

**MINUTES OF MEETING
ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING
ST. JOHNS COUNTY, FLORIDA
MONDAY, JUNE 20, 2005
9:00 A.M.**

Proceedings of a Special Meeting of the Board of County Commissioners, 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: Bruce A. Maguire, District 4, Chairman
 James Bryant, District 5, Vice Chairman
 Cyndi Stevenson, District 1
 Karen R. Stern, District 2
 Ben Rich, District 3
 Ben W. Adams Jr., County Administrator
 Dan Bosanko, County Attorney
 Isabell Lopez, Senior Assistant County Attorney
 Terry Bulla, Deputy Clerk

(06/20/05 - 1 - 9:06 a.m.)
Maguire called the meeting to order.

(06/20/05 - 1 - 9:06 a.m.)
ROLL CALL

Maguire announced that all five commissioners were present.

(06/20/05 - 1 - 9:07a.m.)
INVOCATION AND PLEDGE OF ALLEGIANCE

Rich gave the invocation and Stevenson led the Pledge of Allegiance

(06/20/05 - 1 - 9:08 a.m.)
ADDITIONS/DELETIONS TO SPECIAL MEETING AGENDA

Item 1a was added by Bryant, who asked for discussion regarding June 27 Special Meeting. Item 1b was added by Adams, who asked for discussion regarding Seaboard Waste Systems Change of Service.

(06/20/05 - 1 - 9:09 a.m.)
APPROVAL OF SPECIAL MEETING AGENDA

Motion by Bryant, seconded by Rich, carried 5/0 to approve the agenda as amended.

(06/20/05 - 1 - 9:09 a.m.)
1a. REQUESTED DELAY OF JUNE 27 MEETING

Commissioner Bryant requested that the June 27 meeting be opened and delayed until 2:30 p.m. because of meeting conflicts of various Board members. Stern will serve as acting Chair.

(06/20/05 - 1 - 9:12 a.m.)
1b. SEABOARD WASTE SYSTEM BRIEFING ON SERVICE CHANGES

Guy Thompson, Seaboard Waste Systems, briefed the Board on rerouting of the collection service due to extreme growth in the area, which resulted in collection day changes. He reported that a mail out was sent, but all customers did not receive the notification. He said notices were re-sent immediately, and were delivered by hand. He said notices were placed in the paper, and on the television government channel.

(9:18 a.m.) Maguire stated that non-service performance was a big issue for the Board. He noted that Seaboard was working to improve and correct the situation as best they could and as quickly as possible. (9:19 a.m.) Stevenson said multiple pickups were going to cause some confusion and the patience of residents was worn. She said it was going to take awhile to redeem their trust. (9:20 a.m.) Stern said residents outside the franchise area had also received notices of the change and took it seriously. It resulted in their waste not being picked up in a timely manner. She said this was a serious problem and residents were running out of patience. She said she had received many phone calls and e-mails messages on the subject. (9:22 a.m.) Rich said he was not pleased with having to deal with the damage control. Thompson said they had his personal commitment to resolve the problem. Maguire asked Thompson to return to the Tuesday meeting to give them a personal update on how the problem was being resolved.

(06/20/05 - 2 - 9:24 a.m.)

1. WORKSHOP - PROPOSED TWIN CREEKS DRI - THE PURPOSE OF THIS SPECIAL MEETING IS FOR PUBLIC DISCUSSION ON ISSUES RELATING TO THE PROPOSED TWIN CREEKS DRI

Bishop gave a review of the status of the project. She said they had received a first and second sufficiency review rendition with changes made. She noted that Public Hearing had been scheduled with PZA meeting on August 4 and the BCC Public Hearing on August 9. Bishop stated she had talked with Board members, as had the applicant, to ensure they were moving in the right direction. She said a Board member had suggested a workshop to discuss the issue and have some input into the Development Order before it came before the Public Hearing. She reported that she had received an e-mail from Tom Crawford regarding affordable housing, and it had been distributed to the Board, as well as a letter from the school district, which indicated where they were in their discussions with the developer.

(9:25 a.m.) George McClure, 170 Malaga Street, Suite A, St. Augustine, said he represented Prosser Hallock, the applicant. He introduced John Evacius and Evan Robinowitz, senior managers for Falcon South Jacksonville Development, who would speak for the developer in the matter. He noted that this application did not require a land use amendment to authorize development. He said the ADA was submitted July of last year. He said all the necessary agencies have had an opportunity to review the data on the project and to comment and have influence on what had been included in the Development Order.

(9:35 a.m.) Tony Robbins, Principal Planner, Prosser Hallock, 13901 Sutton Park Drive South, Jacksonville, gave the presentation to the Board regarding how the project would affect schools. He said the application was submitted in July 2005. All elementary students would be within a 2-mile walking distance. He explained that the community was built around the schools, which included two elementary schools and one middle school. He said there would be no wetlands on the sites to be donated, and the construction of the first elementary school would be developed with no cost to the county or the school district. He emphasized that no impact fee credit was being sought for those donations. He stated the design engineering of the other two schools would

also be donated with no cost to the county. (9:44 a.m.) Rich asked about recreational facilities around the schools and whether the schools or the developer would control it. Robbins said the athletic areas could possibly be shared with the School District and the County. Rich asked if it would be possible to have school parking outside the school boundary, and if a pool would be provided because of the number of retention ponds in the area, so that children could be trained in water safety issues. (9:48 a.m.) Robbins responded that discussions with the district did not include discussions of a pool. He said a private recreational facility was discussed, possibly a pool and tennis facility. He noted that all ponds would be built to safety standards. He stated that the required amount of parking would be provided for each school and would be self-contained. (9:51 a.m.) Stern said the high school was an issue of concern, because of the 3,210 students projected to attend school in that area. She said they would have to go to high school sometime. She asked if the amount agreed upon would be in today's dollars or future dollars. Robbins responded that the developer would share the proportionate share at the time of development. (9:53 a.m.) David Toner, SJC School District, 40 Orange St., St. Augustine, said the questions had been answered appropriately. He said the building of the schools in a timely manner was their main concern. He stated that the location of a high school could be resolved, and they were trying to improve on things they had done in the past. He said joint use by the School District and the County had been limited and he said the school and recreation locations were laid out in such a way that both entities could benefit from their use.

(9:56 a.m.) Rich encouraged Toner to look at the pool issue and to see if they could possibly get a pool. He also asked for a timeline on the school that would be donated, and what the value of the land and school would be to the school system. He asked whether it would be ready by the time the first houses were in place. Toner responded that the school would have to be under construction at the same time the first houses were coming out of the ground. He said the value would be in the \$13 to \$15 million range, including the roads and sewer construction. He said they would follow up on the pool issue. (9:59 a.m.) Stevenson said she was happy to see the spirit of cooperation with the County. She asked if there were any strings attached as to where the children would come from. Toner said there were no strings attached and students would come from within a two-mile walking distance. He said it would be a public school, not a charter school. (10:01 a.m.) Stern said she appreciated the cooperative spirit with the SJC School Board. (10:02 a.m.) Robbins said they were working according to the Draft Development Order as outlined by the School District.

(10:03 a.m.) Kim Allerton, 1597 The Greens Way, Suite 200, Jacksonville Beach, Vice President of Environmental Resource Solutions, Inc., stated she was there to review the environmental issues of the project. She explained that the Twin Creeks site was very unique in that it was bound by two high quality wetland systems, Durbin Creek to the north and Sampson Creek to the south along the Twelve Mile Swamp Conservation Area. She noted that 67% of the site had been managed for timber. She said the project had been evaluated since the winter of 2002. She said her wildlife study methodology was coordinated with the Florida Fish and Wildlife Commission, and her agency had had biologist on the sites for two years. She stated they were going to enhance the existing conditions on the site. She declared their objection was to preserve the high quality wetlands and to maintain non-obstructive wildlife corridors for resident wildlife. She said they had developed a plan to maximize wildlife conservation beneficial to the local environment, with 1,100 of the 1,300 acres on the site to be preserved. (10:09 a.m.) Stern said she had reviewed the project at Regional Council, and she asked about the crossings as to whether deer and bear would be able to make the 6-foot high crossings. Allerton stated it was adequate for both deer and bear and other large wildlife.

(10:10 a.m.) Bernie O'Conner from Posser Hallock, 13901 Sutton Park South, Jacksonville, stated they were asking for a pipeline solution. He reported the figures for their proportionate share, \$57.7 million. He gave an overview of the most needed transportation improvements indicated by the County, to be constructed with their proportionate share. He gave a presentation on CR 210 to I-95 and C.E. Wilson Road. He said the first part of the development of the roadways would be available before any horizontal development was started at the site. He stated it would be designed and constructed by the applicant, and the sequence was the most important element. He indicated that an interchange study would be done to cover both short-range and long-range needs at the I-95, CR 210 interchange. He noted it would include a funding strategy through 2030 and also the Interchange Report, which would define short-range improvements and a long range funding and improvement strategy. He said they would fund and construct any short-range improvements as part of the construction plan and would contribute \$3.4 million to the long-range funding and implementation plan. He stated the estimate for the short-range improvements was about \$6.2 million for a total contribution of almost \$10 million for the interchange improvements. (10:20 a.m.) Rich asked about the 90-degree bend near US 1. O'Conner said it ultimately would be set up as an intersection with stoplights, and would also provide a straight through into the intersection across the railroad track. He said CR 210 would cross US 1 and would tie in to the Nocatee construction and there would be an interchange there. He noted the road would offer an option to turn right to proceed south to US 1. Rich also asked about the bridge at I-95 and if the bridge was currently wide enough to handle the proposed 10 lanes across the bridge. O'Conner said it would be. Rich said there would be huge traffic demands in that area. He asked about long-term proposals for that area. O'Connor said they would look out to 2030 for projected growth at that intersection, and would use the same traffic forecast as FDOT. He added that they would craft short-range improvements to provide some relief for the current problems, but they would make best use of those improvements for ultimate long-term improvements in the future. Rich stressed there was a real danger factor at that intersection and asked the developer to stress the issue of backup on I-95 during rush hour traffic and said they needed stacking lanes. O'Conner said those improvements were being proposed to provide relief in that area. (10:34 a.m.) Bryant asked the total cost for the long-term improvement. O'Connor said they would not know the cost until the long-range improvement report was completed, but it would be partially funded with the \$3.4 million. Bryant asked if DOT was prepared to comment on the level of participation with the developer and any future commitment to the funding of the project.

(10:36 a.m.) Lea Gabbay, Florida Department of Transportation, 2240 Irene St., Jacksonville, responded that they had been working with the developer and had requested information from the Federal Highway Administration. She said the three parties involved were the Federal Government, DOT and the developer. She explained that the Federal Government was the entity that would give the permit for any improvements at that interchange. She said she had received an estimate from the Federal Highway Administration that it would cost from \$40 - 50 million dollars for the improvements to the interchange. She noted that there were other developers who were also looking at impacting that particular interchange. She said the Feds cared only about the flow on I-95, and the DOT had requested the Feds to look at the long-term improvements. She said they needed to have an agreement from each of the developers coming into the area that they pay for a portion of the costs into an escrow account and the DOT would fund the rest with the FHA. She included that they did not currently have the funding. Bryant asked if the \$57 million was for immediate needs or did it include dollars to be set-aside in the proposed escrow account. Gabbay said there was \$20 million for CR 210 and about \$8 - \$10 million for the US 1 overpass, and part of it was for short-term improvements on I 95. She said DOT felt the short-term recommendations were insufficient to address the real impact. She said the Interchange

Modification Report (IMR) would be completed within one year and would give a better idea of what funding was necessary, as it would cover both short-term and long-term needs. She said there was also the issue of the ultimate design and right-of-way procurement. Bryant asked about escrowing funds for future costs.

(10:42 a.m.) O'Connor said the IMR was doing the report four years earlier than required. Bryant expressed concern about future funding. O'Connor explained that they were committing \$6.2 million to short-term improvements and \$3.4 million to long range improvements, plus they funded the IMR. He said other developers would also need to make contributions. He noted they would also make a contribution towards transit in the amount of \$500,000. He said they had worked with the Regional Planning Council and if they went past the 2010 build-out date, they would add another \$10.5 million dollars for long-range transportation improvements at CR 210.

The meeting recessed at 10:43 a.m. and reconvened at 10:58 a.m.

(10:58 a.m.) Stevenson commented that it was not the applicant's responsibility to repair the deficit, but it was necessary that the Board be prudent with the money that was being proposed. She expressed concern about the flow on CR 210, and stated she wanted to make sure the interchange worked before they considered landscaping. She cautioned that it was not just a northwest issue, but would affect the entire county, especially during emergency evacuation periods. She said she was concerned about the 5-year build out, and there were other projects that were also building out at the same time. (11:03 a.m.) Stern asked regarding the interchange at I-95 and CR 210, whether \$6.2 million improvements would be made in such a way that they would fit into the long-term plan. O'Connor said that was consistent with their thinking, and they wanted to craft the short-range improvements so they would be a part of the long-range solution. Stern said they really needed to get this piece of the puzzle right or they were going to be in big trouble down the road. She asked if it was possible to wait one year so that the IMR study would be complete. O'Connor said the schedule was set up to fit into that scenario and they would work on the sequence of activities. Stern asked about CR 210 from C.E. Wilson Road from the curve to US 1 and how many access points there would be entering onto 210. O'Connor said the access was exactly aligned with the Master Plan and there would be four access points that would be signalized, and the easternmost would be at the point where the dogleg turned south. He said there would be a few other access points for entering into driveways and businesses. (11:11 a.m.) Rich said he would like to explore the possibilities of setting up an escrow account tied to the cost of construction index where the cost of funding would be indexed as real dollars. He asked if they were waiving impact fees. O'Connor said their contribution of \$57.7 million would be far in excess of the amount they would receive in impact fees. He said they would be seeking some impact fee relief. (11:16 a.m.) Bryant asked the legal staff, if they did the pipeline whether they would get the impact fee credits or whether the County had to make it available to them. Lopez said she would like to discuss the issue with their counsel. She said they did have a right to request impact fee credits for their donations, based on our ordinances. Bryant asked about 6-lane portion and the access to the commercial business along that portion and the future intention of signalizing some of those access points. He said he would like to see a reduction in the access points and would like to see the corridor free of as many traffic signals as possible. O'Connor said they would be working with staff on that issue. Bryant also asked about the Transportation Management Organization.

(11:19 a.m.) Shawn Collins, Transportation Concurrency, said contribution for TMO was still on the table, but they had asked for the dollars to go to the Council on Aging transportation system. He said it was more driven by the employer than the developer. Bryant asked if it wouldn't behoove them to develop a TMO, so that all future

developments would have to participate in it. Collins responded that TMOs tended to be most successful when local government drove them. He recommended they actually get dollars in this DRI. Bryant encouraged them to beginning planning now. (11:21 a.m.) Stevenson commented on a funding mechanism for identifying an area to which they specifically wanted money to go. She asked about the additional two lanes on 210 and asked if there was room for an access road, which would allow for fewer connections to the main artery. O'Conner said there might be enough space, but that configuration did not work well because it took too much time to handle the side road traffic. He said the City of Jacksonville was working to remove some of their side roads because of that issue.

(11:27 a.m.) Bosanko gave a brief history of the planning of Nocatee and subsequent DRIs. He said Nocatee was the first major pipelining project done by the County, which required them to take a close look at the pipeline process. He said they learned about the pros and cons of pipelining, and every development had to convince the Board why pipelining would be beneficial to the County. He explained that it was implemented by making a change to the Comp Plan, and it would calculate a proportionate share of the costs of the projects, in this case \$57 million. He said if the developer did not do pipelining, they would still have to provide for repairs and deficiencies in the impacts made by the project and it would probably cost more than the proposed amount determined to be their share. He reported the result in Nocatee was \$98 million and it was a big issue. He cautioned that they might want to ask what would fail around the proposed development as a result of the project, and where the money was being used. He said it did not have to be answered today, but the question should be asked sometime during the process. (11:34 a.m.) Maguire said the issue needed to be addressed after that meeting, and they had to make a decision on what was best for the County.

(11:36 a.m.) Robbins addressed the issue of funding and construction of the improvements regardless of cost. He then discussed Workforce Housing, which would provide housing for employees who would work in the development area. He introduced John Evacius, who had told them to go back and make the project "bullet proof." He said they had authorization for \$400,000, at four sites in the county, for 250 affordable housing units. Robbins reviewed the Conceptual Master Plan, and said they were offering up to three acres for the library, additional land for a fire station site at the CR210 and US 1 interchange, and a minimum of 20 acres and two areas to be open to the community and public for parks open to anyone in the county. He said it would be built and maintained by the developer.

(11:49 a.m.) George McClure said they had kept extensive notes to respond to the questions raised that morning. He acknowledged that transportation was the issue about which they were all the most concerned, and they needed to see whether they would be better off or worse off with the development of the project. He said they were willing to accept that challenge. He stated that pipelining and proportionate share were not the same, and that proportionate share existed long before pipelining, and required that the DRI would calculate how much the impact was and the developer would write the County a check. He noted that pipelining added a requirement that the developer not only calculate his proportionate share, but he fix something of regional significance. He said that according to the new legislation they were now mandated to look at proportionate share as a method of satisfying transportation concurrency by December 1, 2006. He said that after that date, developers would only have to write a check, not build a road, and could then go ahead and build their development without becoming a DRI. He declared that in this instance the developer was providing a much better deal than what would otherwise be required. He said they would be in front of the Regional Planning Council July 7, before the Planning and Zoning Agency on August 4 and back

in front of the County Commissioners on August 9. (12:02 p.m.) Stevenson asked McClure to touch bases with the Sheriff regarding a request for a substation for the Sheriff's Department north of CR 210.

(12:06 p.m.) Bill Lazar, 529 W. King Street, St. Johns County Housing Partnership, said he was concerned about workforce housing. He said anything contributed would be a wonderful help to them. He cautioned they needed to build to capacity now because all the land was being bought up and land prices were rising dramatically. He said they had to provide housing for working folks to keep people in the community.

(12:10 a.m.) Maguire stated the next special meeting would be on June 27 to discuss capital improvement projects, and the next regular meeting would be on June 28. He said that on June 21 several commission members were going to Tampa to the Florida Association of Counties Annual Conference. He then commented on the transportation plan they had addressed in December, and said they needed to take an increased tempo at looking at the development of the transportation plan due to its critical location.

(12:11 p.m.) Stern expressed concern regarding the Interlocal Agreement and joint meeting with the Hastings Town Council, and hopefully it could be discussed before September. Adams said they would work something out because our schedule was tied up through July.

(12:13 p.m.) Adams said the Vilano boat ramp was just a few days from opening. He said the Riverdale ramp would be open around the middle of next month.

(12:14 p.m.) Stern commented on the boat ramps and said it was an issue coming up before Congress, and there was a sympathetic ear in Washington DC.

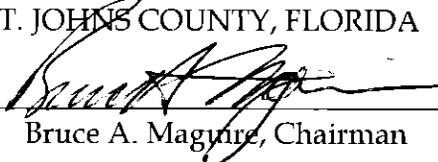
(12:15 p.m.) Stevenson said the roads for the high school in the northwest were a permitting issue as well.

(12:16 p.m.) Adams said on June 21 they would close on the Palmo property.

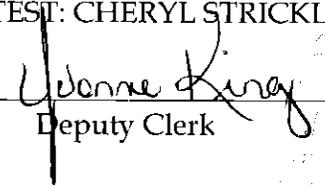
(12:16 p.m.) **Motion by Bryant, seconded by Rich, carried 4/0, to adjourn.** With there being no further business to come before the Board, the meeting adjourned at 12:16 p.m.

Approved July 12, 2005

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Bruce A. Maguire, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk