

NOTE:

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**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JULY 26, 2005  
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:       Bruce A. Maguire, District 4, Chairman  
                          James E. Bryant, District 5, Vice Chairman  
                          Cyndi Stevenson, District 1  
                          Ben Rich, District 3  
                          Ben W. Adams, Jr., County Administrator  
                          Dan Bosanko, County Attorney  
                          Terry Bulla, Deputy Clerk

Also present:       Cheryl Strickland, Clerk of Court  
                          Ted Zebrowsky, Assistant County Administrator

(07/26/05 - 1 - 9:02 a.m.)  
Maguire called the meeting to order.

(07/26/05 - 1 - 9:02 a.m.)  
ROLL CALL

Maguire stated that four commissioners were present with Stern to arrive late.

(07/26/05 - 1 - 9:03 a.m.)  
INVOCATION AND PLEDGE OF ALLEGIANCE

Rich led the invocation and Bryant led the Pledge of Allegiance.

Stern arrived at 9:04 a.m.

(07/26/05 - 1 - 9:04 a.m.)  
SPECIAL RECOGNITION OF BRIAN FULLFORD, CHIEF ADMINISTRATOR OF THE VETERANS SERVICES COMMUNITY BASED OUTPATIENT CLINIC, PRESENTED BY MR. BEN W. ADAMS JR., COUNTY ADMINISTRATOR

Adams introduced Brian Fulford, who was retiring, and Cynthia Halstead, who was also present as the new Administrative Officer replacing Fulford. Joseph McDermott was introduced and was to replace Rick Tallman, as the County Veterans Service Officer. Fulford gave a review of the progress made by the Clinic since its inception. Maguire read the recognition. Bryant stated that veterans in St. Johns County had some of the best care in the nation at the Flagler West facility.

(07/26/05 - 1 - 9:11 a.m.)  
CERTIFICATES OF APPRECIATION PRESENTED BY GORDON J. WILSON, NATIONAL PARK SERVICE SUPERINTENDENT

Superintendent Wilson presented an award on behalf of the National Park Service Director, Fran Mainella and Southeast Regional Director Patricia Hooks, to the BCC and

to Ben Adams for their efforts to obtain land at the Fort Mose National Historic Landmark. Adams received the award on behalf of many individuals who, he said, had assisted with the acquisition. Wilson also presented an award on behalf of the Trust for Public Land to Susan Grandon, who also assisted in acquisition of land near Fort Mose. Carrie Browder of the Florida Park Service made comments and thanked the various parties involved with the land acquisition.

(07/26/05 - 2 - 9:16 a.m.)

SPECIAL RECOGNITION OF DAVID THOMPSON, NEASE HIGH SCHOOL STUDENT, FOR HIS PERFECT ACT SCORE

Adams announced the presentation of an award to David Thompson and gave background on his accomplishments. He was one of four, out of 74,000 high school students, who achieved a perfect score on the ACT test. Adams also introduced Thompson's family. Joe Joiner, Superintendent of Schools, recognized Thompson and thanked the BCC for their presentation. Maguire read the recognition. Thompson thanked teachers, school staff, his parents and family for all their help and support. Mrs. Thompson thanked the school system.

(9:23 a.m.) Adams announced that the meeting would break for the shuttle launch. Stevenson left the meeting.

(07/26/05 - 2 - 9:24 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(07/26/05 - 2 - 9:25 a.m.)

APPROVAL OF CONSENT AGENDA

**Motion by Rich, seconded by Bryant, carried 4/0 with Stevenson absent, to approve the Consent Agenda.**

1. Approval of the Cash Requirement Report

2. Sheriff's Office Bonds:

Name Change:

Robin McCulloch to Robin Juratovac

Jacquelyn Moore to Jacquelyn Hudson

Cancel:

James E. Bellamy

Margaret M Benjamin

Michael E Cochran

Mary Bookout

Donald Logan

3. Motion to adopt **Resolution No. 2005-194**, approving the Economic Development Agreement with Ditech Testing and to authorize the County Administrator to execute the contract on behalf of the County

#### **RESOLUTION NO. 2005-194**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE ECONOMIC DEVELOPMENT AGENCY CONTRACT WITH DITECH TESTING ON BEHALF OF**

**ST. JOHNS COUNTY, AND PROVIDING FOR AN  
EFFECTIVE DATE**

4. Motion to adopt **Resolution No. 2005-195**, authorizing the execution of a corrective Conservation Easement over 0.62 acres of upland buffer off Dobbs Road to mitigate for secondary wetland impacts associated with development of the Facility Maintenance site

**RESOLUTION NO. 2005-195**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF A CORRECTIVE CONSERVATION EASEMENT OVER 0.62 ACRES OF UPLAND BUFFER OFF DOBBS ROAD TO MITIGATE FOR SECONDARY WETLAND IMPACTS ASSOCIATED WITH DEVELOPMENT OF THE FACILITY MAINTENANCE SITE**

5. Motion to adopt **Resolution No. 2005-196**, accepting two Drainage Easements in Sunset Park Subdivision to improve the drainage in this subdivision

**RESOLUTION NO. 2005-196**

**A RESOLUTION ACCEPTING TWO DRAINAGE EASEMENTS IN SUNSET PARK SUBDIVISION TO IMPROVE THE DRAINAGE IN THIS SUBDIVISION**

6. Motion to adopt **Resolution No. 2005-197**, approving a final plat for Hideaway at Old Moultrie

**RESOLUTION NO. 2005-197**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR HIDEWAY AT OLD MOULTRIE**

7. Motion to adopt **Resolution No. 2005-198**, approving a Final Plat for Tocol Junction

**RESOLUTION NO. 2005-198**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR TOCOI JUNCTION**

8. Motion to authorize the Supervisor of Elections to execute the Voting Access for Individuals with Disabilities Agreement between St. Johns County and Florida Department of State, and Motion to adopt **Resolution No. 2005-199**, recognizing unanticipated revenue in the amount of \$12,117 and increasing the General Fund General Government Federal Grant [0001-33110] and Federal Grant Expenditure budget of Elections [0001-0030-55304] in the same amount

**RESOLUTION NO. 2005-199**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2005 GENERAL FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ELECTIONS DEPARTMENTS**

9. Motion to approve transfer of \$500,000.00 from the County Transportation Trust Fund Reserve [1111-1131-59920] to the Fleet Maintenance Division Cost of Fuel [1111-1123-55218] for the purchase of unleaded and diesel fuel
10. Motion to authorize the County Administrator, or his designee, to enter into negotiations and a contract for architectural services for the new St. Augustine Beach Branch Library
11. Motion to adopt **Resolution No. 2005-200**, accepting the terms of the Business Associate Agreement between Availity, LLC, and the St. Johns County Board of County Commissioners, on behalf of the St. Johns County Mental Health Department and authorizing the County Administrator to execute the Agreement on behalf of St. Johns County

**RESOLUTION NO. 2005-200**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON BEHALF OF THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT ACCEPTING THE TERMS OF THE BUSINESS ASSOCIATE AGREEMENT BETWEEN AVAILITY L.L.C. AND ST. JOHNS COUNTY, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

12. Motion to adopt **Resolution No. 2005-201**, accepting the terms of the contract agreement between Avanti Wellness Center, Inc. and the St. Johns County Board of County Commissioners on behalf of the St. Johns County Mental Health Department and authorizing the County Administrator to execute the Agreement on behalf of St. Johns County

**RESOLUTION NO. 2005-201**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON BEHALF OF THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT ACCEPTING THE TERMS OF AVANTI WELLNESS CENTER INC. AND ST. JOHNS COUNTY, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

13. Motion to adopt **Resolution No. 2005-202**, accepting the terms of the lease agreement between the St. Johns County Board of County Commissioners on behalf of the St. Johns County Mental Health Department and the Town of

Hastings and authorizing the County Administrator to execute the Agreement on behalf of St. Johns County

**RESOLUTION NO. 2005-202**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON BEHALF OF THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT ACCEPTING THE TERMS OF THE LEASE AGREEMENT BETWEEN THE TOWN OF HASTINGS AND ST. JOHNS COUNTY, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

14. Motion to adopt **Resolution No. 2005-203**, agreeing to both reimburse AHCA for overpayment of claims and sign Provider Acknowledgement Statement which, by signing and submitting same to AHCA will comply with the corrective action plan

**RESOLUTION NO. 2005-203**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA ON BEHALF OF THE ST. JOHNS COUNTY MENTAL HEALTH DEPARTMENT ACCEPTING THE TERMS OF CORRECTING AN OVER-PAYMENT TO THE FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE PROVIDER ACKNOWLEDGEMENT STATEMENT ON BEHALF OF THE COUNTY**

15. Motion to authorize the County Administrator, or his designee, to enter into contract with Hal Jones Contractor, Inc. for work in the amount of \$1,069,700.00 for the project titled Replacement of Rutile Drive Bridge Over Ponte Vedra Canal under Bid 05-38
16. Motion to authorize the County Administrator, or his designee, to enter into contract with W.R. Townsend Contracting, Inc. for work in the amount of \$859,909.50 for the project titled Construction of Roberts Road Curve Realignment under Bid 05-48
17. Motion to declare NCR Computer 7780, asset No 007335, as surplus and authorize the County Administrator, or his designee, to sell the equipment to Miami/Dade County for \$8,000.00 plus all related expenses to disassemble and transport to Miami Dade County
18. Motion to authorize the County Administrator, or his designee, to enter into contract with Hal Jones Contractor, Inc. for work in the amount of \$1,459,600.00 for the project titled Replacement of Lake Road Bridge Over Ponte Vedra Canal, under Bid 05-39
19. Proofs:
  - a. Proof, Notice of Meeting, Intergovernmental Committee, every other month on the first Wednesday of the month, next regular meeting scheduled Wednesday, July 6, 2005 at 3:00pm.



# ST. JOHNS COUNTY BID TABULATION

**BID TITLE** REPLACEMENT OF FRUITFUL DRIVE BRIDGE OVER PONTE VEDRA CANAL

**BID NUMBER** BID NO. 05-38

**OPENING DATE/TIME** JULY 6, 2005 2:00 P.M.

**POSTING TIME/DATE** FROM 7/06/2005 3:00 PM UNTIL 7/11/2005 3:00 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 KAREN WISEMAN

VERIFIED BY

PAGE (S) 1 OF 1 PAGE (S)

| BIDDERS                             | BASE BID LUMP SUM PRICE | BID BOND |   |  |  |  |
|-------------------------------------|-------------------------|----------|---|--|--|--|
| HAL JONES, INC.                     | \$1,069,700.00          | YES      | ↓ |  |  |  |
| SEA TECH MARINE INTERNATIONAL       | \$1,386,800.00          | YES      |   |  |  |  |
| SUPERIOR CONSTRUCTION COMPANY, INC. | \$1,640,000.00          | YES      |   |  |  |  |
| HUBBARD CONSTRUCTION COMPANY        | \$1,279,000.00          | YES      |   |  |  |  |
|                                     |                         |          |   |  |  |  |
|                                     |                         |          |   |  |  |  |
|                                     |                         |          |   |  |  |  |

Consent Item # 15 Attachment to Minutes -

BID AWARD DATE - \_\_\_\_\_

# ST. JOHNS COUNTY BID TABULATION



**BID TITLE**  
CONSTRUCTION OF ROBERTS  
ROAD CURVE REALIGNMENT

**BID NUMBER**  
BID NO. 05-48

**OPENING DATE/TIME**  
JUNE 29, 2005 2:00 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  
KAREN WISEMAN

VERIFIED BY  
KAREN WISEMAN

**POSTING TIME/DATE**  
6/29/2005 3:00 PM

**UNTIL**  
7/07/2005 3:00 PM

PAGE (S) 1 OF 1 PAGE (S)

| BIDDERS                               | BASE BID PRICE | ALTERNATE #1<br>PRICE | TOTAL BASE BID<br>AND ALTERNATE #1<br>PRICE | BID BOND | ADDENDUM #1 | HERE<br>↓ |
|---------------------------------------|----------------|-----------------------|---|----------|-------------|-----------|
| W.R. TOWNSEND<br>CONTRACTING,<br>INC. | \$815,382.50   | \$44,527.00           | \$859,909.50                                | YES      | YES         |           |
| GIBBS & REGISTER,<br>INC.             | \$1,089,000.00 | \$67,000.00           | \$1,156,000.00                              | YES      | YES         |           |
| JENSEN CIVIL<br>CONSTRUCTION,<br>INC. | \$1,116,142.00 | \$62,946.00           | \$1,179,088.00                              | YES      | YES         |           |
| HUBBARD<br>CONSTRUCTION<br>CO.        | \$1,068,046.40 | \$93,640.00           | \$1,161,686.40                              | YES      | YES         |           |
| J. B. COXWELL<br>CONTRACTING,<br>INC. | \$1,036,637.42 | \$61,720.51           | \$1,098,357.93                              | YES      | YES         |           |
| BGCO, INC.                            | \$1,214,300.00 | \$100,500.00          | \$1,314,800.00                              | YES      | YES         |           |
|                                       |                |                       |   |          |             |           |

BID AWARD DATE - \_\_\_\_\_

Consent Item # 16 Attachment to Minutes





# ST. JOHNS COUNTY BID TABULATION

LEIGH DANIELS  
 KAREN WISEMAN

OPENED BY  
 TABULATED BY  
 VERIFIED BY

ANY BIDDER AFFECTED ADVERSELY BY AN  
 INTENDED DECISION WITH RESPECT TO THE  
 AWARD OF ANY BID, SHALL FILE WITH THE  
 PURCHASING DEPARTMENT FOR ST. JOHNS  
 COUNTY, A WRITTEN NOTICE OF INTENT TO FILE  
 A PROTEST NOT LATER THAN SEVENTY TWO (72)  
 HOURS (EXCLUDING SATURDAY, SUNDAY AND  
 LEGAL HOLIDAYS) AFTER THE POSTING OF THE  
 BID TABULATION. PROTEST PROCEDURES MAY  
 BE OBTAINED IN THE PURCHASING  
 DEPARTMENT.

**BID TITLE**  
 REPLACEMENT OF LAKE ROAD  
 BRIDGE OVER PONTE VEDRA  
 CANAL

**BID NUMBER**  
 BID NO. 05-39

**OPENING DATE/TIME**  
 JULY 6, 2005 2:00 P.M.

|                   |                   |
|-------------------|-------------------|
| <b>FROM</b>       | <b>UNTIL</b>      |
| 7/06/2005 3:00 PM | 7/11/2005 3:00 PM |

**POSTING TIME/DATE**  
 7/06/2005 3:00 PM

PAGE (S) 1 OF 1 PAGE (S)

| BIDDERS                                   | BASE BID LUMP<br>SUM PRICE | BID BOND | ADDENDUM #1 |  |
|---|----------------------------|----------|-------------|--|
| HAL JONES, INC.                           | \$1,459,600.00             | YES      | YES         | <div style="border: 1px solid black; padding: 5px; display: inline-block;">           HERE<br/> </div> |
| SEA TECH MARINE<br>INTERNATIONAL          | \$1,497,100.00             | YES      | YES         |  |
| SUPERIOR<br>CONSTRUCTION<br>COMPANY, INC. | \$2,040,000.00             | YES      | YES         |  |
| HUBBARD<br>CONSTRUCTION<br>COMPANY        | \$1,691,000.00             | YES      | YES         |  |
|   |                            |          |             |  |
|   |                            |          |             |  |
|   |                            |          |             |  |

BID AWARD DATE - \_\_\_\_\_

*Consent Item 17 Attachment to Minutes*

# ST. JOHNS COUNTY BID TABULATION



LEIGH DANIELS  
KAREN WISEMAN

OPENED BY  
TABULATED BY  
VERIFIED BY


ANY BIDDER AFFECTED ADVERSELY BY AN INTENDED DECISION WITH RESPECT TO THE AWARD OF ANY BID, SHALL FILE WITH THE PURCHASING DEPARTMENT FOR ST. JOHNS COUNTY, A WRITTEN NOTICE OF INTENT TO FILE A PROTEST NOT LATER THAN SEVENTY-TWO (72) HOURS (EXCLUDING SATURDAY, SUNDAY AND LEGAL HOLIDAYS) AFTER THE POSTING OF THE BID TABULATION. PROTEST PROCEDURES MAY BE OBTAINED IN THE PURCHASING DEPARTMENT.

BID TITLE  
REPLACEMENT OF LAKE ROAD  
BRIDGE OVER PONTE VEDRA  
CANAL  
BID NO. 05-39  
OPENING DATE/TIME  
JULY 6, 2005 2:00 P.M.

FROM  
7/06/2005 3:00 PM  
UNTIL  
7/11/2005 3:00 PM

POSTING TIME/DATE

PAGE (S) 1 OF 1 PAGE (S)

| BIDDERS                                   | BASE BID LUMP<br>SUM PRICE | BID BOND | ADDENDUM # 1 |   |
|---|----------------------------|----------|--------------|---|
| HAL JONES, INC.                           | \$1,459,600.00             | YES      | YES          | <b>H E R E</b><br> |
| SEA TECH MARINE<br>INTERNATIONAL          | \$1,497,100.00             | YES      | YES          |   |
| SUPERIOR<br>CONSTRUCTION<br>COMPANY, INC. | \$2,040,000.00             | YES      | YES          |   |
| HUBBARD<br>CONSTRUCTION<br>COMPANY        | \$1,691,000.00             | YES      | YES          |   |
|   |                            |          |              |   |
|   |                            |          |              |   |
|   |                            |          |              |   |

BID AWARD DATE - \_\_\_\_\_

Consent Item # 18 Attachment to Minutes

- b. Proof, Notice of Public Hearing, St. Johns County Board of County Commissioners, Elder Living Quarters temporary Assessment Abeyance Ordinance, Tuesday, June 28, 2005 at 9:00 a.m.
- c. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Changed Schedule of Regular Meetings, beginning Tuesday, June 14, 2005 and on every other Tuesday at 9:00 a.m.
- d. Proof, Display Advertisement, Tax Impact of Value Adjustment Board
- e. Proof, Notice to Bidders, RFQ No. 05-116
- f. Proof, Notice of Exchange, St. Johns County and BellSouth Telecommunications, Inc. for BellSouth easement, Tuesday, June 28, 2005
- g. Proof, Notice to Bidders, Bid No. 05-39
- h. Proof, Notice to Bidders, Bid No. 05-38
- i. Proof, Notice of Hearing, Business Incentive Program, St. Johns County Board of County Commissioners, Tuesday, June 28, 2005 at 9:00 a.m.
- j. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Capital Improvement Project List for Bond Financing, Monday, June 27, 2005 at 9:00am.
- k. Proof, Notice to Bidders, Bid No. 05-115
- l. Proof, Notice to Bidders, Bid No. 05-48
- m. Proof, Notice to Bidders, Bid No. 05-107
- n. Proof, Notice to Bidders, Bid No. 05-113
- o. Proof, Notice of Meeting, St. Johns County Water & Sewer Authority, Regular Meetings of the first Wednesday of each month at 9:00am.
- p. Proof, Notice of Public Hearing, St. Johns County Board of County Commissioners, Elder Living Quarters temporary Assessment Abeyance Ordinance, Tuesday, June 28, 2005 at 9:00 a.m.
- q. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Changed Schedule of Regular Meetings, beginning Tuesday, June 14, 2005 and on every other Tuesday at 9:00 a.m.
- r. Proof, Notice to Bidders, RFP No. 05-112
- s. Proof, Notice to Bidders, IFB No. 05-94R
- t. Proof, Notice to Bidders, RFQ No. 05-85
- u. Proof, Notice of Meeting, 8th Annual Regional Cooperation Summit, Wednesday, June 22, 2005
- v. Proof, Notice of Meeting, St. Johns Board of County Commissioners, Private Meeting, Tuesday, June 14, 2005 at 8:00 a.m.
- w. Proof, Notice of Hearing, St. Johns Board of County Commissioners, Cable Television Ordinance, Tuesday, June 14, 2005 at 9:00 a.m.
- x. Proof, Notice of Meeting, St. Johns Board of County Commissioners, Private Meeting, Tuesday, June 28, 2005 at 8:00 a.m.
- y. Proof, Notice of Meeting, St. Johns Board of County Commissioners, Twin Creeks DRI, Monday, June 20, 2005 at 9:00 a.m.
- z. Proof, Notice of Meeting, Town Meeting County Commission District 2, Thursday, June 16, 2005 from 6:00pm to 7:30p.m.
- aa. Proof, Certificate of Liability Insurance, Government Services Group, Inc.
- bb. Proof, Certificate of Liability Insurance, Enrique Estrada
- cc. Proof, Certificate of Liability Insurance, All Waste, Inc.
- dd. Proof, Certificate of Liability Insurance, Coastal Marine Construction, Inc.
- ee. Proof, Certificate of Liability Insurance, B.N.C. Inc.
- ff. Proof, Certificate of Liability Insurance, North Florida Emulsions, Inc.
- gg. Proof, Certificate of Liability Insurance, Applied Technology & Management, Inc.

(07/26/05 - 7 - 9:24 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams stated there would be the addition of Item 17 for the Amphitheatre Sales Tax Bond Fund and Item 18 for SJC Hastings Branch Library air conditioning. Bosanko stated there would be additions including Item 19, attorney fees for Victor Martinelli, Item 20, JALA request for \$8,000 and Item 21, staff seeks advice from board regarding real estate appraisals for the St. Johns Service Company.

(07/26/05 - 7 - 9:27 a.m.)

APPROVAL OF REGULAR AGENDA

**Motion by Bryant, seconded by Stern, carried 4/0 with Stevenson absent, to approve the Regular Agenda, as amended.**

Stevenson rejoined the meeting at 9:27 a.m.

(9:27 a.m.) Maguire offered to allow representatives from the audience, who wanted to speak on the added agenda items, to come forward at that time, rather than having to wait until the end of the meeting to speak.

(9:28 a.m.) Bill Napper, 4936 Los Altos Circle, Elkton, stated he was on the Library Advisory Board and represented the district in which the Hastings Library was located. He noted that the library was extremely hot and it was hard on the staff and visitors as well. He noted they needed quick remedial action.

(9:30 a.m.) Sandra Sivulich, Branch Manager Hastings Library, said the temperature was registering at 87 degrees in her office. She said there circulation rate had increased by 20 percent and many more people were using the building. She noted that the system was inadequate when it was installed and she and her staff were extremely uncomfortable and not feeling well because of the heat. She asked that the problem be addressed as soon as possible.

(9:31 a.m.) Megan Wall, Managing Attorney of St. Johns County Legal Aid, a branch office of Jacksonville Legal Aid, stated they were requesting a shortfall in their budget of \$8,000 that had already been appropriated, but had been billed in an irregular fashion.

(07/26/05 - 7 - 9:32 a.m.)

1. SUMMARY OF THE NEW SENATE BILL 360 AND PRESENTATION OF THE FDOT 5-YEAR ADOPTED WORK PROGRAM

James Bennett, PE, Urban Area Transportation Development Engineer, FDOT, gave a presentation on legislation just passed on Senate Bill 360. He gave an overview of the SB 360 highlights, transportation funding, new transportation programs, distribution of additional State revenues, the Strategic Intermodal System funding policies, the Transportation Regional Incentive Program, the New Starts Transit Program and other transportation programs, studies and provisions.

(9:49 a.m.) Maguire stated that there were two major issues, the local match aspect along with the 5-cent per gallon gas tax. He said that before counties went to the State they wanted them to maximize their local revenue sources. He said that local projects would not receive support from DOT, but regional projects would be considered for support.

(9:52 a.m.) Maguire recessed the regular meeting and convened the Community Redevelopment Agency meeting.

(07/26/05 - 8 - 9:52 a.m.)

2. CONSIDER MOTION TO ADOPT A RESOLUTION OF THE **ST. JOHNS COUNTY REDEVELOPMENT AGENCY**, AUTHORIZING THE WEST AUGUSTINE REDEVELOPMENT PROJECT AND AUTHORIZING AN INTERLOCAL REIMBURSEMENT AGREEMENT WITH ST. JOHNS COUNTY IN CONNECTION WITH THE ISSUANCE OF THE COUNTY'S CAPITAL IMPROVEMENT REVENUE AND REFUNDING BONDS, SERIES 2005

Proof of publication for a meeting of the St. Johns County Redevelopment Agency, held July 26, 2005, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Bosanko introduced the item, stating it related to the borrowing of money for the completion of projects vital to the community. He noted there were four main projects on the list, including the Community Center of West St. Augustine, with a swimming pool and recreational center. He said the CRA was an agency set up to help make improvements to that community. He stated it would behoove the Board to look for ways to refund some of the money back into the fund and they had that opportunity on this item. He explained that they were sitting not as the BCC, but as the governing board of the St. Johns County Community Redevelopment Agency (CRA), which was developed to assist in the development and improvement of that community. He said they were being asked to approve and authorize the chairman to sign an interlocal reimbursement agreement with St. Johns County in connection with the issuance of the County's Capital Improvement Revenue and Refunding Bonds, Series 2005. (9:55 a.m.) Stern asked if they had any information on the increase in property values. Bosanko said he did not have it at this time. (9:56 a.m.) Tom Crawford, Director of Housing and Community Services, said the most recent projections received from the County Assessors office indicated that it was exceeding the initial projections.

(9:57 a.m.) **Motion by Stern, seconded by Rich, carried 5/0, to adopt Resolution 2005-2 of the St. Johns County Redevelopment Agency, authorizing the West Augustine Redevelopment Project and authorizing an interlocal reimbursement agreement with St. Johns County in connection with the issuance of the County's Capital Improvement Revenue and Refunding Bonds, Series 2005.**

#### RESOLUTION NO. 2005-2

**A RESOLUTION OF ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE UNDERTAKING OF A CAPITAL PROJECT FOR THE REDEVELOPMENT AREA; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL REIMBURSEMENT AGREEMENT WITH ST. JOHNS COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE**

(9:57 a.m.) Maguire closed the Community Redevelopment Agency meeting and reconvened the regular BCC meeting.

(07/26/05 - 9 - 9:58 a.m.)

3. CONSIDER MOTION TO ADOPT A RESOLUTION AUTHORIZING THE ISSUANCE OF THE COUNTY'S CAPITAL IMPROVEMENT REVENUE AND REFUNDING BONDS, SERIES 2005, IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$23,000,000

Bosanko stated that the Board had a resolution before them for consideration in regards to the borrowing of funds to complete the four projects previously referenced; including the acquisition and construction of new County administration and auditorium facilities, the renovation and expansion of the St. Johns County Sheriff's complex, the acquisition and construction of a new community center and swimming pool, and the expansion of the St. Johns County Property Appraiser's Office. He explained that the bonds were tax exempt and only certain types of projects qualified for funding. He noted that changes could be made to the projects with that in mind. He stated that the Community Center of West Augustine was proposed to be built on land, which the County held a long-term lease from Florida Memorial College. He said the Board had decided that they needed to extend the lease for a longer period before they made such a major investment in building the building there. He stated that he had recently learned that the Board of the college had met and reconsidered its position, and were willing to extend the lease, but under new conditions which the County had not seen. He said that raised the question as to whether the new terms would be acceptable to the BCC as a basis upon which to invest in the \$4.5 million building. Discussion ensued about the various options available to the Board. Bosanko said he had met with staff on the matter and their recommendation was to leave the documents as they were and to move forward, and if the lease was returned in an unacceptable manner, that could not be resolved, the Board could take action to use the specified money in a more appropriate project. He said they could also decide to borrow less money. Additionally, in response to a question from Rich, he explained the inclusion of the golf course refinancing included in the request, stating that it was a new loan replacing an old loan which would result in no further debt. (10:09 a.m.) Bryant asked if there was an alternative site in the event the terms of the agreement with the college were not acceptable. Crawford stated there was a possibility at the Ravenswood Transfer Station site. He said he thought they would reach a satisfactory resolution with the college. Bryant said it would behoove them to begin looking at alternatives, just in case. (10:12 a.m.) Stevenson asked what the time frame would be if they decided not to use the funds. (10:13 a.m.) Jean Mangue, attorney with Edwards Cohen, 6 E. Bay Street, Jacksonville, stated that bond proceeds needed to be spent within three years of the issuance of the bonds, and if for some reason the project was to fall out, and the money could not be utilized, they would want to try to identify other projects where it could be spent. She said that otherwise the money would sit idle and the debt could not be retired for approximately ten years. (10:14 a.m.) Stevenson asked Timms, County Budget Director, if they would be okay if the money were used for something other than the CRA. Timms said it would have to come from the general fund.

(10:17 a.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to adopt Resolution 2005-204, authorizing the issuance of the County's Capital Improvement Revenue and Refunding Bonds, Series 2005, in an aggregate principal amount not exceeding \$23,000,000.**

#### RESOLUTION NO. 2005-204

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, PROVIDING FOR THE REFUNDING OF THE COUNTY'S OUTSTANDING CAPITAL IMPROVEMENT**

REVENUE BONDS, SERIES 1998, AND THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF CERTAIN CAPITAL PROJECTS IN ST. JOHNS COUNTY, FLORIDA; AUTHORIZING THE ISSUANCE BY THE COUNTY OF NOT EXCEEDING \$23,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF CAPITAL IMPROVEMENT REVENUE AND REFUNDING BONDS, SERIES 2005, TO FINANCE ALL OR A PART OF THE COSTS OF SUCH REFUNDING AND THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF SUCH CAPITAL PROJECTS; PLEDGING TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH SERIES 2005 BONDS CERTAIN MONEYS DISTRIBUTED TO THE COUNTY FROM THE STATE OF FLORIDA REVENUE SHARING TRUST FUND FOR COUNTIES PURSUANT TO CHAPTER 218, PART II, FLORIDA STATUTES, AS AMENDED, ALL MONEYS ON DEPOSIT IN AND INVESTMENTS HELD FOR THE CREDIT OF CERTAIN FUNDS CREATED HEREUNDER AND THE EARNINGS ON SUCH INVESTMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT PROVIDING FOR THE PAYMENT OF THE SERIES 1998 BONDS; APPOINTING THE ESCROW HOLDER TO SERVE UNDER SAID ESCROW DEPOSIT AGREEMENT; AUTHORIZING A NEGOTIATED SALE AND THE AWARD OF THE SALE OF THE SERIES 2005 BONDS, AND APPROVING THE CONDITIONS AND CRITERIA FOR SUCH SALE; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT WITH RESPECT TO THE SERIES 2005 BONDS; AUTHORIZING A PRELIMINARY OFFICIAL STATEMENT AND A FINAL OFFICIAL STATEMENT WITH RESPECT TO THE SERIES 2005 BONDS; APPOINTING THE REGISTRAR AND PAYING AGENT FOR THE SERIES 2005 BONDS AND APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A REGISTRAR AND PAYING AGENCY AGREEMENT; APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; RATIFYING THE COUNTY'S ACCEPTANCE OF THE INSURER'S COMMITMENTS RELATING TO A BOND INSURANCE POLICY AND A RESERVE ACCOUNT INSURANCE POLICY WITH RESPECT TO THE SERIES 2005 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY AND ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE HOLDERS OF THE SERIES 2005 BONDS; AND PROVIDING AN EFFECTIVE DATE

(10:17 a.m.) Ted Zebrowski, Assistant County Administrator, joined the meeting.

(07/26/05 - 11 - 10:18 a.m.)

4. CONSIDER MOTION TO ADOPT THE LEGISLATIVE PRIORITY LIST FOR THE 2006 LEGISLATIVE SESSION

Karen Johnson, Intergovernmental Relations Specialist, gave the presentation regarding the 2006 Legislative Action Plan. She gave a list of the revised possible legislative priorities for the 2006 session. (10:19 a.m.) Stevenson expressed concern that they support transfer taxes and impact fees for infrastructure financing. (10:20 a.m.) Bryant said they needed to put emphasis on infrastructure issues and it was an opportunity for them to address important issues. He said the transfer fee should be one of our top priorities, should be spread among a greater number of people and entities, and would be a fairer way to fund the infrastructure. He said the demographics of our county would fit very well with the transfer fee. (10:21 a.m.) Stern said there would be support from local associations to help support the property transfer fee. She quoted figures for 2004 as an example on the possible revenue we could receive, and that it would make a significant difference. (10:23 a.m.) Rich said transfer fees had to be identified for specific uses with control mechanisms. He asked about funding for sewer systems in disadvantaged areas in the county. (10:24 a.m.) Bryant said the West Augustine area had been identified for that type funding because there were health issues relating to the current septic or drain fields in that area. He said it would take outside grant money, as it was in the City of St. Augustine, and several grants had been funded. He said Hastings also had some issues with maintenance costs for the osmosis system. (10:26 a.m.) Stern said the north Hastings area had some real needs, as well as the Armstrong area, with failing septic systems causing health issues. (10:27 a.m.) Rich asked if there had been a proposal to relieve the City of some of that service area. (10:28 a.m.) Zebrowsky said he had talked with Young regarding negotiations he was conducting with the City, attempting to get some of the areas referenced into the County. Bryant said they could service the area if the City was willing to give it up. Rich said they needed to be looking at alternatives in the event that we fail in our efforts. (10:30 a.m.) Zebrowsky stated that it was not a new initiative and had been going on for four or five years and it was an on-going effort to continue that initiative. (10:31 a.m.) Bryant said, on another issue, Holmes Blvd. and Kings Street interchange could get federal funds for the main water and sewer lines down West King Street if there was newly developed commercial development in that area. He noted they could then branch out from the main line to speed up installation of the water and sewer in that area. (10:32 a.m.) Stern said they had received \$500,000 last year from the State to address the issue and had made some progress. Maguire stated they needed to take an aggressive posture with the transfer tax and they needed to take a proactive stance in the development of the statute on the State level so that when it came back down to the County it would be beneficial to us. There was discussion on whether to support the impact fees, transfer fees or a combination of both.

The meeting recessed at 10:38 a.m. and reconvened at 10:50 a.m.

(10:50 a.m.) Stern said she supported the property transfer fee and she hoped to get a 1 to 2% property transfer fee, which would allow them to ease off of the impact fees. (10:51 a.m.) Bryant said he wanted to get rid of the impact fee with the property transfer fee, and we needed authorization to enact it on the local level. The County needed that right to vote and implement the transfer fee and to give us the option to control our own destiny. (10:52 a.m.) Rich said he did not see it as an either/or issue. He said both taxes were for a specific issue. General discussion ensued about the real estate transfer tax and the impact fee. (10:55 a.m.) Rich brought up the issue of the Guana State Park and asked that it be removed from the non-legislative issues. (10:56 a.m.) Stevenson asked what they meant by improved and enhanced as it related to the parking at the Guana. Maguire commented on the parking facilities on the Guana and the resulting



safety issues, and the inadequate beach access throughout the entire county. (11:00 a.m.) Stevenson said that providing beach access should not be the sole responsibility of the County, and though there were physical problems with the Guana, she would like more detail about what they were proposing. She also asked how they could improve access to Anastasia State Park, and that it was also a State responsibility. (11:07 a.m.) Stern said she had received a lot of phone calls from citizens regarding the Guana, and there were a lot of issues that needed to be investigated. She said Ken Burke would be happy to work with them on the Guana issue. Rich said he would also like feedback from the professionals at the Guana in reference to safety and improvements. (11:09 a.m.) Bryant said they had to look at the big picture regarding beach access. (11:10 a.m.) Rich commented on the widening of Mickler Road and said he would like more feedback again from the Guana Reserve and the Fish & Wildlife people before making any decisions. (11:10 a.m.) Maguire said there were issues with the Hwy 210 widening and permission was needed from the State to get permission to widen the hurricane evacuation route. (11:12 a.m.) Joe Stephenson, Public Works Director, gave background on the project for general access and connectivity and the corridor study results. It was recommended that the corridor be four-laned in segments, as needed. He stated that they were informed that any right-of-way needed from the Guana Preserve would have to be obtained all at one time. (11:20 a.m.) Scott Clem, Assistant County Administrator, commented on the impact of Nocatee on the section of road east of the bridge. (11:24 a.m.) Stevenson said the need for roads was based on every day traffic use, not hurricane evacuation. He said it was an important consideration, but was not the way they sized roads. (11:25 a.m.) Johnson said they would prepare the recommendations based on the Board's comments. She said she would set up meetings with the various individuals involved. Maguire asked the Board to approve and to instruct staff to begin work on the packages.

(11:27 a.m.) Ed Paucek, 970 Irma Way, St. Augustine, stated that political action committees were meeting around the state regarding the transfer tax and the climate seemed to be favorable for it. He said he would like to see the impact fee removed because of the inequity that it created.

(11:29 a.m.) Dan MacDonald, 24501 Deer Trace Drive, Ponte Vedra Beach, read a letter he sent to Commissioner Stern and Ted Zebrowsky, in which he asked them to consider uncoupling impact fees and transfer fees and to use transfer fees for critically unfunded needs. He also commented on development and the need to control it for the protection and preservation of open land.

(11:33 a.m.) Cathy Brown, Council on Aging, urged them to be in Tallahassee in October when the committee meetings were held. She said many things they relied on the State for were now being pushed to the local level with instruction to figure it out. She said it was putting a critical burden on the social services providers, and they needed relief. She said there was a disproportionate burden to our county. She added they should also look at the historical properties in the City of St. Augustine, and noted there were only 33 such sites left.

(11:36 a.m.) Rich asked for clarification on the proposed motion. Maguire clarified that he would like to adopt the St. Johns County and State of Florida issues today so that staff could start working on those issues, and would like to adopt the non-legislative issues for review 30 days from now, if the information could be gathered in that time. Rich said they also needed to push loans for homes for work force housing at the State level.

(11:40 a.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to adopt the St. Johns County and State of Florida issues and to consider the non-legislative issues**

for further review in the future, per the attached legislative priority list for the 2006 Legislative Session.

(07/26/05 - 13 - 11:41 a.m.)

5. CONSIDER MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO ENTER INTO A CONTRACT WITH THE LOW BIDDER, RAY T. FREIHA CONSTRUCTION, INC., FOR BID # 05-99, CONSTRUCTION OF THE NEW ST. JOHNS COUNTY UTILITY OFFICE COMPLEX

Mike Rubin, Construction Manager, gave the presentation and stated there were some changes to the original plan. Rich said he could not support the fountain, Alternate 2. (11:46 a.m.) Stevenson asked if there would be shower facilities. Rubin said some showers were present. (11:46 a.m.) Maguire asked why they went from 18,000 to 27,000 sq. ft. Rubin said they had not considered records storage and management. Maguire asked about other facilities. Rubin said they had pulled a fitness room from the budget. Rubin explained the fountain and said that a lot of people would visit the building to pay their bills, and it would be a nice addition for esthetic reasons. Maguire asked why the \$27,000 option was selected. Rubin said there would be some costs associated with landscaping. (11:49 a.m.) Stevenson discussed transpiration and that fountains served to return some moisture into the environment. (11:50 a.m.) Rich said he was a steward of the people's money and he said it was a big expense and it was difficult for him to justify.

(11:51 a.m.) *Motion by Rich to authorize the County Administrator, or his designee, to enter into a contract with the low bidder, Ray T. Freiha Construction, Inc., for the base bid, plus alternates #1 and # 5, for a lump sum amount of \$5,059,670. The motion died for lack of a second.*

**(11:51 a.m.) Motion by Stevenson, seconded by Rich, carried 4/1 with Rich dissenting, to authorize the County Administrator, or his designee, to enter into a contract with the low bidder, Ray T. Freiha Construction, Inc. for the base bid, plus alternates # 1, # 2 and #5 for a lump sum amount of \$5,086,670.**

**(11:54 a.m.) Motion by Stern, seconded by Bryant, carried 5/0, to transfer \$1,825,000 from the Utility Services Capital Outlay Reserve [4444-4426-59927] to Utility Administration Buildings [444-4409-56200].**

(07/26/05 - 13 - 11:54 a.m.)

6. PRESENTATION OF THE PROPOSED FY 2006 MILLAGE RATES

Doug Timms, Director of the Office of Management and Budget, gave the presentation to establish the County Budget for 2006.

**(11:57 a.m.) Motion by Stern, seconded by Bryant, carried 5/0, to authorize the completion and execution of the FY 2006 form DR-420's by the County Administrator with the attached proposed millage rates and the establishment of September 6, 2005 at 5:30 p.m., in the County Auditorium, as the first public hearing on the adoption of the Fiscal Year 2006 Annual Budget.**

**ST. JOHNS COUNTY  
BID TABULATION**

5538370



BID TITLE

CONSTRUCTION OF THE NEW  
ST. JOHNS COUNTY UTILITY

DEPARTMENT OFFICE  
COMPLEX

BID NO. 05-99

OPENING DATE/TIME  
JUNE 29, 2005 2:00 P.M.

FROM UNTIL

POSTING TIME/DATE  
6/29/2005 3:00 PM 7/07/2005 3:00 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

KAREN WISEMAN

VERIFIED BY

PAGE (S) 1

OF 1 PAGE (S)

| BIDDERS                                 | BASE BID TOTAL<br>LUMP SUM<br>PRICE | ALTERNATE # 1<br>5-FOOT<br>MEANDERING<br>SIDEWALK | ALTERNATE # 2<br>FOUNTAIN | ALTERNATE # 3<br>FITNESS<br>CENTER | ALTERNATE # 4<br>ALUOCBOND | ALTERNATE # 5<br>8"10" WATER<br>LINES AT 4-MILE<br>ROAD | ALTERNATE # 6<br>Antennable PV<br>Charging Stations | Bid Bond | Adden. # 1 | Adden. # 2 | Adden. # 3 |
|---|-------------------------------------|---|---------------------------|------------------------------------|----------------------------|---|---|----------|------------|------------|------------|
| HASHMAN<br>CONSTRUCTION<br>INC.         | NO BID                              |   |                           |                                    |                            |   |   |          |            |            |            |
| THE TOWER<br>GROUP, INC.                | \$5,265,000.00                      | \$14,000.00                                       | \$39,000.00               | \$444,000.00                       | \$246,000.00               | \$62,000.00   | \$50,000.00   | Y        | Y          | Y          | Y          |
| ACON<br>CONSTRUCTION<br>CO., INC.       | \$5,162,935.00                      | \$20,534.00                                       | \$22,289.00               | \$462,483.00                       | \$312,476.00               | \$55,984.00   | \$68,466.00   | Y        | Y          | Y          | Y          |
| R.B. GAY<br>CONSTRUCTION<br>CO., INC.   | \$5,320,500.00                      | \$22,900.00                                       | \$113,500.00              | \$126,900.00                       | \$195,700.00               | \$63,700.00   | \$76,500.00   | Y        | Y          | Y          | Y          |
| RAY T. FREIHAD<br>CONSTRUCTION,<br>INC. | \$4,997,000.00                      | \$18,970.00                                       | \$27,000.00               | \$451,700.00                       | \$230,000.00               | \$43,700.00   | \$57,000.00   | Y        | Y          | Y          | Y          |

BID AWARD

(07/26/05 - 14 - 11:58 a.m.)

7. PUBLIC HEARING - REZ 2005-28, COUNCIL ON AGING - THIS REQUEST SEEKS TO REZONE 1.81 ACRES FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI) IN ORDER TO CONVERT AN EXISTING SINGLE-FAMILY DWELLING INTO A TEMPORARY ADMINISTRATIVE OFFICE FOR THE COUNCIL ON AGING (COA) AND TO USE THE REMAINING PROPERTY FOR PARKING OF COA BUSES. THE COA HAS STATED THAT THIS SITE WILL BE TEMPORARY AND ONCE A PERMANENT SITE IS LOCATED, THE COA WILL RELOCATE. THE PARCEL IS LOCATED SOUTH OF LEWIS POINT ON THE WEST SIDE OF OLD MOULTRIE ROAD. THE PROPERTY IS LOCATED IN THE MIXED USE LAND USE DISTRICT, AS DEPICTED ON THE FUTURE LAND USE MAP; WHICH PROVIDES FOR ALL LAND USES. THE COMMERCIAL INTENSIVE ZONING CATEGORY PROVIDES AN IMPERVIOUS SURFACE RATIO OF 75% AND 15/5/10 FRONT, SIDE, REAR SETBACKS. THE MAXIMUM HEIGHT OF ALL STRUCTURES IS FORTY (40) FEET, PROVIDING CERTAIN CRITERIA (ADDITIONAL SETBACKS, SPRINKLER SYSTEM) ARE MET. THE SUBJECT PROPERTY IS SERVED BY SEPTIC TANK AND WELL, HOWEVER, ANY IMPROVEMENTS TO THE DWELLING OR CHANGE IN USES MAY REQUIRE HOOK UP TO CENTRAL WATER BY ST. JOHNS COUNTY UTILITIES. ADJACENT ZONINGS INCLUDE OR AND PSD. A CHURCH IS LOCATED ON THE PARCEL ADJACENT TO THE NORTH AND TO THE SOUTH IS A MOBILE HOME AND SINGLE-FAMILY HOME USED TO HOUSE EMPLOYEES OF CRAIG FUNERAL HOME. ACROSS OLD MOULTRIE ROAD TO THE EAST IS THE ST. AUGUSTINE MEMORIAL PARK CEMETERY ALSO OWNED BY CRAIG FUNERAL HOME. THE PARCEL WILL BE REQUIRED TO MEET ALL BUFFERS AND SETBACKS PER SECTION 6.01 OF THE LAND DEVELOPMENT CODE (LDC), AS WELL AS ALL OTHER APPLICABLE SECTIONS OF THE LDC. THE RESULTS OF THE PLANNING AND ZONING AGENCY VOTE WILL BE MADE AVAILABLE AT THE BOARD OF COUNTY COMMISSIONERS MEETING ON JULY 26, 2005

Proof of publication of a public hearing regarding REZ 2005-28, Council on Aging, was received, having been published in *The St. Augustine Record* on July 2, 2005.

(11:59 a.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to enact Ordinance 2005-58, known as REZ 2005-28, Council on Aging Rezoning, adopting Findings of Fact 1 through 4 to support the motion.**

#### **ORDINANCE NO. 2005-58**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS 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**

Meeting recessed at 12:00 p.m. and reconvened at 1:32 p.m. with Maguire, Bryant, Stern, Rich, Stevenson, Adams, Bosanko, and Robin Platt, Deputy Clerk, in attendance.

(07/26/05 - 15 - 1:32 p.m.)

8. PUBLIC HEARING - REZ 2005-15, ESTATES AT CERVANTES REZONING - THIS IS A REQUEST TO REZONE 6.56 ACRES FROM OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY (RS-3) FOR THE DEVELOPMENT OF SINGLE FAMILY HOUSING. THE PARCEL IS LOCATED ON THE SOUTH SIDE OF CERVANTES AVE., APPROXIMATELY ½ A MILE SOUTH OF STATE ROAD 16, AND IS IN THE RESIDENTIAL-C LAND USE AREA AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. WATER AND SEWER WILL BE PROVIDED BY THE CITY OF ST. AUGUSTINE. ADJACENT ZONINGS ARE OPEN RURAL (OR) AND RESIDENTIAL GENERAL (RG-1). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 7 TO 0 AT THEIR MAY 19, 2005 MEETING

Proof of publication of a public hearing regarding REZ2005-15, Estates at Cervantes, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Bruce Ford, Chief Planner, introduced this item.

(1:33 p.m.) Mark Moscarello, 765 County Rd. 13 S., applicant, stated that he did not have any changes to this item. Discussion ensued regarding the type of construction planned and density.

(1:37 p.m.) Paul Braddack, 276 Cervantes Ave., stated that he was not opposed to the rezoning, but was concerned about how it would affect drainage on Cervantes Ave.

(1:40 p.m.) Walter Andreu, 274 Cervantes Ave., stated that he too was concerned about drainage and the possibility that the drainage ditch would be piped. Ford displayed the site plan to illustrate the proposed lots.

(1:44 p.m.) Charles Kohler, Development Review Chief Engineer, explained that each individual parcel would have to have its own driveway culvert. He stated that it was doubtful that the entire drainage ditch could be piped due to environmental reasons; any piping would have to be permitted by the St. Johns River Water Management District.

(1:48 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to enact Ordinance No. 2005-59, known as REZ2005-15, Estates at Cervantes Rezoning, adopting findings of fact to support the motion.**

#### ORDINANCE NO. 2005-59

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO RESIDENTIAL SINGLE FAMILY (RS-3); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(07/26/05 - 15 - 1:48 p.m.)

9. PUBLIC HEARING - REZ 2004-21, EDWARD GEORGE - THIS IS A REQUEST TO REZONE 1.025 ACRES FROM RESIDENTIAL SINGLE FAMILY (RS-3) TO OFFICE PROFESSIONAL (OP) FOR A PROFESSIONAL ENGINEERING OFFICE. THE PARCEL IS MADE UP OF FOUR SEPARATE LOTS AND IS LOCATED ON THE NORTH SIDE OF CALLE DE LEON. THE EAST SIDE OF

THE PARCEL IS APPROXIMATELY 125 FEET WEST OF U.S. 1 AND IS IN THE MIXED USE LAND USE AREA AS DEPICTED ON THE 2015 FUTURE LAND USE MAP. THE PARCEL IS CURRENTLY SERVED BY SEPTIC TANK AND WELL AND IS IN THE SERVICE AREA OF THE ST. JOHNS COUNTY UTILITIES. THE ST. JOHNS COUNTY UTILITY DEPARTMENT HAS INFORMED THE APPLICANT THAT CONNECTION TO CENTRAL WATER AND SEWER WILL BE REQUIRED IF THE PARCELS ARE REZONED. ADJACENT ZONINGS ARE COMMERCIAL INTENSIVE (CI), COMMERCIAL NEIGHBORHOOD (CN), RESIDENTIAL SINGLE FAMILY (RS-3), OPEN RURAL (OR). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 6 TO 0 AT THEIR APRIL 7, 2005 MEETING, BUT ONLY FOR THE PARCEL OWNED BY MR. GEORGE LOCATED AT 124 CALLE DE LEON (PARCEL 173280-0000)

Proof of publication of a public hearing regarding REZ 2004-21, Edward George, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Bruce Ford, Chief Planner, pointed out that the application consisted of four lots and that the PZA only recommended that the one lot belonging to Mr. George be rezoned.

(1:49 p.m.) Dan Bosanko, County Attorney, clarified that the applicant was Mr. George, there were four lots requesting rezoning in the application, but that Mr. George only owned one of the lots. Discussion ensued regarding how the residents in the area felt about the rezoning of the four lots.

(1:53 p.m.) Edward George, 216 10<sup>th</sup> Street, explained that he originally wanted to rezone his lot, but that Staff had recommended that he add the other lots to his application, as it would be easier to get approval. He has since found that not to be the case, and stated that he would rather just have the one lot rezoned. Bosanko said that he could reduce the application to one lot. Rich clarified that the one lot to be rezoned was located at 124 Calle de Leon.

(1:58 p.m.) Jeff Riggs, 109 Calle de Leon, stated his objections to the rezoning of the four lots, but that he did not mind the one lot being rezoned. He said that he was concerned about the type of business that would be conducted there and the traffic that it would generate.

(2:01 p.m.) George stated that his lab was located on Dobbs Road and that he would not be moving it to this location; it would be used as an office only. He also stated that he was concerned about the traffic along Calle de Leon. Ford listed the allowable uses under the office/professional zoning category. Discussion ensued regarding some possible traffic calming solutions, including signage and speed humps.

(2:07 p.m.) **Motion by Bryant, seconded by Stevenson, to enact Ordinance No. 2005-60, know as REZ2004-21, Edward George Rezoning, adopting findings of fact to support the motion, 1 through 4, with the correction noting that it was just for the one lot at 124 Calle de Leon.** Ford stated that he would correct the legal description in the ordinance to reflect the one lot.

(2:08 p.m.) Rich disclosed ex parte with Tom Manuel, PZA member, as they had a general discussion about this item; Stevenson declared ex parte with Staff and Mr. George about the use of the project. (2:09 p.m.) **The motion carried 5/0.**

ORDINANCE NO. 2005-60

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL SINGLE FAMILY (RS-3) TO OFFICE PROFESSIONAL (OP); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(07/26/05 - 17 - 2:09 p.m.)

10. PUBLIC HEARING - MAJMOD 2005-12 ODUM'S MILL PUD - THE CURRENT ODUM'S MILLS PUD HAS DESIGNATED THREE PARCELS AT THE NORTH END OF THE PUD AS COMMERCIAL AND GOVERNMENT. THE GOVERNMENT PARCEL IS LOCATED BETWEEN THE TWO COMMERCIAL PARCELS AND THE TEXT REFERENCES THIS AS A SITE DESIGNATED FOR A ST. JOHNS COUNTY FIRE STATION. THIS MODIFICATION AMENDS THE TEXT TO REMOVE THE REFERENCE TO THE FIRE STATION SITE AND WILL REPLACE IT WITH REFERENCE TO A ST. JOHNS COUNTY SENIOR CENTER. IN ADDITION, THE MDP MAP WILL BE AMENDED TO REMOVE A PORTION OF THE EASTERN COMMERCIAL SITE AND DESIGNATE IT AS GOVERNMENT NOW THAT THE COUNTY OWNS THIS AS WELL, WITH APPROXIMATELY 57 FEET OF FRONTAGE ON PALM VALLEY ROAD. AND FINALLY THIS MODIFICATION WILL INCLUDE A MASTER DEVELOPMENT PLAN MAP (MDP) TO SHOW THE DETAILS OF THE PROPOSED SENIOR CENTER SITE PLAN. THE MAIN ACCESS TO THE SENIOR CENTER WILL BE PROVIDED FROM LANDRUM LANE. A SECONDARY ACCESS WILL BE PROVIDED TO THE EASTERN PARKING LOT THROUGH THE EXISTING GAS STATION VIA PALM VALLEY ROAD, AS DEPICTED ON THE MDP MAP, CONTINGENT UPON APPROVAL OF A RECIPROCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE OWNERS OF THE GAS STATION PARCEL. THE EASTERN PARKING AREA WILL BE ACCESSED THROUGH THE EXISTING GAS STATION, AS SHOWN ON THE SENIOR CENTER MDP, CONDITIONED UPON APPROVAL OF A RECIPROCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE OWNERS OF THE GAS STATION PARCEL FOR SUCH ACCESS. IF THE AGREEMENT IS NOT REACHED THE EASTERN PARKING WILL NOT BE DEVELOPED, HOWEVER, THE WESTERN PARKING AREA IN FRONT OF THE SENIOR CENTER IS ADEQUATE AND MEETS THE MINIMUM PARKING REQUIRED PER THE COUNTY LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 6/0 AT THEIR JULY 7, 2005 MEETING WITH ONE CONDITION. THE PZA RECOMMENDED THAT APPROVAL AND PERMITTING OF THE EASTERN PARKING BE CONDITIONED UPON APPROVAL OF A RECIPROCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE OWNERS OF THE GAS STATION PARCEL FOR SUCH ACCESS. THIS REQUIREMENT HAS ALSO BEEN PROVIDED FOR IN THE ATTACHED PUD TEXT (*This item was continued from the July 12, 2005, meeting.*)

Proof of publication of a public hearing regarding MAJMOD 2005-12, Odum's Mill PUD, was received, having been published in *The St. Augustine Record* on June 17, 2005.

Maguire discussed meeting with Carl Sanders, the Odum's Mill representative, about the vegetation, the footprint, buffering and improving the pitch of a ditch along CR 210.

(2:10 p.m.) Bruce Ford, Chief Planner, pointed out two changes that were made to the text in the packet. Stevenson questioned the use of the facility, whether it was a senior or community center: Maguire stated that it would function as both.

(2:12 p.m.) **Motion by Maguire, seconded by Bryant, carried 5/0, to enact Ordinance No. 2005-61, known as Major Mod. 2005-12, Odum's Mill PUD, adopting findings of fact to support the motion, 1 through 6.**

#### ORDINANCE NO. 2005-61

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ODUM'S MILL PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 96-08; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(07/26/05 - 18 - 2:12 p.m.)

11. PUBLIC HEARING - REZ 2005-14, RIVETTE WAREHOUSE - THIS REQUEST SEEKS TO REZONE THE SUBJECT PROPERTY FROM INDUSTRIAL WITH CONDITIONS IN ORDER TO RE-DEVELOP UNDER THE REGULATIONS FOR THE INDUSTRIAL (IW) ZONING CLASSIFICATION. ORDINANCE 97-30 (ATTACHED HERETO) PROVIDES SPECIFIC CONDITIONS FOR DEVELOPMENT REGARDING HEIGHT, BUFFERING/SCREENING, INGRESS/EGRESS, SETBACKS AND PERMITTED USES. APPROVAL OF THE REZONING REQUEST WILL REMOVE AND/OR MODIFY THE CONDITIONS FOR THE SUBJECT PROPERTY. UNDER THE STRAIGHT IW CLASSIFICATION, THE PROPERTY WOULD BE SUBJECT TO THE FOLLOWING REQUIREMENTS: 70% FAR, 75% ISR, 15/15/15 FRONT/SIDE/REAR YARD REQUIREMENTS, NO MAXIMUM HEIGHT OF STRUCTURES PROVIDING FOR LOCATION OUTSIDE OF THE AIRPORT DISTRICT AND COASTAL AREA, AS WELL AS INSTALLATION OF AN AUTOMATIC SPRINKLER SYSTEM (TABLE 6.01, LDC). ADDITIONALLY, REMOVAL OF THE IW WITH CONDITIONS WOULD REQUIRE COMPLIANCE WITH TABLE 6.20 BUFFER SCREENING MATRIX. GIVEN THE PROPOSED USE (LIGHT INDUSTRIAL) AND ABUTTING USE (SINGLE FAMILY RESIDENTIAL), THE PROPERTY WOULD BE SUBJECT TO A SCREENING STANDARD OF 30/C (THIRTY FEET WITH A 'C' STANDARD) ALONG THE EASTERN EDGE OF THE PROPERTY. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST BY A VOTE OF 5/1 (WITH ONE MEMBER ABSENT/ROBITZCH DISSENTING VOTE) AT THEIR MAY 19, 2005 MEETING. THE RECOMMENDATION INCLUDED MODIFYING THE EXISTING CONDITIONAL ZONING, LIMITING THE CHANGE TO INCREASE THE HEIGHT FROM FIFTEEN (15) FEET TO TWENTY (20) FEET FOR BUILDINGS AND SIGNS. ALL OTHER CONDITIONS (#2-7) OF ORDINANCE 97-30 REMAIN IN FULL FORCE AND EFFECT. THE APPLICANT AGREED HAS SUPPLIED A REVISED 'EXHIBIT B' TO ADDRESS THIS RECOMMENDATION

Proof of publication of a public hearing regarding REZ2005-14, Rivette Warehouse, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Lindsay Haga, Planning Department, introduced this item.



(2:14 p.m.) George McClure, 170 Malaga Street, representing the applicant, addressed the planned uses for the property.

(2:17 p.m.) Dan Bosanko, County Attorney, addressed how this item was advertised: Haga explained that this was advertised without conditions.

(2:18 p.m.) **Motion by Rich, seconded by Stern, carried 5/0, to enact Ordinance No. 2005-62, known as REZ2005-14, Rivette Warehouse Rezoning, adopting finding of facts to support the motion.**

#### ORDINANCE NO. 2005-62

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF INDUSTRIAL WITH CONDITIONS (ORD. 97-30) TO INDUSTRIAL (IW); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(07/26/05 - 19 - 2:18 p.m.)

12. PUBLIC HEARING - REZ 2005-03, ST. JOHNS COUNTY GROWTH MANAGEMENT SERVICE CENTER - THIS REQUEST SEEKS TO REZONE 9.98 ACRES FROM INDUSTRIAL, WAREHOUSING (IW) TO PUBLIC SERVICE (PS) IN ORDER TO DEVELOP THE ST. JOHNS COUNTY GROWTH MANAGEMENT SERVICE CENTER. THE SITE IS UNDEVELOPED WITH VARYING DEGREES OF VEGETATION. THE PARCEL IS LOCATED DIRECTLY ADJACENT TO THE EXISTING ST. JOHNS COUNTY GOVERNMENTAL COMPLEX, SOUTH OF THE TAX COLLECTOR'S OFFICE. THE PROPERTY IS LOCATED IN THE PUBLIC LAND USE DISTRICT AS DEPICTED ON THE FUTURE LAND USE MAP; WHICH PROVIDES ALL GOVERNMENT OWNED GROUNDS, BUILDINGS OR FACILITIES. THE PUBLIC SERVICE ZONING CATEGORY PROVIDES AN IMPERVIOUS SURFACE RATIO OF 75% AND 10/10/10 FRONT, SIDE, REAR SETBACKS. THE HEIGHT OF ALL STRUCTURES IS GUIDED BY CERTAIN CRITERIA (ADDITIONAL SETBACKS, SPRINKLER SYSTEM). THE SUBJECT PROPERTY IS SERVED BY CENTRAL WATER BY THE CITY OF ST. AUGUSTINE UTILITIES. ADJACENT ZONINGS INCLUDE IW, OR AND PS. THE PLANNING AND ZONING AGENCY RECOMMENDATION MADE DURING THE JULY 21, 2005 MEETING WILL BE STATED AT THE BOARD OF COUNTY COMMISSIONER MEETING DURING STAFF PRESENTATION

Proof of publication of a public hearing regarding REZ2005-03, St. Johns County Growth Management Service Center, was received, having been published in *The St. Augustine Record* on July 2, 2005.

Lindsay Haga, Planning Department, reported that the PZA recommended approval of this rezoning request by a 6/0 vote at their last meeting.

(2:20 p.m.) **Motion by Stern, seconded by Bryant, carried 5/0, to enact Ordinance No. 2005-63, known as REZ2005-03, St. Johns County Growth Service Center Rezoning, adopting findings of fact 1 though 4 to support the motion.**

ORDINANCE NO. 2005-63

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

(07/26/05 - 20 - 2:20 p.m.)

13. PUBLIC HEARING - PUD 2005-05, VILLA SOVANA PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 8.50 ACRES FROM OPEN RURAL TO PLANNED UNIT DEVELOPMENT IN ORDER TO DEVELOP A SINGLE-USE PROJECT CONSISTING OF TWELVE (12) SINGLE-FAMILY DWELLING UNITS. THE SITE IS LOCATED EAST OF STATE ROAD 13, GENERALLY SOUTHEAST OF GROVE BLUFF ROAD IN THE NORTHWEST SECTOR OF ST. JOHNS COUNTY. THE PLAN PROPOSES A SINGLE VEHICULAR ACCESS POINT ONTO STATE ROAD 13. THE MASTER DEVELOPMENT PLAN MAP DISPLAYS THE INGRESS/EGRESS BETWEEN THE EXISTING LIVE OAK TREES (55-INCH AND 57-INCH DIAMETERS). THE APPLICANT HAS SUBMITTED A DRIVEWAY MODIFICATION APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO EXPAND THE EXISTING DRIVEWAY. THE FDOT WILL REVIEW THE APPLICATION AND ISSUE A PERMIT FOR THE DRIVEWAY AS PROPOSED OR WITH CHANGES. ADDITIONAL VEHICULAR AND PEDESTRIAN ACCESS IS NOT PROPOSED. AT THIS TIME, A FINAL DECISION ON THE FDOT DRIVEWAY APPLICATION HAS NOT BEEN MADE. HOWEVER, THE DRIVEWAY DESIGN HAS BEEN MODIFIED AT THE RECOMMENDATION OF THE FDOT TO ADDRESS POTENTIAL IMPACTS TO THE EXISTING LIVE OAK TREES WITHIN THE RIGHT-OF-WAY (REFER TO REVISED MDP TEXT AND MAP). IN ADDITION, AT THE RECOMMENDATION OF THE PLANNING AND ZONING AGENCY, THE MDP TEXT AND MAP HAVE BEEN REVISED TO DESIGNATE THE TWO LIVE OAK TREES AS "SPECIMEN TREES" IN ACCORDANCE WITH THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE. THIS DESIGNATION AFFORDS ADDITIONAL PROTECTION FOR THE LIVE OAKS (REFER TO REVISED MDP TEXT AND MAP). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR MAY 19, 2005 HEARING, BY A VOTE OF 6/0 (WITH ONE MEMBER ABSENT) PROVIDING FOR AN EIGHTH FINDING OF FACT: "TO DESIGNATE THE LIVE OAK TREES AS 'SPECIMEN TREES' PER THE LAND DEVELOPMENT CODE." THE MASTER DEVELOPMENT PLAN TEXT AND MAP HAVE BEEN REVISED TO ADDRESS THIS ADDITIONAL FINDING OF FACT

Proof of publication of a public hearing regarding PUD2005-05, Villa Sovana, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Lindsay Haga, Planning Department, introduced this item and stated that the Adjacent Property Owner Response Forms had been distributed to the Board.

(2:20 p.m.) Tom Atkins, 200 W. Forsyth Street, Jacksonville, was present on behalf of the applicant.

(2:21 p.m.) Rich asked Atkins to address the Commercial Intensive (CI) zoning located near this proposed project. Atkins explained that commercial uses were located across the street and to the south of this property, and that the surrounding uses were primarily residential. Rich stated that he was concerned about residential uses being close to CI uses. Haga elaborated on the surrounding zonings and their allowable uses.

(2:25 p.m.) Patrick McCormack, Assistant County Attorney, responding to Rich, explained that there was one case that he knew of that related to a compatibility issue like this. He stated that it was a risk management type of issue, the risk here being very low.

(2:28 p.m.) Stevenson pointed out that this project was located along the Bartram Scenic Highway and that the oak trees needed to be protected; discussion ensued on the DOT's position on the trees and the relocation of the driveway. Atkins stated that the DOT's comments had been incorporated into the site plan. (2:31 p.m.) Rich again addressed the compatibility of the surrounding CI zoning. (2:37 p.m.) Stevenson disclosed ex parte communication with the developer, Mr. Fleming, in which they discussed a subsurface stormwater system: Atkins elaborated on the system.

(2:39 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to enact Ordinance No. 2005-64, known as PUD2005-05 Villa Sovana PUD, adopting finding of fact to support the motion, 1 through 7.**

#### **ORDINANCE NO. 2005-64**

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

[\(07/26/05 - 21 - 2:40 p.m.\)](#)

14. PUBLIC HEARING - PUD 2004-36, STRATTON BOULEVARD PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 29.31 ACRES FROM OPEN RURAL TO PLANNED UNIT DEVELOPMENT IN ORDER TO DEVELOP A SINGLE-USE PROJECT CONSISTING OF THREE HUNDRED FIFTY SIX (356) MULTI-FAMILY DWELLING UNITS. THE SITE IS LOCATED EAST OF STRATTON BOULEVARD, NORTH OF STATE ROAD 16. VEHICULAR ACCESS IS PROPOSED FROM A SINGLE ACCESS POINT OFF STRATTON BOULEVARD AND AN ADDITIONAL VEHICULAR ACCESS POINT TO THE PROPOSED SINGLE-FAMILY PLANNED UNIT DEVELOPMENT TO THE NORTH. THE DEVELOPMENT PROGRAM INCLUDES THE PROVISION OF SIDEWALKS ALONG STRATTON BOULEVARD WITH SIDEWALKS PROPOSED ALONG THE INTERNAL ROAD NETWORK. THE APPLICANT WILL PROVIDE THE NECESSARY RIGHT-OF-WAY TO CONSTRUCT STRATTON BOULEVARD TO MINOR COLLECTOR ROAD STATUS FROM STATE ROAD 16 TO THE EXISTING STRATTON ROAD BOULEVARD (STRAIGHTENING THE EXISTING CURVE). THE DEVELOPMENT PROGRAM ALSO INCLUDES 4.34 ACRES OF RECREATION AND 1.90 ACRES OF WETLAND CONSERVATION. THE TOTAL PERCENTAGE OF OPEN SPACE EQUALS 27% OF THE PROJECT SITE. CENTRAL WATER AND SEWER WILL BE PROVIDED BY THE CITY OF ST. AUGUSTINE. THE PROJECT SITE IS SURROUNDED BY THE

FOLLOWING EXISTING ZONING CATEGORIES: OPEN RURAL (OR) TO THE WEST, SOUTH, AND EAST; PROPOSED PUD TO THE NORTH, INDUSTRIAL WAREHOUSING (IW) TO THE SOUTHEAST ALONG STATE ROAD 16. THE PLANNING AND ZONING AGENCY RECOMMENDED DENIAL OF THIS REZONING REQUEST AT THEIR MAY 19, 2005 HEARING, BY A VOTE OF 4/2, STATING THE REZONING IS NOT CONSISTENT WITH THE AREA, THE REZONING IS NOT IN THE PUBLIC INTEREST AND THE APPLICATION DOES NOT DEMONSTRATE NEED

Proof of publication of a public hearing regarding PUD 2004-36, Stratton Boulevard, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Cathy Ardito, Court Reporter, was present at the hearing.

Lindsay Haga, Planning Department, introduced this item.

(2:40 p.m.) George McClure, 170 Malaga Street, representing the applicant, gave an overview of the developer, D. R. Horton.

(2:44 p.m.) Bob Porter, D. R. Horton, 9456 Phillips Highway, Jacksonville, explained that D. R. Horton planned to be here long-term and to build quality communities. He stated that they were purchasing additional property for the realignment of Stratton Blvd. He explained the new traffic patterns, and that they had agreed to pay the impact fees up front.

(2:46 p.m.) McClure displayed the site plan: He reviewed the surrounding roadways, zonings, land use designations and the proposed realignment of Stratton Blvd. He stated that they were not requesting any waivers and were providing exterior sidewalks, interior recreation, and that no wetlands were going to be filled and that the full buffer and setbacks would be observed. He explained the design of the buildings, parking and buffering. He stated that the project was consistent with the Comp Plan and LDC and that they had concurrency.

(2:53 p.m.) Bryant disclosed ex parte communication with McClure and Mr. Porter, where they discussed the roadway improvements, future signalization, sidewalks, the roadway realignment, donation of the right-of-way, and paying the transportation impact fees upfront. McClure expounded on their discussion and commented on the costs of putting in the traffic signal at State Road 16.

(2:57 p.m.) Stern disclosed ex parte with McClure, Porter and Mr. Nolan: They discussed the roadway realignment, the State Road 16 median cut, sidewalks, the developments, the right-of-way, and the impact fees. She also talked with some of the residents along Stratton Blvd.

(2:58 p.m.) Maguire and Rich also disclosed ex parte with McClure, Porter and Nolan. Discussion ensued on affordable and workforce housing.

(3:00 p.m.) Stevenson addressed roadway widths for emergency vehicle ingress and egress. McClure elaborated on the internal roadway plan. Haga disclosed that there were two offers made by the applicant that were not included in the original PUD text: one, to prepay the impact fees; and two, to pay for the signalization at SR 16.

(3:05 p.m.) Mary Savard, 2785 Stratton Blvd., spoke in opposition to the development due to the density (356 units on 27.4 acres or 12.9 units per acre) and the incompatibility with the existing development across the street (one unit per acre). She illustrated the

two areas in juxtaposition with a map; the roadway with photographs; and displayed a graphic of a possible future connection. She stated that there could be as many as 869 persons, including 160 school-aged children, living and exiting directly across the road from her property. There could be as many as 500 to 700 cars per day entering and exiting the complex. She also spoke to the noise that would be generated by the recreation area that would be located across the two-lane road from her property; she requested that the developer consider relocating the recreation area to the back of the development. Further, she spoke to the realignment of the road, where 160 children would go to get a bus to school, the cars at the bus stop, and drainage.

(3:14 p.m.) Rich asked for clarification on the number of units being proposed. Haga explained that the application was for 356 units, but that they had concurrency for 372 units. Discussion ensued on the nine lots across from the development, the realignment of the road, the buffers, the recreation area and the project being located in a Mixed Use District.

(3:25 p.m.) Bryant requested that legal staff council the Planning and Zoning Agency members to fill in the "because" for the reasons for a recommendation to approve or deny an application. He stated that he would like to know why the PZA members voted the way they did. Haga reported that she had listened to the tape of the PZA hearing, which occurred in May; they made a motion to recommend denial without elaborating on the findings of fact. Bryant stated that that concerned him greatly. Bosanko explained that the law tells the Board how to handle rezonings and that findings of fact are not legally required, but are helpful in legal review.

(3:30 p.m.) Rich explained that he routinely reviewed the tapes of the PZA meetings; discussion ensued.

(3:33 p.m.) Rich listed four findings of fact to include in his motion to deny this request: 1) Justification of need was not clearly demonstrated in accordance with the policy section of the Comprehensive Plan, A.1.2.5; 2) The development met the requirements to qualify as urban "leap-frog" development, per Comprehensive Plan Section A.1.2.1; 3) Water would be adversely impacted, per Comprehensive Plan Section A.1.2.5; 4) The surrounding land use was not compatible with adjacent land uses and not consistent with the area, per Section A of the Comprehensive Plan. (3:34 p.m.) **Motion by Rich, seconded by Stevenson, to deny rezoning application PUD2004-36, adopting the findings of fact 1 through 4, as mentioned, to support the motion.**

(3:35 p.m.) McCormack commented on the standard of review: He explained that the applicant must demonstrate that the application complied with the Comprehensive Plan, and that if it met the Comprehensive Plan requirements the Board must approve the application, unless there was a legitimate public purpose not to approve it; proven with competent and substantial evidence to support any decision.

The meeting recessed at 3:38 p.m. and reconvened at 3:51 p.m.

(3:52 p.m.) McCormack reviewed the evidence presented today and stated that the Board was presented with competent and substantial evidence today to support either an approval or a denial of this application: He reviewed the criteria for both.

(3:59 p.m.) Bryant stated that he could not support Rich's reasons for denial and he stated the reasons for his decision. Stevenson stated that she agreed with Bryant's comments: Discussion followed on the water supply and demonstrating need for PUDs.

(4:07 p.m.) Rich changed his motion to include only the two findings of fact that the land use is not compatible with the adjacent land uses and the development meets the requirements to qualify as urban sprawl under the Comp Plan. Stevenson would not second the amended motion.

(4:09 p.m.) Bryant addressed the water issue; Stern stated that she did not support any of the four findings of fact; McClure described the buffering and stated that they could revisit the location of the recreation area.

(4:13 p.m.) Rufus "Bubba" Stratton, 3151 Stratton Blvd., displayed an aerial map to illustrate an alternate roadway for access to the proposed developments. Discussion followed on the timing and phasing of PUDs.

Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Robin Platt left the meeting.

(4:19 p.m.) **The motion failed 1/4 with Stevenson, Stern, Maguire, and Bryant opposed.** (4:20 p.m.) **Motion by Bryant, seconded by Stern, to enact Ordinance No. 2005-65, known as PUD 2004-36, Stratton Boulevard PUD; adopting Findings of Fact 1-7 to support the motion; the transportation impact fees would be paid up front upon county request, to be used specifically for any project in the immediate area; request a study (signalization on SR 16 and the new Stratton Blvd.) be conducted once the development is underway; to study whether to have a traffic signal to exit to the east; and the recreational facilities be moved to the back or it not be lit.** Discussion followed regarding compatibility, the location of the recreational facilities, and the lighting of the recreational facilities. (4:26 p.m.) **The motion carried 4/1 with Rich opposed.**

#### ORDINANCE NO. 2005-65

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

(07/26/05 - 24 - 4:26 p.m.)

15. PUBLIC HEARING - PUD 2004-19 SEBASTIAN COVE PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 134.04 ACRES FROM OPEN RURAL TO PLANNED UNIT DEVELOPMENT IN ORDER TO DEVELOP A SINGLE-USE PROJECT CONSISTING OF TWO HUNDRED TWENTY THREE (223) SINGLE-FAMILY DWELLING UNITS. THE SITE IS LOCATED NORTH OF STATE ROAD 16, EAST OF STRATTON BOULEVARD. PROPOSED VEHICULAR ACCESS INCLUDES THREE POINTS: TWO OFF OF STRATTON BOULEVARD AND ONE THROUGH THE PROPOSED STRATTON BOULEVARD PUD (2004-36). THE WOODLAWN ROAD EXTENSION RIGHT OF WAY ALTERNATIVE IS PROPOSED TO BISECT THE SITE. FUTURE VEHICULAR INGRESS/EGRESS IS PROPOSED TO ACCESS THE PROPOSED RIGHT OF WAY. THE DEVELOPMENT PROGRAM INCLUDES THE PROVISION OF FIVE (5) FOOT SIDEWALK ALONG STRATTON BOULEVARD WITH FOUR (4) FOOT SIDEWALKS PROPOSED ALONG ONE SIDE OF THE INTERNAL ROAD NETWORK. THE DEVELOPMENT PROGRAM ALSO INCLUDES 3.19 ACRES OF ACTIVE RECREATION, 33.51 ACRES OF OPEN SPACE (WETLAND CONSERVATION, BUFFERS, AND RECREATION AREAS). THE TOTAL PERCENTAGE OF OPEN

SPACE EQUALS 25% OF THE PROJECT SITE. THE RESIDENTIAL LOTS ARE PROPOSED TO MEET THE FOLLOWING MINIMUM REQUIREMENTS: MINIMUM LOT SIZE OF 11,250 SQUARE FEET, SEVENTY-FIVE (75) FOOT MINIMUM LOT WIDTH, AND MAXIMUM IMPERVIOUS SURFACE NOT TO EXCEED 70% PER LOT. GIVEN THE PROPOSED WOODLAWN ROAD EXTENSION RIGHT OF WAY, THE MDP TEXT PROVIDES FOR THE REQUIRED FIFTY (50) FOOT BUILDING SETBACK FOR THOSE LOTS ADJACENT TO THE ROADWAY. CENTRAL WATER AND SEWER WILL BE PROVIDED BY THE CITY OF ST. AUGUSTINE. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: OPEN RURAL (OR). A PROPOSED PLANNED UNIT DEVELOPMENT (PUD STRATTON BOULEVARD 2004-36) IS PROPOSED TO THE IMMEDIATE SOUTH OF THE SITE. TWO MOTIONS WERE ISSUED BY THE PLANNING AND ZONING AGENCY DURING THE MAY 19, 2005 MEETING. DISCUSSION CENTERED ON TIMING AND NEED FOR THE PROPOSED DEVELOPMENT. THE FIRST MOTION RECOMMENDED DENIAL OF THIS REZONING REQUEST BY A VOTE OF 3/3, A FAILED MOTION. THE SECOND MOTION RECOMMENDED APPROVAL OF THIS REZONING REQUEST BY A VOTE OF 3/3, A FAILED MOTION (WITH ONE MEMBER ABSENT FOR BOTH MOTIONS)

Proof of publication of the public hearing regarding PUD 2004-19, Sebastian Cove, was received, having been published in *The St. Augustine Record* on July 11, 2005.

Court Reporter, Cathy Ardito, was present for the hearing.

Lindsay Haga, Planner III, informed the Board that the proposed ordinance was inadvertently left out of the agenda packet, but it has since been distributed to all interested parties. (4:27 p.m.) Maguire announced that the ex-parte communication that was brought forth on Agenda Item #14 is also consistent with Agenda Item #15. (4:27 p.m.) George McClure, 170 Malaga Street, said he would incorporate by reference the statements made in the previous application regarding alignment and impact fees; said this is Residential B instead of mixed use. He also noted that they agreed, as a condition, to convey to St. Johns County on request the 200' right-of-way for the Woodlawn Extension. Discussion followed regarding impact fee credits. (4:29 p.m.) Rufus Stratton, 3151 Stratton Blvd., commented on the wetlands, the location of the recreational facilities, and access to the property. (4:33 p.m.) McClure commented on the wetlands. (4:36 p.m.) **Motion by Stevenson, seconded by Maguire, to enact Ordinance No. 2005-66, known as PUD 2004-19 Sebastian Cove PUD adopting Findings of Fact 1-7 to support the motion.** Discussion followed regarding an access road from Woodlawn Road, and affordable/workforce housing. (4:40 p.m.) **Stevenson added to the motion that the finding of fact that the value of the land would be based on raw land before platting.** (4:41 p.m.) **The motion carried 4/1 with Rich opposed.**

#### ORDINANCE NO. 2005-66

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

(07/26/05 - 26 - 4:41 p.m.)

16. PUBLIC HEARING - APPEAL TO PZA DENIAL OF ZONING VARIANCE/FILE ZADMPL 2005-02/ MARGARET WHITE, REPRESENTED BY GREG KUPPERMAN - THIS REQUEST IS AN APPEAL BY MARGARET WHITE, REPRESENTED BY GREG KUPPERMAN OF A ZONING VARIANCE DENIED BY THE PLANNING AND ZONING AGENCY ON MARCH 3, 2005. THE REQUESTED VARIANCE IS TO ALLOW THE REDUCTION IN THE REQUIRED FRONT YARD SETBACK FROM 25 FEET TO 15 FEET FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AT 3565 COASTAL HIGHWAY. ORDER OF THE PLANNING AND ZONING AGENCY DATED MARCH 17, 2005 DENIED THE REQUESTED VARIANCE FINDING (1) THE REDUCTION OF FRONT YARD SETBACK IN THIS LOCATION IS NOT CONSISTENT WITH THE DEVELOPMENT PATTERNS OF THE GENERAL AREA, (2) THE GRANTING OF THE VARIANCE WITH CONDITIONS IS NOT APPROPRIATE AND IS NOT IN HARMONY WITH THE PURPOSE AND INTENT OF THE LDC, AND (3) THE REQUEST IS IN CONFLICT WITH C-RESIDENTIAL FUTURE LAND USE DESIGNATION OF THE COUNTY'S COMPREHENSIVE PLAN. (COPY OF PZA MINUTES ATTACHED). ON APRIL 11, 2005 THE APPLICANT'S REPRESENTATIVE FILED AN APPEAL IN A TIMELY MANNER AS PRESCRIBED BY THE LAND DEVELOPMENT CODE

Proof of publication of a public hearing regarding ZADMAPL 2005-02, Coastal Highway Appeal, was received, having been published in *The St. Augustine Record* on July 8, 2005.

Rosemary Yeoman, Zoning Manager, explained the appeal to a denial of the PZA to a requested zoning variance to a front yard reduction from 25' to 15'. (4:44 p.m.) Stern disclosed ex-parte communication; she spoke with Greg Kupperman, and they discussed the various parts of the initial request regarding environmental and setback issues. (4:44 p.m.) Greg Kupperman, 200 First Street, Suite B, Neptune Beach, presented the appeal, which included the issues of: setbacks, wetlands, and upland buffers. Discussion followed on the footprint of the home. (4:54 p.m.) Rich declared ex-parte communication; he spoke with Mr. Kupperman in reference to the project. Maguire declared ex-parte communication; he met with Mr. Kupperman regarding the traffic study, the wetlands issue, and the neighbors' complaints. Bryant disclosed ex-parte communication; he met with Mr. Kupperman and informed him that he would review the documents and base his decision upon the facts. (4:56 p.m.) Jeff Crammond, 14775 St. Augustine Road, Jacksonville, Traffic Engineer, reviewed the site distance issues with turning in and out of both Carcaba Road and the subject residence. Discussion followed regarding the site distance. (5:01 p.m.) Ryan Carter, 2825 Lewis Speedway, Suite 107, Wetland Scientist, addressed the wetland issue on the property. Discussion followed regarding the wetland setback, upland buffer requirement, height requirements, site requirements, the shallowness of the lot, and front yard setback. (5:09 p.m.) Jane Tuten, 101 Carcaba Road, adjacent property owner, commented in opposition to the variance. Discussion followed regarding the lot being buildable and the wetland buffer. (5:19 p.m.) Kupperman gave rebuttal regarding the definition of a zoning variance, traffic issues, and the front yard buffer. (5:23 p.m.) **Motion by Stern, seconded by Bryant, carried 4/1 with Stevenson opposed, to approve the appeal, reversing the decision of the Planning and Zoning Agency and approving the variance; and adopting Findings of Fact 1 - 3 to support the motion.**



(07/26/05 - 27 - 5:27 p.m.)

17. RE-ALLOCATION OF SALES TAX BOND FUNDS - ST. AUGUSTINE AMPHITHEATER

Glenn Hastings, Tourist Development Council Director, explained that the Amphitheater has the opportunity to apply for a \$500,000 Cultural Facilities Grant from the State of Florida. In order to apply, there has to be matching funds in the Amphitheater account to complete the project. Discussion followed regarding the grant. (5:31 p.m.) **Motion by Stevenson, seconded by Stern, carried 5/0, to approve the transfer of \$580,000 from Recreation Projects Sales Tax Bond Fund (3361-56301) to Amphitheater Sales Tax Bond Fund (3364-56200) for the match for the Cultural Facilities Grant.**

(07/26/05 - 27 - 5:31 p.m.)

18. ST. JOHNS COUNTY HASTINGS BRANCH LIBRARY AIR CONDITIONING PROBLEM

Bosanko reminded the Board that to accomplish this work, an agreement would have to be made with the Town of Hastings, since the County does not own the building. Bosanko then read the language in the proposed agreement to be approved substantially in the following form, *"St. Johns County and the Town of Hastings hereby agree that the below described improvements would be made by the County to the building in the Town of Hastings having the Branch County Library located within it."* (5:32 p.m.) Michael Rubin, Director of Construction Services Department, explained the work to be provided: 1) shading of the westward facing glass; 2) engineering and design to determine the appropriate air conditioning unit; and 3) installation of the air conditioning system. (5:34 p.m.) **Motion by Stern, seconded by Stevenson, to approve the interlocal agreement addressing the adjustments to the building and the replacement of the air conditioning unit; approving \$75,000 from General Fund Reserves (0001-0083-59920) to account Aid to Government Agencies (0001-0082-58100).** Discussion followed regarding the maintenance of the building. (5:37 p.m.) **The motion carried 5/0.**

(5:37 a.m.) Rubin corrected a previous comment on the proposed Headquarters for the Utility Department; said there are no showers in that building.

(07/26/05 - 27 - 5:38 p.m.)

19. REQUEST FOR PAYMENT OF FEES AND COSTS

Bosanko read three findings of fact for the Board to consider: 1) legal action in this matter was directly related to Mr. Martinelli's service as a member on the Water & Sewer Authority of St. Johns County; 2) the case has been resolved in Mr. Martinelli's favor; and 3) the legal fees and costs were reasonable and were incurred by Mr. Martinelli in this matter. (5:39 p.m.) **Motion by Rich, seconded by Bryant, carried 5/0, to approve the payment of fees and costs in the amount \$7,165.19 as authorized by St. Johns County Ordinance 1991-12; and adopting the three findings of fact: 1) legal action in this matter was directly related to Mr. Martinelli's service as a member on the Water & Sewer Authority of St. Johns County; 2) the case has been resolved in Mr. Martinelli's favor; and 3) the legal fees and costs were reasonable and were incurred by Mr. Martinelli in this matter.**

(07/26/05 - 28 - 5:39 p.m.)

20. JALA FUNDING REQUEST

The Board discussed the ownership of the equipment, the audit requirements, whether to have a set amount or be invoiced up to a set amount. (5:43 p.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to approve the payment of \$8,140.28 to JALA for their one-time start up costs.**

(07/26/05 - 28 - 5:44 p.m.)

21. ST. JOHNS SERVICE COMPANY (REAL ESTATE APPRAISAL)

Bryant requested a workshop be set to discuss establishing policy for possible future purchases of utilities. (5:45 p.m.) *It was the consensus of the Board to consider this agenda item at the workshop that would be scheduled in the near future.*

(07/26/05 - 28 - 5:46 p.m.)

COMMISSIONERS' REPORTS

Commissioner Maguire:

Maguire informed the Board that Dan Bosanko, the County Attorney, was featured on the front page of Section B, of the *Florida Times Union*, regarding his retirement and his work.

Maguire said the Letter of Intent has been written for the Veteran's Home; a committee had been formed.

Maguire addressed glass recycling; requested a presentation be made to the BCC on August 9<sup>th</sup> on glass recycling by the solid waste haulers.

Maguire announced that the MPO would be having their meeting in Sawgrass on Thursday and Friday and requested a commissioner be in attendance.

Maguire commented on the font size on the agenda coversheets.

Maguire left the meeting at 5:49 p.m.

(5:49 p.m.)

Commissioner Rich:

Rich asked if the County was still on track for the FY2006 Capital Improvement Fund.

(5:49 p.m.)

Commissioner Stern:

Stern congratulated Bosanko on the article in the *Florida Times Union*.

Stern reported on the Florida Housing Finance Conference she attended in Key West, Florida, regarding workforce housing and affordable housing.

Stern addressed an email he received from Maguire regarding an interlocal agreement with the Town of Hastings. Stern requested this issue be placed on a future agenda.

(5:52 p.m.)

Commissioner Stevenson:

Stevenson congratulated Isabelle Lopez on her appointment as President of the St. Johns County Bar Association.

(5:53 p.m.)

Commissioner Bryant:

Bryant reported on the many complaints he had been receiving from residents on the Beach regarding unleashed dogs on the beach.

Bryant addressed some previous actions of the PZA; their decisions have not been consistent with the facts presented in the case; said it has the appearance of passing on politicized decisions to the Board of County Commissioners. Discussion followed regarding the previous actions of the PZA. (5:55 p.m.) *It was the consensus of the Board to direct the County Attorney's Office to address the PZA regarding this issue.*

Bryant commented on appointing a member to the proposed Veterans Nursing Home. (6:01 p.m.) *It was the consensus of the Board to appoint Rich to the Board.* Discussion followed on the Veterans Nursing Home.

(07/26/05 - 29 - 5:44 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams distributed a list of fines that would be levied against Seaboard Waste Systems (Republic Services of Florida) regarding the curbside solid waste pickup.

(6:05 p.m.) Bob Peters, Employee Relations Manager, addressed the issue regarding staffing of the BCC Office; proposed that each BCC member would have their own part-time aide; and there would be one full-time position in the office. Discussion followed. (6:08 p.m.) *It was the consensus of the Board to place this issue on the next meeting agenda.*

(07/26/05 - 29 - 6:08 p.m.)

COUNTY ATTORNEY'S REPORT

Bosanko informed the Board of the two mediation hearings scheduled: 1) the Surfriders Case on August 19, 2005; and 2) the right-of-way of necessity in the Summer Haven area on August 30, 2005. Bosanko asked if any of the commissioners would like to attend either of the hearings; said only one commissioner would be allowed for each hearing. The commissioners present did not wish to attend either hearing.

Bosanko congratulated Isabelle Lopez, Senior Assistant County Attorney, who was elected to head up the County Bar Association.

Bosanko informed the Board that he was offered an opportunity to teach a class in the Fall at Flagler College on Monday nights; asked if the Board had any objection to this. There were no objections from the Board.

Bosanko said he was very honored by the article in the *Florida Times Union*.

(07/26/05 - 29 - 6:12 p.m.)

CLERK OF COURT'S REPORT

No report.

(6:12 p.m.) **Motion by Stern, seconded by Rich, carried 4/0 with Maguire absent, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 6:12 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register: Check No. 369941; totaling \$92,130.70 (06/30/05)
2. St. Johns County Board of County Commissioners Check Register: Checks No. 369942 through 369947; totaling \$142,382.45 (07/01/05)
3. St. Johns County Board of County Commissioners Check Register: Checks No. 369948 through 369971; totaling \$36,288.09 (07/07/05)
4. St. Johns County Board of County Commissioners Check Register: Check No. 369972; totaling \$244.95 (07/08/05)
5. St. Johns County Board of County Commissioners Check Register: Checks No. 369973 through 370341; totaling \$2,089,344.33 (07/12/05)
6. St. Johns County Board of County Commissioners Check Register: Checks No. 370342 through 370385; totaling \$789.69 (07/14/05)

CORRESPONDENCE:

1. Letter to Liz Cloud, Bureau of Administrative Code, filing Ordinance No. 2005-57 (07/15/05)

Approved August 23, 2005

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Bruce A. Maguire  
Bruce A. Maguire, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Uwonne King  
Deputy Clerk

