWN APPROXIMATELY SIX ACRES OF PROPERTY ON THE EAST SIDE OF JOE ASHTON ROAD. THEY ARE SEEKING TO DIVIDE TWO PLATTED LOTS INTO THREE AND PROVIDE ACCESS TO ALL THREE VIA A THIRTY (30) FOOT EASEMENT. THE APPLICANTS ARE SEEKING A VARIANCE FROM SECTIONS 5.01.01 AND 6.04.07 OF THE LAND DEVELOPMENT CODE

Proof of publication of the Notice of Public Hearing on NZVAR 04-003 JOE ASHTON, was received, having been published in *The St. Augustine Record* on September 29, 2004.

Richard Tomich, Development Review Chief Planner, reviewed this item stating that he sent 17 notices and none were returned. **Motion by Jacalone, seconded by Bryant, to approve NZVAR 2004-003 based upon the evidence provided for all of the Five Findings of Fact contained in the packet.** Meiszer asked if there was a difference between a variance and a deed restriction. Tomich explained.

(10:29 a.m.) Charles Pacetti, P.O. Box 618, applicant, spoke in support of this item.

(10:30 a.m.) **The motion carried 5/0.**

(10/20/04 - 7 - 10:31 a.m.)

5. PUBLIC HEARING - REZ 2004-23 T. J. COMMUNICATIONS - THIS REQUEST SEEKS TO REZONE 1.8 ACRES FROM OPEN RURAL TO COMMERCIAL INTENSIVE (CI) IN ORDER TO CONVERT THE EXISTING USE OF THE PROPERTY INTO A COMMERCIAL BUSINESS. THE CURRENT USE OF THE

SITE IS A SINGLE-FAMILY DWELLING UNIT. THE EXISTING STRUCTURE(S) WILL BE USED FOR THE TWO-WAY RADIO AND REPAIR SHOP. THE PARCEL IS LOCATED ON THE SOUTH SIDE OF S.R. 207, GENERALLY EAST OF I-95 AND IMMEDIATELY WEST OF WILDWOOD DRIVE. THE PROPERTY IS LOCATED IN THE MIXED USE LAND USE DISTRICT AS DEPICTED ON THE FUTURE LAND USE MAP. POLICY A.1.9.8 OF THE 2015 COMPREHENSIVE PLAN REQUIRES BUFFERS AROUND DEVELOPMENTS WITHIN THE MIXED USE DISTRICT TO PROVIDE FOR COMPATIBILITY WITH ADJACENT USES. THE SUBJECT PROPERTY IS SERVED BY CENTRAL WATER/SEWER. ADJACENT ZONINGS INCLUDE OPEN RURAL (OR) IMMEDIATELY TO THE NORTH, ABUTTED BY COMMERCIAL GENERAL (CG). PROPERTY TO THE EAST IS ZONED OR WITH ADDITIONAL OR PROPERTY ON THE NORTH SIDE OF S.R. 207. COMMERCIAL INTENSIVE (CI) PROPERTY ABUTS THE SITE TO THE SOUTH, FOLLOWED BY CG AND THE TREATY GROUNDS PLANNED UNIT DEVELOPMENT (PUD). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 6 TO 0 AT THEIR SEPTEMBER 2, 2004 MEETING

Proof of publication of the Notice of Public Hearing on REZ 04-23 T.J. Communications, was received, having been published in *The St. Augustine Record* on October 5, 2004.

Lindsay Haga, Planner II, reviewed this item.

(10:33 a.m.) Thomas Jones, T.J. Communication, stated that he wished to relocate his business. (10:33 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to approve Ordinance No. 2004-86, known as REZ 2004-23 T.J. Communications, adopting Findings of Fact 1-4 in the packet to support the motion.**

ORDINANCE NO. 2004-86

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

(10/20/04 - 8 - 10:34 a.m.)

6. PUBLIC HEARING - PNZVAR 2004-09, MARSH HARBOR AT PALM VALLEY - THIS REQUEST SEEKS A NON-ZONING VARIANCE TO SECTION 3.06.07 OF THE LAND DEVELOPMENT CODE (A PROVISION OF THE PONTE VEDRA/PALM VALLEY COASTAL CORRIDOR OVERLAY DISTRICT) TO ALLOW AN INCREASE IN HEIGHT FOR FENCE COLUMNS. SECTION 3.06.07 PROVIDES FOR A MAXIMUM HEIGHT OF 6 FEET FOR FENCING AND 8 FEET FOR COLUMNS. THE APPLICANT IS REQUESTING TWO (2) 14' COLUMNS AT THE MAIN ENTRANCE OF THE COMMUNITY AND SIX (6) 12' COLUMNS AT THE GATED AREA OF THE ENTRANCE. THE PROPOSED FENCE COLUMNS ARE TO BE LOCATED ALONG THE ENTRYWAY OF THE COMMUNITY, WHICH IS LOCATED AT 105 MARSH VIEW DRIVE IN THE PONTE VEDRA/PALM VALLEY COASTAL CORRIDOR OVERLAY DISTRICT. THE COLUMNS WERE APPROVED BY THE PONTE VEDRA/PALM VALLEY COASTAL ARCHITECTURAL REVIEW COMMITTEE ON WEDNESDAY, MAY 12, 2004, CONTINGENT UPON APPROVAL OF THE REQUESTED NON-ZONING VARIANCE

Proof of publication of the Notice of Public Hearing on PNZ 04-09 MARSH HARBOR, was received, having been published in *The St. Augustine Record* on October 5, 2004.

Jacalone spoke on this item. (10:35 a.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to approve PNZVAR 2004-09, Marsh Harbor at Palm Valley, making Findings of Fact 1-6 to support the motion.**

(10/20/04 - 9 - 10:36 a.m.)

7. PUBLIC HEARING - PLNADMAPL 2004-02 STONEGATE ACRES PUD/RANCHO DEL MAR (ADMINISTRATIVE DECISION APPEAL)- ON JULY 11, 2001, THE APPLICANTS REQUESTED A VESTING DETERMINATION FROM THE DENSITY REQUIREMENTS ESTABLISHED IN THE 2015 ST. JOHNS COUNTY COMPREHENSIVE PLAN FOR THE PROPERTY PROPOSED AS THE STONEGATE ACRES PUD. THE SUBJECT PROPERTY CONSIST OF 547 ACRES AND IS CURRENTLY ZONED OPEN RURAL (OR). FORTY ACRES ARE DESIGNATED RESIDENTIAL B AND THE REMAINING 507 ACRES ARE DESIGNATED RURAL/SILVICULTURE (R/S) ON THE 2015 FUTURE LAND USE MAP. STONEGATE PUD WAS ORIGINALLY SUBMITTED ON AUGUST 6, 1998 AS A PUD PRE-APPLICATION (PUD FILE NO. PA00-044) AND HAS BEEN IN SEVERAL STAGES OF REVIEW SINCE ITS SUBMITTAL. ST. JOHNS COUNTY HAS NOT YET APPROVED THE PUD. WHEN THE PROPOSED PUD WAS SUBMITTED, THE SUBJECT PROPERTY WAS DESIGNATED AS B-RESIDENTIAL ON THE 1990-2005 FUTURE LAND USE MAP THAT WAS IN EFFECT IN 1998 AND THE PROJECT PROPOSED UP TO 443 UNITS OF WHICH UP TO 128 COULD BE MULTI-FAMILY, UP TO 272 COULD BE SINGLE FAMILY AND UP TO 43 COULD BE FARM TRACTS (ESTATE LOTS). THE APPLICANTS STATED THAT THE PROPOSED PROJECT WAS DELAYED DUE TO THE LOCATION OF CHIEF OSCEOLA'S CAPTURE SITE BEING LOCATED ON OR IN CLOSE PROXIMITY OF THE SUBJECT PROPERTY AND AS THIS HISTORIC SITE WAS BEING RESEARCHED, THE COUNTY ADOPTED ITS CURRENT 2015 FUTURE LAND USE MAP WHICH CHANGED THE DESIGNATION OF THE PROPERTY FROM B-RESIDENTIAL TO R/S. ON AUGUST 28, 2001, THE COUNTY ISSUED A LETTER APPROVING THE VESTING REQUEST AND STATED THAT THE PROJECT COULD CONTINUE UNDER THE B-RESIDENTIAL DENSITIES BASED UPON COMMON LAW VESTED RIGHTS WHICH INCLUDED AN ACT OR OMISSION OF GOVERNMENT WHICH THE APPLICANT RELIED UPON IN GOOD FAITH AND SUBSTANTIALLY CHANGED HIS/HER POSITION OR HAS INCURRED SIGNIFICANT EXPENSES IN COMPLIANCE WITH THE ACT OR OMISSION OF GOVERNMENT (SEE ATTACHED LETTER). HOWEVER, THE AUGUST 28, 2001 VESTING LETTER ALSO STATED "THE STONEGATE ACRES PUD, AS PROVIDED IN PUD FILE NO. PA00-044, ENTITLED STONEGATE ACRES PUD, IS VESTED FROM THE REQUIREMENTS OF THE COMPREHENSIVE PLAN FOR THE R/S DESIGNATION. IN THE EVENT THE PROPOSED PUD IS DENIED BY THE BOARD OF COUNTY COMMISSIONERS, THIS VESTING DETERMINATION SHALL NOT APPLY TO OTHER PROJECTS THAT MAY BE PROPOSED ON THE SUBJECT PROPERTY." THE VESTING DETERMINATION WAS VALID FOR A PERIOD OF FIVE YEARS FROM THE DATE OF THE AUGUST 28, 2001 (AUGUST 28, 2006). AS MENTIONED, PUD FILE NO. PA00-044 DEPICTED 443 UNITS OF WHICH UP TO 128 COULD BE MULTI-FAMILY, UP TO 272 COULD BE SINGLE FAMILY AND UP TO 43 COULD BE FARM TRACTS (ESTATE LOTS). SUBSEQUENT TO SUBMITTAL OF THE STONEGATE ACRES PUD, THE APPLICANTS REVISED THE SITE PLAN FOR THE PROJECT (SEE ATTACHED) AND IN MAY OF 2004 SUBMITTED A PUD PRE-APPLICATION (PUD/PRD PA 2003-21) FOR THE

PROJECT, WHICH WAS, RENAMED RANCHO DEL MAR. RANCHO DEL MAR PROPOSES 778 UNITS, AN INCREASE OF 335 UNITS (75%) OVER THE ORIGINAL STONEGATE ACRES PUD. COUNTY STAFF PROVIDED COMMENTS TO THE APPLICANTS IN JUNE OF 2004. AS OF AUGUST 5, 2004 THE APPLICANT'S HAD NOT SUBMITTED A FORMAL RANCHO DEL MAR PUD FOR REVIEW. ON OR ABOUT APRIL 18, 2004 THE APPLICANTS VERBALLY AND THROUGH EMAIL ASKED THE PLANNING DIVISION TO RECONFIRM THAT THE VESTING AS APPROVED IN THE AUGUST 28, 2001 LETTER, WAS STILL VALID AND THAT THE PARCEL WAS VESTED FOR RESIDENTIAL B LAND USE DENSITIES (SEE ATTACHED EMAIL). ON MAY 19, 2004 THE PLANNING DIVISION ISSUED A LETTER TO THE APPLICANTS STATING THAT THE VESTING LETTER WAS STILL VALID AND THAT THE SITE WAS APPROVED FOR THE 443 UNITS DEPICTED ON THE DRAFT MASTER DEVELOPMENT PLAN SUBMITTED WITH THE STONEGATE ACRES PUD PRE-APPLICATION (PA00-044). THE MAY 19, 2004 LETTER ALSO STATED THAT THE SUBSEQUENT RANCHO DEL MAR PUD DEPICTING 778 UNITS WAS NOT VESTED AND WAS NOT CONSISTENT WITH THE DENSITIES ALLOWED IN RURAL SILVICULTURE LAND USE AS DEPICTED ON THE CURRENT FUTURE LAND USE MAP. THE APPLICANT'S SUBSEQUENTLY SUBMITTED AN APPLICATION FOR AN APPEAL ON JUNE 18, 2004 WHICH IS THE SUBJECT OF THIS AGENDA ITEM

Proof of publication of the Notice of Public Hearing on PLNADMAPL 2004-02 STONEGATE ACRES PUD/RANCHO DEL MAR, was received, having been published in *The St. Augustine Record* on October 5, 2004.

Bruce Ford, Chief Planner, distributed information from the Utility Department. (Exhibit A) He gave a brief history of this item and reviewed the timeline distributed at the meeting with letters and a phasing schedule. (Exhibit B) Jacalone asked why Staff thought that the applicant in this item should only be allowed the unit number that was in their last pre-application in June 2004. Ford replied that when the Comprehensive Plan changed, there would be no PUD approval. Meiszer questioned having vested rights from a pre-application that wasn't approved. Ford responded.

(10:47 a.m.) Neal Shankly, Utilities, spoke on the availability of sewer and water with discussion ensuing. Lopez stated that the applicant had to submit an application with all the information since the applicant was requesting specific items. Bryant spoke on the Future Land Use Map. Lopez mentioned that the applicant could ask for anything they choose but they still have to provide facts proving alliance. Discussion followed on the size of line that needed to be installed to accommodate any connections.

(11:07 a.m.) George McClure, 170 Malaga Street, representing the applicant, spoke on changing categories, reasonable regulations on land, and responded to the comments made by the Commissioners. McClure explained why they had not caused the delay.

(11:20 a.m.) Shankly stated that they do have a three-year reimbursement policy. The applicant requested an extension and they denied it. Discussion ensued on not receiving funds, the reimbursement policy, and property transactions dealing with the 81 units.

(11:29 a.m.) Michael Home, 305 Grand White Court, stated that they were originally the owners of the property. Jacalone mentioned that the property owners had benefited somewhat from the installation of the infrastructure. Lopez spoke on vesting. McClure spoke on the pertinent point. Meiszer asked about the average size of the lots, getting vesting rights and the Osceola site not having access to it.

(11:38 a.m.) Teresa Bishop, AICP, Planning Director, spoke on the whole site being unavailable, being surrounded by private property, and on an easement being granted by the property owner along with that site. McClure reviewed the plans that were identified, showing articles from the St. Augustine Record. He commented on the letter dated February 27, 1997 regarding reimbursement.

(11:47 a.m.) Shankly spoke on putting in an 8-inch line. (11:49 a.m.) **Motion by Maguire, seconded by Jacalone, failed 2/3 with Bryant, Stern and Meiszer opposed, to approve the request that VEST 2001-021 allow development of the subject parcel with up to 778 units based on densities allowed in Residential B Land Use.**

The meeting recessed at 11:51 a.m. and reconvened at 1:34 p.m. with all five Commissioners present, Adams, Isabelle Lopez, Senior Assistant County Attorney, and Diane Gorski, Deputy Clerk present.

(10/20/04 - 11 - 1:34 p.m.)

8. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #CPA-2004-04, TWENTY MILE PARCELS - FILE # CPA-2004-04, KNOWN AS TWENTY MILE PARCELS, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY-C. THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES TWELVE SEPARATE PARCELS TOTALING APPROXIMATELY 40.1 ACRES OF LAND LOCATED ON TWENTY MILE ROAD, APPROXIMATELY ¾ MILE NORTH OF PALM VALLEY ROAD (CR 210 EAST). THE SITE IS LOCATED IN THE NORTHEAST PLANNING DISTRICT, AND IS SURROUNDED ON ALL FOUR SIDES BY THE NOCATEE NEW TOWN DESIGNATION. MOST OF THE PROPERTY IS DEVELOPED WITH LARGE-LOT, SINGLE-FAMILY HOMES AND OUTBUILDINGS. THE APPLICANT PROPOSES THE DEVELOPMENT OF USES ALLOWED WITHIN THE RESIDENTIAL DENSITY C DESIGNATION, WHICH INCLUDE NEIGHBORHOOD AND GENERAL BUSINESS AND COMMERCIAL USES, CULTURAL/INSTITUTIONAL USES, NEIGHBORHOOD PUBLIC SERVICE USES, AND RESIDENTIAL USES OF UP TO 6 DWELLING UNITS PER ACRE. AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL TO THE BCC TO TRANSMIT CPA-2004-04 FOR TWENTY MILE PARCELS, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL DENSITY - C, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 5 TO 1 VOTE

Proof of publication of the Notice of Public Hearing on COMPAMD 2004-04 Twenty Mile Parcel, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Donna Godfrey, AICP, Senior Planner, reminded the public that there was a Comprehensive Plan Citizen Courtesy list available for those persons interested in tracking projects, and suggested that they sign up to receive updates. She reviewed the request.

(1:41 p.m.) Don Smith, 14735 St. Augustine Road, England, Thims and Miller, reviewed the information that had been included in the packet that was provided to County Staff and the Board of County Commissioners. He gave a PowerPoint presentation (Exhibit A) and summarized the purpose of the request.

(1:47 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, asked the Board to deny transmittal of the request. She asked how this project was separate from Nocatee and stated that the development was not needed. Meiszer said that the parcel should have been rezoned when the Nocatee property was rezoned.

(1:48 p.m.) John Metcalf, 245 Riverside Avenue, explained that ownership separated the parcel from Nocatee and mentioned that Nocatee surrounded the parcel. (1:53 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to transmit CPA-2004-04, for Twenty Mile Parcels, proposing to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) to Residential Density-C, for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable State and regional agencies.**

(10/20/04 - 12 - 1:55 p.m.)

9. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #CPA-2004-05, S-CURVES PARCELS - FILE # CPA-2004-05, KNOWN AS S-CURVES PARCELS, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC). THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES EIGHTEEN SEPARATE PARCELS TOTALING APPROXIMATELY 32 ACRES OF LAND LOCATED ON THE NORTH SIDE OF PALM VALLEY ROAD (CR 210 EAST). THE SITE IS LOCATED IN THE NORTHEAST PLANNING DISTRICT, AND IS SURROUNDED ON THREE SIDES BY THE NOCATEE NEW TOWN DESIGNATION. MOST OF THE PROPERTY IS DEVELOPED WITH LARGE-LOT, SINGLE-FAMILY HOMES AND OUTBUILDINGS. THE APPLICANT PROPOSES THE DEVELOPMENT OF USES ALLOWED WITHIN THE INTENSIVE COMMERCIAL DESIGNATION, WHICH RANGE FROM NEIGHBORHOOD AND GENERAL BUSINESS AND COMMERCIAL USES TO HIGH INTENSITY, HIGHWAY AND REGIONAL COMMERCIAL USES. THE IC DESIGNATION ALSO PERMITS CULTURAL/INSTITUTIONAL, OFFICE AND PROFESSIONAL, AND PUBLIC SERVICE USES. AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL TO THE BCC TO TRANSMIT CPA-2004-05 FOR S-CURVES PARCELS, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC), FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 6 TO 0 VOTE

Proof of publication of the Notice of Public Hearing on COMPAMD2004-05 S-Curve Parcels, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Donna Godfrey, AICP, Senior Planner, reviewed the rezoning request.

(2:00 p.m.) Don Smith, 14775 St. Augustine Road, gave a PowerPoint presentation summarizing the reasons for the request (Exhibit A).

(2:05 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, was opposed to the transmittal. (2:06 p.m.) **Motion by Maguire, seconded by Jacalone, carried 5/0, to transmit CPA-2004-05, for S-Curves Parcels, proposing to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) to Intensive Commercial (I/C), for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Planning Council and other applicable State and regional agencies.**

(10/20/04 - 13 - 2:07 p.m.)

10. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-10 GONZALEZ TRACT - FILE #ACPA-2004-10, KNOWN AS THE GONZALEZ TRACT, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY - B TO PARKS AND OPEN SPACE. THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 20.14 ACRES OF VACANT, UNDEVELOPED LAND LOCATED ON THE SOUTH SIDE OF STATE ROAD 206 APPROXIMATELY THREE-FOURTHS OF A MILE EAST OF US HIGHWAY 1, LYING JUST EAST OF THE SOUTH WALK SUBDIVISION ACROSS FROM THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT'S (SJRWMD) MOSES CREEK PROPERTY. THE SITE IS LOCATED IN THE SOUTHEAST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING MIXED USE SITE, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RESIDENTIAL DENSITY - B TO PARKS AND OPEN SPACE, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 6 TO 0 VOTE.

Proof of publication of the Notice of Public Hearing on ACPA 2004-10 Gonzalez Tract, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Vickie Renna, Special Projects Manager, reviewed the proposed request. She explained that if the Board approved the change, the Division of Forestry would be managing the parcel of land. (2:13 p.m.) Stern asked for clarification on the location of the property. Discussion related to the use of the parcel ensued. (2:59 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0 to transmit ACPA-2004-10, for Gonzalez Tract, proposing to amend the 2015 Future Land Use Map from Residential Density-B to Parke and Open Space, for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable State and regional agencies.**

(10/20/04 - 13 - 2:14 p.m.)

11. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-12 LARSON TRACT - FILE #ACPA-2004-12, KNOWN AS THE LARSON TRACT, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO

CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY -B AND -C TO PARKS AND OPEN SPACE. THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 15.95 ACRES OF VACANT LAND AT THE NORTHEAST CORNER OF WILDWOOD DRIVE AND OSCEOLA RAIL ROAD. THE SITE IS LOCATED IN THE SOUTHEAST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING MIXED USE SITE, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RESIDENTIAL DENSITY -B AND -C TO PARKS AND OPEN SPACE, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 6 TO 0 VOTE

Proof of publication of the Notice of Public Hearing on ACPA 2004-12 Larson, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Vickie Renna, Special Projects Manager, reviewed this request. She explained that this tract was owned by the State and that it contained mostly wetlands and was located within the Northeast Florida Blueway, Phase II. She mentioned changes to the wording of the motion, if accepted and explained that page four would also need to be changed before transmitting. She stated that the county had agreed to manage the property and said that the site would increase the conservation and recreation area of Wildwood Trails and Canopy Shores.

(2:20 p.m.) Maguire asked why the State was not managing the parcel and Renna answered that it was mostly wetlands and there would be little or no management involved.

(2:21 p.m.) Shorty Robbins, Parks and Recreation, explained that there would be no County financial investment and that this was site chosen because of its size, the wetlands, and its proximity to other parks (2:23 p.m.) Jacalone explained that this property was located near Prairie Creek and could have easily had been chosen for development but that the state bought the parcel so that it would not be developed. He said that the State had asked the County to maintain it so that it would remain pristine.

(3:17 p.m.) Motion by Jacalone, seconded by Maguire, carried 5/0, to transmit ACPA 2004-12, for Larson Tract, proposing to amend the 2015 Future Land Use Map from Residential Density-B and -C to Parks and Open Space, for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable state and regional agencies.

(10/20/04 - 14 - 2:24)

12. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-13 VAIL POINT PARK - FILE #ACPA-2004-13, KNOWN AS THE VAIL POINT PARK, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RESIDENTIAL DENSITY -C TO PARKS AND OPEN SPACE. THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE

SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 23 ACRES OF VACANT LAND AT VAILL POINT ROAD AND STURDIVANT ROAD. THE SITE IS LOCATED IN THE SOUTHEAST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING MIXED USE SITE PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RESIDENTIAL DENSITY -C TO PARKS AND OPEN SPACE, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 6 TO 0 VOTE

Proof of publication of the Notice of Public Hearing on ACPA 2004-13 Vail Point Park, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Vickie Renna, Special Projects Manager, said that the County owned the subject parcel and that the twenty-three acre parcel was currently under development for the construction of a park in 2005. She said that approval would increase the number of parks owned by the county. Discussion relating to the acquisition and development of the parcel ensued. (3:18 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to transmit ACPA-2004-13, for Vail Point Park, proposing to amend the 2015 Future Land Use Map from Residential Density-C to Parks and Open Space, for the purpose of obtaining additional review form the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable State and regional agencies.**

(10/20/04 - 15 - 2:31 p.m.)

13. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-14 SOUTHEAST INTRACOASTAL PARK - FILE #ACPA-2004-14, KNOWN AS THE SOUTHEAST INTRACOASTAL PARK, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM CONSERVATION TO PARKS AND OPEN SPACE. THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 114 ACRES ALLOCATED ON THE WEST SIDE OF STATE ROAD A1A, IMMEDIATELY NORTH OF THE FORT MATANZAS NATIONAL MONUMENT AND ACROSS FROM THE SUMMERHOUSE COMMUNITY. THE SITE IS LOCATED IN THE SOUTHEAST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING MIXED USE SITE, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM CONSERVATION TO PARKS AND OPEN SPACE, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 6 TO 0 VOTE

Proof of publication of the Notice of Public Hearing on ACPA 2004-14 Southeast Intracoastal Park, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Vickie Renna, Special Projects Manager, reviewed the land use changes, transmittal request and development plans for the parcel. (2:35 p.m.) Jacalone asked what types of development would be allowed on this parcel. Discussion relating to the Conservation Land Use designation and allowable uses of the site ensued.

(2:41 p.m.) Roger Van Ghent provided the Commission with an email addressing specific issues relating to use of these parcels. He read the email aloud to the Board and mentioned that he was a member of the Land Acquisition Management Program (LAMP) Board. He requested more environmental friendly parking areas within County parks. He asked the Board to restrict some of the uses of land at park sites.

(2:45 p.m.) Meiszer asked the origin of the proposed changes and why are they were needed. Theresa Bishop, Planning Director responded that the categories needed to be consistent on the future land use map designations.

(2:49 p.m.) Gordon Lohman, 7648 A1A South, asked the Board to defer their decision on this issue until a later date so that the community could be better informed of the change.

(2:51 p.m.) Jacalone explained the transmittal process and said that the requests would be reviewed by other agencies and that the requests would return to the Board for final adoption and Stern concurred. Lohman responded that once a submission was made, it implied Board approval of the transmittal. There was discussion relating to the transmission process and the implied intent of transmittal and probable uses for the developed areas of the site.

(2:59 p.m.) David Wiles 8210 A1A South, President of SACA, spoke to the original intent of the conservation zone and estuary tidal flats. (3:02 p.m.) Lopez left the meeting and Dan Bosanko, County Attorney entered the meeting. Wiles asked that the northern sections of the park remain conserved and requested a one-month delay to allow the Homeowners Association to further discuss the options.

(3:05 p.m.) Jacalone stated that the original intent of the property was for a waterfront county park. Discussion ensued. (3:09 p.m.) Lopez returned to the meeting and Bosanko left the meeting. (3:10 p.m.) Bishop stated that the Board always had the option not to adopt the designation change after transmittal and discussion continued. Bishop stated that they could place this item in the next cycle, and that the boundary could be changed. (3:19 p.m.) **Motion by Jacalone, seconded by Maguire, carried 5/0, to pull this item from the transmittal packet and asked that it be considered in a future transmittal packet.**

The meeting was recessed at 3:20 p.m. and reconvened at 3:32 p.m. with Michael Hunt, Deputy County Attorney replacing Lopez.

(10/20/04 - 16 - 3:32 p.m.)

14. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-16, HELOW PARKS AND OPEN SPACE SITE - FILE #ACPA-2004-16, KNOWN AS HELOW PARKS AND OPEN SPACE SITE, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM MIXED USE DISTRICT TO PARKS AND OPEN SPACE. THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL

WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 112 ACRES OF VACANT LAND LOCATED ON THE WEST SIDE OF ROBERTS ROAD, SOUTH OF GREENBRIAR ROAD. THE SITE IS LOCATED IN THE NORTHWEST DEVELOPMENT AREA, IN THE NORTHWEST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL TO THE BCC TO TRANSMIT ACPA-2004-16 FOR HELOW PARKS AND OPEN SPACE SITE, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM MIXED USE DISTRICT (MD) TO PARKS AND OPEN SPACE, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 4 TO 2 VOTE

Proof of publication of the Notice of Public Hearing on ACPA 2004-16 Helow Properties, Ltd., C.R. 210 Parks and open space, was received, having been published in *The St. Augustine Record* on September 22, 2004.

Theresa Bishop, AICP, Planning Director reviewed Items 14, 15 and 16 and explained that they were all owned by the same property owner and that they were all inter-related with the changes being sought by the County. She explained that Item 15 would add eighty-two acres to the mixed-use designation.

(3:38 p.m.) Ellen Whitmer, 1178 Natures Hammock South, addressed Items 14, 15 and 16. She asked how much of the property was wetlands and asked what the County would be paying for the land. She asked how the approval of these three items would benefit the County and said that she thought that it was unusual for the County to make these requests. She stated that she was opposed to the transmittal of the three items.

(3:43 p.m.) Louise Thrower, 288 Orange Avenue, spoke in opposition of the transmittal of Items 15 and 16. (Exhibit A-B)

(3:46 p.m.) Bryant suggested that Thrower and all those opposed to the POPO Point Bridge location notify the Florida Department of the Transportation of their opposition and Stern concurred.

(3:54 p.m.) Bishop stated that the Planning and Zoning Agency had recommended transmittal. She clarified the amount of wetlands on each site. (3:55 p.m.) **Motion by Bryant, seconded Jacalone, carried 5/0, to transmit ACPA - 2004 - 16, for Helow Parks, an Open Space Site, proposing to amend the 2015 Future Land Use Map from Mixed Use District (MD) to Parks and Open Space, for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable state and regional agencies.**

(10/20/04 - 17 - 3:22 p.m.)

15. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-17 HELOW MIXED USE SITE - FILE #ACPA-2004-17, KNOWN AS HELOW MIXED USE SITE, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO MIXED USE DISTRICT (MD). THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION

HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 194 ACRES OF VACANT LAND LOCATED ON THE EAST SIDE OF ROBERTS ROAD, SOUTH OF GREENBRIAR ROAD. THE SITE IS LOCATED IN THE NORTHWEST DEVELOPMENT AREA, IN THE NORTHWEST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). THE REQUEST IS CONSISTENT WITH THE NORTHEAST FLORIDA STRATEGIC REGIONAL POLICY PLAN (NEFSRPP) AND THE STATE COMPREHENSIVE PLAN. THE PROPOSED AMENDMENT FURTHERS THE STATE PLAN AND REGIONAL GOALS OF THE AREA BY CONTRIBUTING TO THE ECONOMIC DEVELOPMENT AND PROVIDING A SUSTAINABLE NORTHWEST ST. JOHNS COUNTY. AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING MIXED USE SITE, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO PARKS AND OPEN SPACE, FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 4 TO 2 VOTE

Proof of publication of the Notice of Public Hearing on ACPA 2004-17 Helow Properties, Ltd. C.R. 210-Mixed Use District, was received, having been published in *The St. Augustine Record* on September 22, 2004.

(3:56 p.m.) Motion by Bryant, seconded by Jacalone, carried 5/0, to transmit ACPA - 2004 - 17, for Helow Mixed Use Site, proposing to amend the 2015 Future Land Use Site, to Mixed Use District (MD), for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable state and regional agencies.

(10/20/04 - 18 - 3:22 p.m.)

16. PUBLIC HEARING - TRANSMITTAL HEARING FOR FILE #ACPA-2004-18 HELOW INTENSIVE COMMERCIAL SITE - FILE #ACPA-2004-18, KNOWN AS HELOW INTENSIVE COMMERCIAL SITE, IS A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC). THIS REQUEST CONSTITUTES A "REGULAR" COMPREHENSIVE PLAN AMENDMENT SUBMITTED TWICE PER YEAR. AT THIS TIME, THE BCC'S APPROVAL TO TRANSMIT THE REQUEST WOULD THEN ALLOW THE CASE TO BE SCHEDULED FOR AN ADOPTION HEARING AT A FUTURE DATE, PROBABLY IN MARCH OR APRIL. DENIAL OF TRANSMITTAL WOULD END THE REVIEW. THE SUBJECT PROPERTY INCLUDES APPROXIMATELY 217 ACRES OF VACANT LAND LOCATED AT COUNTY ROAD 210 AND GREENBRIAR ROAD, ALONG THE NORTH SIDE OF GREENBRIAR ROAD. THE SITE IS LOCATED IN THE NORTHWEST DEVELOPMENT AREA, IN THE NORTHWEST PLANNING DISTRICT. THE SUBJECT PROPERTY IS CURRENTLY ZONED OPEN RURAL (OR). AT ITS PUBLIC HEARING ON OCTOBER 7TH, THE PLANNING MIXED USE SITE, PROPOSING TO AMEND THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC), FOR THE PURPOSE OF OBTAINING ADDITIONAL REVIEW FROM THE DEPARTMENT OF COMMUNITY AFFAIRS, NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND OTHER APPLICABLE STATE AND REGIONAL AGENCIES, WITH A 4 TO 2 VOTE

Proof of publication of the Notice of Public Hearing on ACPA 2004-Helow Properties, Ltd., C.R. 210 - Intensive Commercial Site, was received, having been published in *The St. Augustine Record* on September 22, 2004.

(3:56 p.m.) **Motion by Bryant, seconded by Jacalone, carried 5/0, to transmit ACPA - 2004 - 18, for Helow Intensive Commercial Site, proposing to amend the 2015 Future Land Use Map from Rural Silviculture (R/S) to Intensive Commercial (IC), for the purpose of obtaining additional review from the Department of Community Affairs, Northeast Florida Regional Planning Council and other applicable state and regional agencies.**

17. DISCUSSION OF CONSTRUCTION FOR A SENIOR CENTER BUILDING ON THE LANDRUM LANE PROPERTY

This item was heard during the morning session

(10/20/04 - 19 - 3:57 p.m.)

18. CONSIDER RENEWAL OF TOURISM DEVELOPMENT AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE CITY OF ST. AUGUSTINE FOR VISITOR INFORMATION CENTER AND RELATED SERVICES

Glenn Hastings, Executive Director, Tourist Development Council, explained the request. Discussion ensued. (4:06 p.m.) Jacalone left the meeting. (4:09 p.m.) **Motion by Maguire, seconded by Stern, carried 4/0, with Jacalone absent, to adopt Resolution No. 2004-320, approving the terms, provisions, conditions, and requirements of an agreement between St. Johns County, Florida, and the City of St. Augustine, Florida, for the provision of Visitor Information Services, and related services for 2004-2005, and authorizing the County Administrator to execute the agreement on behalf of St. Johns County with the following two changes in the agreement: in paragraph 6(b) striking any reference to a dollar amount until it is reviewed again by the Board of County Commissioners; and change 6e, to say that the funding for the parking garage would be coming from tourist development taxes and not County dollars.**

(4:11 p.m.) Jacalone entered the meeting

RESOLUTION NO. 2004-320

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA AND THE CITY OF ST. AUGUSTINE, FLORIDA, FOR THE PROVISION OF VISITOR INFORMATION SERVICES, AND RELATED SERVICES FOR 2004-2005, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

(10/20/04 - 19 - 4:11 p.m.)

19. CONSIDER MOTION TO PROVIDE FUNDING IN THE AMOUNT OF \$135,000 FOR THE SHELTER UPGRADE AT THE NEW ELEMENTARY SCHOOL AT SWITZERLAND POINT

E.R. Ashton, Director of Emergency Management, explained the request. The Board and Ashton engaged in a discussion relating to the budgeting of shelter upgrades to

offset the cost of new school construction. (4:17 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to provide funding in the amount of \$1350,000 for the shelter upgrade at the new elementary school at Switzerland Point.**

(10/20/04 - 20 - 4:19 p.m.)

20. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS OF THE PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY FOR CONSTRUCTION OF A ST. JOHNS COUNTY UTILITY DEPARTMENT ADMINISTRATION BUILDING AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT AND TAKE ALL ACTION NECESSARY IN ORDER TO CLOSE AND COMPLETE THE PURCHASE IN ACCORDANCE WITH SECTION 125.355, FLORIDA STATUTES

Bill Young, Utility Department Director, explained the request for authorization of the purchase and sale agreement for the relocation of the Utility Department. (4:20 p.m.) Bryant asked how many customers paid their bills at the Pope Road location and Young responded that approximately seventy customers visited the Pope Road location daily. Young asserted that a payment facility would remain on the island. (4:22 p.m.) Jacalone entered the meeting and Bryant left the meeting. Discussion regarding the relocation of the Utility Services and acquisition of property proceeded. (4:28 p.m.) **Motion by Maguire, seconded by Jacalone, carried 5/0, to adopt Resolution No. 2004- 321, approving the terms of the Purchase and Sale Agreement for the acquisition of property for construction of a St. Johns County Utility Administration Building and authorizing the County Administrator to execute the Agreement and take all action necessary in order to close and complete the purchase in accordance with Section 125.355, Florida Statutes**

RESOLUTION NO. 2004-321

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF THE PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF A ST. JOHNS COUNTY UTILITY DEPARTMENT ADMINISTRATION SITE AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND TAKE ALL NECESSARY ACTION IN ORDER TO CLOSE, AND COMPLETE THE PURCHASE IN ACCORDANCE WITH SECTION 125.355, FLORIDA STATUTES

(10/20/04 - 20 - 4:30 p.m.)

21. DISCUSSION OF DEPARTMENT OF JUVENILE JUSTICE PAYMENT

Daniel J. Bosanko, County Attorney, asked the Board to decide whether or not to make the payment under protest during the ongoing litigation or to not make the payment. (4:31 p.m.) Jacalone asked for Bosanko's recommendation and Bosanko suggested making the payment under protest. (4:31 p.m.) **Motion by Jacalone, seconded by Maguire, carried 4/0, with Bryant absent, to pay the \$57,402.00 invoice under protest.** (4:32 p.m.) Cheryl Strickland explained that \$57,402.00 would be billed to the County monthly and clarified that the bill would be brought before the board each month.

(10/19/04 - 20 - 4:35 p.m.)

21a. CASH REPORT

Moved from the Consent Agenda as Item #17.

Allen McDonald, Finance Director explained that the Cash Report included the final check run for the Fiscal Year. (4:38 p.m.) Bryant entered the meeting. McDonald told the Commissioners that he was available to answer any questions about the check run. (4:41 p.m.) **Motion by Jacalone, seconded by Bryant, carried 5/0, to approve the Cash Report.**

(10/20/04 - 21 - 4:41 p.m.)
COMMISSIONERS' REPORTS

Commissioner Meiszer:

No report.

(4:41 p.m.)

Commissioner Maguire:

Maguire informed the Board that the preliminary draft of the Valuation Study of the St. Johns Service Company Water and Sewer Facilities in St. Johns County that was prepared by Post, Buckley, Schuh, and Jernigan (PBS&J) had been received. (4:42 p.m.) John Schwab, Special Project Manager, addressed the valuation study and the approximate value of the utility. (4:43 p.m.) **Motion by Maguire, seconded by Meiszer, to authorize the County Administrator to initiate and carry out negotiations to determine a final price and develop a purchase and sale agreement; to establish a date for a special meeting/workshop on November 30, 2004 at 9:00 a.m. at the County Administration Building and a public workshop in Ponte Vedra on December 8, 2004 from 5:00 p.m. to 10:00 p.m. to give the Ponte Vedra residents several weeks to review this document; to move forward with the engineering obligations; direct PBS&J to continue with the 125 requirement; and complete the acquisition report.** Discussion followed regarding a negotiated price for the utility, and a special meeting/workshop possibly being held on November 30, 2004 at 9:00 a.m. to bring the new commissioners up to date on this issue.

(4:54 p.m.) Deputy Clerk Diane Gorski left the meeting and Deputy Clerk Yvonne King entered the meeting.

Discussion continued regarding the two studies and the intent of the motion. (5:12 p.m.) **The motion carried 3/2 with Bryant and Stern dissenting.**

(5:12 p.m.)

Commissioner Stern:

Stern addressed aerial mosquito spraying. Stern said the public needed to be informed that the Board of County Commissioners were not responsible for aerial mosquito sprayings.

Stern said that an EPIC representative informed her that the County had been selected to receive one of their annual awards regarding the Big Brothers/Big Sisters program. They also invited the Commission to the reception where the award would be given on Thursday, November 4, 2004 from 5:00 p.m. to 7:00 p.m. at the Lightner Museum.

Stern reported on the town hall meeting in West Augustine last evening. She said it was well attended. She then thanked Staff for their presence.

Stern wished Adams a happy birthday, which would be on Monday, October 25, 2004.

(5:16 p.m.)

Commissioner Jacalone:

Jacalone reiterated that the County Commission was not responsible for aerial mosquito spraying.

(5:18 p.m.)

Commissioner Bryant:

No report.

(10/20/04 - 22 - 5:18 p.m.)

COUNTY ADMINISTRATOR REPORT

Adams reported that Rex Tobey had received a dog from the Humane Society.

Adams addressed a letter from Dan Bosanko and Scott Clem regarding the transportation plan. Adams suggested a workshop be scheduled in December on the transportation plan.

Adams informed the Board that the impact fee study should be received by November 1, 2004.

(10/20/04 - 22 - 5:20 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko informed the Board that he received a proposed ordinance from the Sheriff's Office addressing the Sheriff's Civil Service System. He requested direction from the Board on whether to proceed with advertising the ordinance. Discussion followed on whether to put the ordinance on hold until the new Sheriff takes office. (5:24 p.m.) *It was the consensus of the Board to put the ordinance on hold until the new Sheriff takes office.*

(5:25 p.m.) Joe Stephenson, Public Works Director, reported on Hurricanes Frances and Jeanne debris removal; explained what had been done by the contractors, the Public Works Department and the Solid Waste Department in the effort; then, requested the Board set a date of November 1, 2004 to return to the normal schedule for debris pickup.

(10/20/04 - 22 - 5:32 p.m.)

CLERK OF COURT'S REPORT

No report.

The meeting recessed at 5:32 p.m. and reconvened at 6:05 p.m. with Jacalone being absent.

The Board of County Commissioners recessed its regular meeting and convened as the St. Johns County Community Redevelopment Agency.

(10/20/04 - 22 - 6:06 p.m.)

21b. INTERLOCAL AGREEMENT BETWEEN THE CITY OF ST. AUGUSTINE AND THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY

Tom Crawford, Director of Housing and Community Services, explained that the West Augustine Steering Committee had requested the placement of Welcome and

Information signs at primary entrances to the community. The first site was on a parcel owned by the City of St. Augustine at the intersection of West King Street and Woodlawn Road. Discussion followed regarding the Interlocal Agreement. (6:13 p.m.) **Motion by Maguire, seconded by Stern, carried 4/0 with Jacalone absent, to authorize the Chair, acting as the Chair of the St. Johns County Community Redevelopment Agency, to sign the Interlocal Agreement, known as the license agreement, attached hereto, with the City of St. Augustine.**

(10/20/04 - 23 - 6:14 p.m.)

22. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS OF FORTY-FIVE (45) PURCHASE AND SALE AGREEMENTS AND AUTHORIZING THE CONVEYANCE OF FORTY-FIVE (45) HOME SITES FROM THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY TO VARIOUS BUILDERS FOR CONSTRUCTION OF AFFORDABLE HOUSING IN THE WEST AUGUSTINE AREA

Tom Crawford, Director of Housing and Community Services, explained that properties had been acquired for the purpose of establishing affordable homeownership. (6:15 p.m.) Benjamin Coney, St. Johns County Housing Division, further explained that St. Johns County acquired 388 lots for affordable homeownership; of these, approximately 180 to 200 buildable lots had been identified in the West Augustine area. (6:17 p.m.) **Motion by Bryant, seconded by Meiszer, to adopt CRA Resolution No. 2004-2, approving the terms of forty-five (45) Purchase and Sale Agreements and authorizing the conveyance of forty-five (45) home sites from the St. Johns County Community Redevelopment Agency to various builders for construction of affordable housing in the West Augustine area.** Discussion followed on how the builders were selected. (6:22 p.m.) **The motion carried 4/0 with Jacalone absent.**

CRA RESOLUTION NO. 2004-2

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, OF ST. JOHNS COUNTY, FLORIDA, ACTING AS ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY, APPROVING THE TERMS OF FORTY-FIVE (45) HOME SITES FROM ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY TO VARIOUS BUILDERS FOR CONSTRUCTION OF AFFORDABLE HOUSING IN THE WEST AUGUSTINE AREA

(10/20/04 - 23 - 6:23 p.m.)

23. COMMUNITY REDEVELOPMENT AGENCY UPDATES: WEST AUGUSTINE, FLAGLER ESTATES, VILANO BEACH - THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY HAS THREE COMMUNITY REDEVELOPMENT AREAS. USING A POWERPOINT PRESENTATION FORMAT, COUNTY STAFF WILL INTRODUCE REPRESENTATIVES FROM THE THREE COMMUNITIES WHO WILL UPDATE THE BOARD OF THE COMMUNITY REDEVELOPMENT AGENCY ON THEIR ACHIEVEMENTS AND FUTURE GOALS. EACH GROUP WILL TAKE APPROXIMATELY 15 MINUTES. THERE WILL BE AN OPPORTUNITY FOR QUESTIONS AFTER THE COMPLETION OF ALL THREE PRESENTATIONS

West Augustine Community Redevelopment Agency

Stephen Crooms, 936 Irvin Street, Chairman of the West Augustine CRA Steering Committee, provided an update on the West Augustine CRA. (Exhibit A) The update included explanations of their accomplishments, the HUD community development funding, the sewer improvements, new affordable homes, special down payment assistance for the Hancock Place, Habitat for Humanity for families and the elderly, West King Street improvements, the removal of blight in the area, the establishment of the "Friends of West Augustine," which is a non-profit organization, and the goals of the West Augustine CRA. (6:32 p.m.) Wanda Brinson, Secretary to the West Augustine CRA Steering Committee, 165 Martin Luther King Avenue, reviewed some affordable housing projects in the West Augustine area; explained the need for continued funding for the CRA rehabilitation program; then, thanked the commission for their support in the rehabilitation of West Augustine. (6:36 p.m.) Crooms addressed the implementation of the HUD/CDBG Housing Rehabilitation Program; the construction of a community center and pool at Calvin Peete Park; infrastructure; the Weed and Seed Strategy; and the economic development studies being conducted on several structures in West Augustine. (6:50 p.m.) Karen Rowe, 850 S. Orange Street, Chairperson of the West Augustine CRA Economic Development Committee, further addressed economic development and thanked the Board for approving the informational sign. (6:51 p.m.) Crooms continued with his presentation by addressing: other redevelopment issues; the need to strengthen communications with county departments, the City of St. Augustine, and the CRA; then, acknowledged several entities that assisted in the West Augustine redevelopment. (6:54 p.m.) Stern thanked Stephen Crooms for the presentation.

(6:54 p.m.)

Flagler Estates Community Redevelopment Agency

William Fisher, Flagler Estates, gave a brief overview of some of the goals and accomplishments of the CRA Executive Committee; reviewed the signage in the area; reviewed the paving projects; explained the Project Home Count project; reviewed the environmental cleanup; addressed the Ashley Outfall; and the new recreation park for Flagler Estates. (7:00 p.m.) Jacqueline Van Horn, 10610 Zeagler Avenue, Secretary to the Flagler Estates CRA, reviewed the disaster relief during Hurricane Frances. (7:03 p.m.) James Caldawith, 10545 Allison Street, reviewed the participation of the Neighborhood Partnership with the Flagler Estates area. (7:05 p.m.) Fisher reviewed the goals for the upcoming year; phase two of the paving project; addressed the Sixteen Mile Creek Water Treatment Facility; the Fire Protection System; training for CRA executive committee; continued development of community relationships; continued development of inter-agency relations; and the formation of a non-profit organization. (7:18 p.m.) Jan Trantham, 4325 Nancy Street, explained the proposed Southwest Master Plan; then, addressed the needed youth activities for the area. (7:22 p.m.) Caldawith requested a disaster recovery plan be developed for Flagler Estates. (7:23 p.m.) Fisher thanked all entities that has assisted with the Flagler Estates CRA.

(7:25 p.m.)

Vilano Beach Community Redevelopment Agency

Vivian Browning reviewed the challenges the Vilano Beach area has had over the years; reviewed the accomplishments; the designation of the community redevelopment area; addressed the nature boardwalk environmental signage; the Vilano Beach pavilions; Florida Main Street Program; and the Town Center/Main Street Office. Browning addressed some of the goals; the construction of roadways and streetscape; the development mixed-use buildings; and the Town Center Mixed Use District proposed amendment. Browning acknowledged all those that had assisted in the redevelopment of the Vilano Beach area. (7:38 p.m.) Sacha Martin, 133 Coastal Hollow Circle, addressed The Town Center and the *North Shores News* publication.

(7:42 p.m.) Stern commended all the efforts of all three CRAs; then, suggested the CRAs present a report on an annual basis.

(7:44 p.m.) Motion by Maguire, seconded by Bryant, carried 4/0 with Jacalone absent, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 7:44 p.m.

REPORTS:

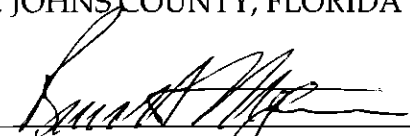
1. St. Johns Board of County Commissioners Check Register, Check Numbers 357769 through 357772, totaling \$133,940.24 (10/05/04)
2. St. Johns Board of County Commissioners Check Register, Check Numbers 357773 through 357797, totaling \$30,879.20 (10/05/04)
3. St. Johns Board of County Commissioners Check Register, Check Numbers 357798 through 358272, totaling \$3,660,064.00 (10/05/04)
4. St. Johns Board of County Commissioners Check Register, Check Numbers 358273 through 358274, totaling \$2,903.97 (10/05/04)
5. St. Johns Board of County Commissioners Check Register, Checks Number 358382 through 359130 totaling \$9,686,340.16 (10/20/04)

CORRESPONDENCE:

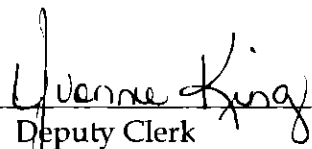
1. Letter to the Department of State, Bureau of Administrative Code, filing St. Johns County Ordinance Numbers 2004-82 through 2004-85 (10/08/04)
2. Letter to the Department of State, Bureau of Administrative Code, filing the corrections to St. Johns County Ordinance Number 2004-44 (10/08/04)

Approved _____ December 1 _____, 2004

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By:  _____
Bruce A. Maguire Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:  _____
Deputy Clerk

