

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 18, 2006
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chairman
Cyndi Stevenson, District 1, Vice Chair
Karen R. Stern, District 2
Ben Rich, District 3
Bruce A. Maguire, District 4
Ben W. Adams, Jr., County Administrator
Dan Bosanko, County Attorney
Yvonne King, Deputy Clerk

Also present were: Michael Hunt, Deputy County Attorney; and Cheryl Strickland, Clerk of Court

(04/18/06 - 1 - 9:04 a.m.)
CALL TO ORDER

Bryant called the meeting to order.

(04/18/06 - 1 - 9:04 a.m.)
ROLL CALL

Bryant stated that all five commissioners were present.

(04/18/06 - 1 - 9:04 a.m.)
INVOCATION & PLEDGE OF ALLEGIANCE

Maguire gave the invocation and Bryant led the Pledge of Allegiance.

(04/18/06 - 1 - 9:06 a.m.)
PROCLAMATION DESIGNATING APRIL 23-29, 2006 AS NATIONAL VOLUNTEER WEEK

Stern read the proclamation recognizing the week of April 23-29, 2006 as National Volunteer Week, and presented it to Betty Goings.

(04/18/06 - 1 - 9:13 a.m.)
PROCLAMATION RECOGNIZING APRIL 23-29, 2006 AS COUNTY GOVERNMENT WEEK

Maguire read the proclamation recognizing the week of April 23-29, 2006 as National County Government Week, and presented it to Chief Bobby Hall.

(04/18/06 - 1 - 9:17 a.m.)
ACCEPTANCE OF PROCLAMATION

Motion by Maguire, seconded by Stern, carried 5/0, to accept the proclamations.

(04/18/06 - 2 - 9:17 a.m.)

PUBLIC COMMENT

Willie Cooper, 455 S. Volusia Street, addressed the hiring of a county attorney. Discussion followed regarding the selection of the county attorney.

(9:28 a.m.) Greg White, 905 W. Pearl Street, addressed the hiring of a county attorney.

(9:36 a.m.) Septimus Clyde Conner II, 205 Saranac Lane, addressed the hiring of a county attorney.

(9:38 a.m.) Gene Motley, 18 South Whitney Street, commented on actions of county government.

(9:39 a.m.) Joe Eubanks, 164 Twine Street, addressed the hiring of a county attorney.

(9:47 a.m.) Bill Reed, 6865 Sea Cove Avenue, commented on the preservation of trees during the development of property.

(9:59 a.m.) Pury Lee Stephens, 816 W. 10th Street, addressed the hiring of a county attorney.

(10:01 a.m.) Gerald Eubanks, 785 Viscaya Blvd., addressed the hiring of a county attorney.

(10:12 a.m.) Sacha Martin, 133 Coastal Hollow Circle, representing the St. Johns County Civic Association Roundtable, suggested that to assist the Board of County Commissioners in their search for a new county attorney, they should appoint a citizen's committee to screen the applicants.

(10:14 a.m.) Cherry McDougale, 141 Ford Street, addressed the hiring of a county attorney.

(10:18 a.m.) *Motion by Stern to rescind the action taken two weeks ago.* Discussion followed regarding the previous actions taken by the Board on this issue; and appointing a selection committee for hiring a county attorney.

(10:37 a.m.) Michael Hunt, Deputy County Attorney, addressed the process used by the Board regarding the hiring of a county attorney. (10:43 p.m.) *It was the consensus of the Board for the County Attorney to bring an opinion to the Board on this issue at 1:30 p.m.*

(1:37 p.m.) Subsequently, Dan Bosanko, County Attorney, reviewed an outline that was presented on his conclusions on all of the previous motions and votes regarding the selection process for the county attorney position. He further explained that changing the selection process would require a new motion; discussion ensued on the validity of the votes and the mistakes that were made. Maguire recommended having an established process, i.e. a draft contract and a range of wages and benefits, before advertising the position. Stevenson clarified that the Board was once again at the "hire within" phase and she suggested having other attorneys review the applicant's resumés. Rich concurred with Maguire's recommendations and suggested employing an independent selection committee.

(1:53 p.m.) Stern urged caution with proceeding with this item, and offered her apologies to Michael Hunt and his family. She stated her support for him as the most

qualified person for the position. Discussion followed on how to proceed. (1:59 p.m.) **Motion by Maguire, seconded by Rich, to go for a statewide search for a County Attorney.** *Stern's motion died for lack of a second.* (2:01 p.m.) **The motion carried 3/2, with Bryant and Stern opposed.** (2:02 p.m.) Hunt commented that his proposed contract was rejected without negotiation.

(10:44 a.m.) Bill Jepson, 6330 Costanero Road, requested that established bike routes be marked. (10:50 a.m.) Joseph Stephenson, Public Works Director, commented on safe bike routes.

The meeting recessed at 10:54 a.m. and reconvened at 11:02 a.m.

(11:02 a.m.) Cathy Brown, St. Johns County Council on Aging, 180 Marine Street, commented on the Sunshine Bus Company; invited the commissioners to the kick off of the new and expanded St. Johns County Connector on Saturday, April 22, 2006 at 11:00 a.m.

(04/18/06 - 3 - 11:05 a.m.)

DELETIONS TO CONSENT AGENDA

Hunt requested Item #14 be pulled from the Consent Agenda and added to the Regular Agenda as Item #20a.

(04/18/06 - 3 - 11:05 a.m.)

APPROVAL OF CONSENT AGENDA

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

1. Approval of the Cash Requirement Report
2. Sheriff's Office Bonds:
Approve: Sarah Brant and John R. Smith
Cancel: Joel Williams
Name Change: Stacie Magargle to Stacie Stevens
3. Motion to authorize the Sheriff's Office to participate in the Department of Justice Edward Byrne Memorial Justice Assistance Grant
4. Motion to approve the transfer of \$2,350.15 from the Law Enforcement Trust Fund (1105-1194-59920) to Aid to Private Organizations (1105-1194-58200) for the purpose of donation to EPIC Community Services, per F.S. 932.7055
5. Motion to approve the transfer of \$136,000 from 1190-59920, Construction Support Reserves, to 1187-56200-8927-56400, Equipment, to facilitate the installation of a 700 kW GenSet at the new Growth Management Center
6. Motion to approve CDBG deferred payment loans to the individuals selected and in the amounts recommended by the County's consultants, Jordan and Associates, under the required terms of the U.S. Dept. of HUD Community Development Block Grant Program
7. Motion to adopt **Resolution No. 2006-110**, accepting the terms of the amendment to the contract between the St. Johns County Board of County Commissioners and the Florida Department of Children and Families

RESOLUTION NO. 2006-110

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE SECOND AMENDMENT TO THE CONTRACT BETWEEN ST. JOHNS COUNTY AND FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES

8. Motion to approve the transfer of \$4,550 from the Northwest Tower Fund Reserves (1200-59920) to Northwest Tower Aid to Private Organizations (1200-58200) to reimburse the Creeks Association for the purchase and installation of 2 10'X18' shade structures at Mills Field
9. Motion to adopt **Resolution No. 2006-111**, authorizing the Clerk of the Courts, under Section 95.361, Florida Statutes, to file the survey map for Kelly Road, claiming a vested interest in the road described in the survey map, and/or establishing a prescriptive easement in the same rights-of-way, in accordance with the principles set forth in Downing v. Bird, 100 So. 2d 57 (Fla. 1958)

RESOLUTION NO. 2006-111

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CLERK OF COURTS, UNDER SECTION 95.361, FLORIDA STATUTES, TO FILE THE SURVEY MAP FOR KELLY ROAD, CLAIMING A VESTED INTEREST IN THE ROAD DESCRIBED IN THE SURVEY MAP, AND/OR ESTABLISHING A PRESCRIPTIVE EASEMENT IN THE SAME RIGHT-OF-WAY, IN ACCORDANCE WITH THE PRINCIPLES SET FORTH IN DOWNING V. BIRD, 100 SO.2D 57 (FLA. 1958)

10. Motion to adopt **Resolution No. 2006-112**, approving the terms and conditions of a Purchase and Sale Agreement for acquisition of an additional easement needed for Phase I of the Interstate 95 Corridor Transmission Water Main Extension Project; and authorizing the County Administrator to execute the Purchase and Sale Agreement, and take all action necessary in order to close and complete the transaction, in accordance with Section 125.355, Florida Statutes

RESOLUTION NO. 2006-112

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT FOR ACQUISITION OF AN ADDITIONAL EASEMENT NEEDED FOR PHASE I OF THE INTERSTATE 95 CORRIDOR TRANSMISSION WATER MAIN EXTENSION PROJECT AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND TAKE ALL ACTION NECESSARY IN ORDER TO CLOSE AND COMPLETE THE TRANSACTION IN ACCORDANCE WITH SECTION 125.355, FLORIDA STATUTES

11. Motion to adopt **Resolution No. 2006-113**, authorizing the Chairman of the Board to execute an Easement to the City of St. Augustine to provide water service to the new buildings being constructed at the St. Johns County Judicial Center Complex on Lewis Speedway, and to execute a bill of sale conveying the utility lines to the City of St. Augustine

RESOLUTION NO. 2006-113

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AN EASEMENT TO THE CITY OF ST. AUGUSTINE TO PROVIDE WATER SERVICE TO THE NEW BUILDINGS BEING CONSTRUCTED AT THE ST. JOHNS COUNTY JUDICIAL CENTER COMPLEX ON LEWIS SPEEDWAY AND TO THE CITY OF ST. AUGUSTINE

12. Motion to adopt **Resolution No. 2006-114**, approving the terms of, and authorizing the County Administrator to execute, a certain Purchase and Sale Agreement for property needed for the West King Street Improvement Project

RESOLUTION NO. 2006-114

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CERTAIN PURCHASE AND SALE AGREEMENT FOR PROPERTY NEEDED FOR THE WEST KING STREET IMPROVEMENT PROJECT

13. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into stand-by contracts with various contractors who responded to RFP 06-16 for Debris Management & Disaster Related Services
14. Motion to adopt a resolution approving a final plat for Murabella, Unit Three *(This item was removed from the Consent Agenda and placed on the Regular Agenda as Item #20a.)*
15. Motion to adopt **Resolution No. 2006-115**, approving a final plat for St. Johns Forest, Unit Three

RESOLUTION NO. 2006-115

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

16. Proofs:
 - a. Proof, Notice to Bidders, Bid No. 06-83
 - b. Proof, Notice to Bidders, Bid No. 06-90
 - c. Proof, Notice of Meeting, County Commission District 2 Meeting, Thursday, March 30, 2006 at 7:00 p.m.
 - d. Proof, Notice to Bidders, Bid No. 06-99

- e. Proof, Notice to Bidders, Bid No. 06-93
- f. Proof, Notice of Meeting, Board of County Commissioners, Special Meeting, Wednesday, April 5, 2006 at 1:30 p.m.
- g. Proof, Notice of Meeting, Board of County Commissioners, Special/Private Meeting, Tuesday, April 4, 2006 at 8:00 a.m.
- h. Proof, Notice of Canceled Meeting, St. Johns County Water & Sewer Authority, canceled regular meeting April 5, 2006 and rescheduled for Wednesday, April 12, 2006 at 9:00 a.m.
- i. Proof, Notice of Hearing, Public Hearing on adoption of Price Index of the St. Johns County Water & Sewer Authority, Wednesday, May 3, 2006 at 9:00 a.m.
- j. Proof, Notice of Canceled Meeting, St. Johns County Water & Sewer Authority, Canceled regular meeting April 5, 2006 and rescheduled for Wednesday, April 12, 2006 at 9:00 a.m.

(04/18/06 - 6 - 11:06 a.m.)

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

Bryant relayed the request from Kari Hall Keating for Agenda Item #4 to be time certain during the afternoon session; it was renumbered as Item #a2. Adams requested Items #2 and #18 be pulled from the Regular Agenda and be rescheduled for May 2, 2006. Adams requested to add an item regarding the naming of the new community center at Landrum Lane; it was added as Item #a1. Adams requested to add another item regarding the multi-purpose arena at the fairgrounds; it was added as Item #a3. Hunt requested to add an item regarding the mid-year position request from the County Attorney's Office; it was added as Item 20b.

(04/18/06 - 6 - 11:11 a.m.)

APPROVAL OF THE REGULAR AGENDA

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

(04/18/06 - 6 - 11:11 a.m.)

- a1. NAMING OF THE NEW COMMUNITY CENTER AT LANDRUM LANE IN ACCORDANCE WITH RESOLUTION NO. 99-152 REGARDING THE NAMING POLICY FOR PUBLIC FACILITIES

Maguire announced the groundbreaking for the new community center at Landrum Lane on Thursday, April 20, 2006 at 10:00 a.m. (11:12 a.m.) Dan Weimer, Director of Recreation and Parks, reviewed the renaming request. (11:13 a.m.) **Motion by Maguire, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2006-116, declaring the naming of the new northeast community center as "The Players Community Senior Center."**

RESOLUTION NO. 2006-116

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, DECLARING THE NAMING OF THE NEW NORTHEAST PARK TO BE IN CONFORMANCE WITH RESOLUTION NO. 99-152 REGARDING POLICY FOR THE NAMING OF PUBLIC FACILITIES. ACCEPTING THE RECOMMENDATION OF THE RECREATION ADVISORY BOARD; APPROVING THE FACILITY NAME

- a2. ST. JOHNS COUNTY CHAMBER OF COMMERCE QUARTERLY REPORT
(Formerly Regular Agenda Item #4)

This item was heard during the afternoon session of the meeting. (See page 8)

- a3. BID NO. 06-05, ST. JOHNS COUNTY FAIRGROUNDS MULTI-PURPOSE
ARENA, PHASE II

This item was heard during the afternoon session of the meeting. (See page 8)

(04/18/06 - 7 - 11:14 a.m.)

1. PRESENTATION OF THE TRANSPORTATION IMPROVEMENT PROGRAM
(TIP) FOR FY 2006/2007 THROUGH 2010/2011

Jeff Sheffield, Director of Planning, First Coast MPO, gave a Power Point presentation identifying the publicly funded highway, transit, and aviation projects within the First Coast MPO area.

(04/18/06 - 7 - 11:06 a.m.)

2. CONSIDER APPOINTMENTS TO THE FIRST COAST MPO BICYCLE
PEDESTRIAN ADVISORY COMMITTEE

This item was removed from the agenda to be continued to May 2, 2006.

(04/18/06 - 7 - 11:23 a.m.)

3. ST. JOHNS VISION UPDATE

Bonnie Barnes, St. Johns Vision Executive Director, gave a Power Point presentation regarding the St. Johns Vision; then, requested consideration in the 2007 budget. Discussion followed regarding the direction of the Vision organization and its funding sources.

(04/18/06 -7 - 2:03 p.m.)

4. ST. JOHNS COUNTY CHAMBER OF COMMERCE QUARTERLY REPORT

This agenda item was renumbered to agenda item #a2 and was heard later in the meeting.

(04/18/06 - 7 - 12:00 p.m.)

5. CONSIDER A RESOLUTION TO PARTICIPATE IN THE POOLED
COMMERCIAL PAPER LOAN PROGRAM/PASSIVE PARK WITH BEACH
ACCESS PROJECT

Jean Mangu, St. Johns County's General Finance Counsel, explained the resolution. (12:02 p.m.) **Motion by Maguire, seconded by Rich, carried 5/0, to adopt Resolution No. 2006-117, authorizing the execution and delivery of the Loan Note, and other related documents, associated with the County's participation in the Florida Local Government Finance Commission Pooled Commercial Paper Loan Program, and the borrowing of \$3,100,000 to complete the purchase of the Coastal Highway property.**

RESOLUTION NO. 2006-117

A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
THAT SUPPLEMENTS ST. JOHNS COUNTY

RESOLUTION NOS. 99-138, 2001-78 AND 2005-8; MAKES FINDINGS; PROVIDES DEFINITIONS; AUTHORIZES THE COUNTY TO BORROW \$3,100,000 (THE "NINTH LOAN") FOR THE PROJECT DESCRIBED HEREIN FROM THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION; PLEDGES CERTAIN NON-AD VALOREM FUNDS TO THE PAYMENT OF THE NINTH LOAN; APPROVES THE TERMS AND CONDITIONS OF THE NOTE THAT WILL EVIDENCE THE NINTH LOAN; AUTHORIZES A NEGOTIATED SALE OF THE NINTH LOAN NOTE; AUTHORIZES THE EXECUTION AND DELIVERY OF THE NINTH LOAN NOTE; DIRECTS THE COUNTY ADMINISTRATOR TO ENSURE THAT CERTAIN TASKS ARE PREFORMED; AUTHORIZES THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS; AND PROVIDES AN EFFECTIVE DATE

The meeting recessed at 12:03 p.m., and reconvened at 1:37 p.m. with Robin Platt Deputy Clerk in attendance. Public comment was reopened at that time.

[\(04/18/06 - 8 - 2:03 p.m.\)](#)

A2. ST. JOHNS COUNTY CHAMBER OF COMMERCE QUARTERLY REPORT
(Formerly Regular Agenda Item #4)

Kari Hall Keating, Economic Development Council, reviewed their staff additions, marketing efforts, events, partnerships, and some of their success stories, as well as their other activities, via PowerPoint display (Exhibit A).

[\(04/18/06 - 8 - 2:13 p.m.\)](#)

A3. BID NO. 06-05, ST. JOHNS COUNTY FAIRGROUNDS MULTI-PURPOSE ARENA, PHASE II

Mike Rubin, Construction Manager, briefly described the project, the funding, and the required motions; brief discussion followed.

(2:18 p.m.) Motion by Stern, seconded by Maguire, carried 5/0, to authorize the County Administrator, or his designee, to negotiate and enter into contract for \$2,139,670, with the low bidder, Military Construction Corporation, for the construction of the St. Johns County Fairgrounds Multi-purpose Arena, Phase II.

(2:21 p.m.) Motion by Stern, seconded by Stevenson, carried 5/0, to approve the transfer of \$142,155 from Sales Tax Bond Reserves (3366-59927) to Recreation Projects-County Fairgrounds Expansion Project (3361-56301-8904-56200).

The meeting moved to Item No. 6.

[\(04/18/06 - 8 - 2:22 p.m.\)](#)

6. DISCUSSION OF A PROPOSED PARKING ORDINANCE

Patrick McCormack, Assistant County Attorney, distributed revisions to the proposed ordinance, outlined the catalyst for this action and reviewed the details of the proposed ordinance. Maguire suggested that some of the regulations be applied to parking lots, as well as roadways. McCormack addressed the parking issues along Ponte Vedra

Boulevard, and distributed language for a possible revision to the Ponte Vedra Zoning District's parking regulations.

(2:38 p.m.) Carl Bloesing, 12 La Vista Dr., Ponte Vedra Beach, explained that a committee of local citizens, the County's legal staff and Sheriff Shoar were all involved in the creation of the proposed amendments to the Ponte Vedra Zoning District's parking regulations.

(2:41 p.m.) *The Board gave its consent to advertise the ordinance for public hearing.*

The Board addressed Item No. 9 next.

(04/18/06 - 9 - 3:33 p.m.)

7. COUNTYWIDE DRAINAGE UPDATE

Joe Stephenson, Public Works Director, introduced this item. (3:34 p.m.) Darrell Locklear, SJC Engineer, gave a brief overview of drainage countywide, via PowerPoint; including a drainage study update, information on LiDAR (Light Detection and Ranging) mapping, and an asset inventory.

(3:43 p.m.) Julia Palaschak, with Berryman and Henigar, addressed water quality, the County's National Pollutant Discharge Elimination System (NPDES) permit, which was in compliance with FDEP regulations, and the stormwater drainage system. She outlined some possible funding sources for water quality improvement projects. She stated what the County's goals should be: implementing the countywide drainage study's recommendations; and continued implementation of the NPDES permit.

(3:54 p.m.) Stephenson summarized what needed to be done next: adopting a stormwater ordinance and implementing some form of a countywide stormwater utility. He requested that the Board authorize staff to review the best practices from other counties and bring those back to the Board at a workshop. He stated that they were already implementing the countywide drainage study's recommendations, as well as the NPDES permit process. Discussion followed on having a workshop and bringing the current ordinance (Ord. 1994-16) up to date. (4:02 p.m.) *Consensus was given to move forward with a workshop.*

(04/18/06 - 9 - 4:03 p.m.)

8. STREET LIGHT PRESENTATION

Motion by Bryant, seconded by Stern, carried 5/0, to continue Item 8 until tomorrow (April 19).

The meeting moved to Item No. 11.

(04/18/06 - 9 - 2:42 p.m.)

9. HOMEOWNERSHIP PROGRAM PRESENTATION

Dana Leth, Homeownership Program Administrator, and Cora Fulmore, President of The Mortgage and Credit Center, gave a PowerPoint presentation on the County's homeownership programs (Exhibit A): They outlined their mission, orientations, application process, counseling and educational offerings.

(3:17 p.m.) Discussion followed on eligibility for credit counseling, the Sadowski Act, the average size (1,100 to 1,300 sq. ft.) and house payment (\$658.00 per month) of an

assisted-purchased home, and if mobile/manufactured homes were allowed under the program.

(3:25 p.m.) Tom Crawford, Director of Housing and Community Services, informed the Board that 36 new three-bedroom multi-family units were to be constructed in West Augustine, and that Summerset Village and Summer Breeze were due to receive their Certificates of Occupancy in a few days.

(04/18/06 - 10 - 3:26 p.m.)

10. CONSIDER A MOTION TO ADOPT A RESOLUTION INCREASING THE MAXIMUM PER UNIT AWARD OF THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) SPECIAL NEEDS HOUSING AND APARTMENT DEVELOPMENT STRATEGIES OF THE LOCAL HOUSING ASSISTANCE PLAN, AND SETTING AN EFFECTIVE DATE

Motion by Stern, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2006-118, increasing the maximum per unit award of the State Housing Initiatives Partnership (SHIP) Special Needs Housing and Apartment Development Strategies of the Local Housing Assistance Plan, and setting an effective date.

RESOLUTION NO. 2006-118

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, INCREASING THE MAXIMUM PER UNIT AWARD OF THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) SPECIAL NEEDS HOUSING AND APARTMENT DEVELOPMENT STRATEGIES OF THE LOCAL HOUSING ASSISTANCE PLAN; AND SETTING AN EFFECTIVE DATE

The meeting recessed at 3:27 p.m., resumed at 3:33 p.m., and moved to Item No. 7.

(04/18/06 - 10 - 4:03 p.m.)

11. CONSIDER APPROVING THE NEASE BEACHFRONT PARK FCT MANAGEMENT PLAN

Shorty Robbins, Parks and Recreation Department, gave a brief overview of the project, and stated that the proposed management plan was a requirement of the contract with FCT for 75% reimbursement of the acquisition costs of the project, or \$911,028.75.

(4:04 p.m.) Maguire posed several questions regarding staffing at the park, the number of parking spaces, and the proposed uses of the facility. He stated that it was his understanding that this property was to be used for beach parking. Robbins explained that the recreational and educational elements were in the contract that was approved by the Board, and were required to get the reimbursement. Discussion ensued on the asphalt trial, fencing the facility, funding and mitigation. Robbins said she would look into the possibility of increasing the number of parking spaces from the 15 that were proposed.

(4:14 p.m.) Stevenson commented on the history of the ownership of the property. Stern stated that she liked the plan, but would like to see more parking. Maguire outlined some of the changes he wished to see made, the Board concurred to continue the item and bring a revised plan back on the consent agenda. (4:22 p.m.) Deputy Clerk Yvonne King entered the meeting; Deputy Clerk Robin Platt left the meeting.

(4:25 p.m.) **Motion by Bryant, seconded by Rich, carried 4/0 with Stevenson absent, to continue this item to a future meeting.**

(04/18/06 - 11 - 4:25 p.m.)

12. DISCUSSION OF THE TERMS AND POSSIBLE ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT FOR ACQUISITION OF OCEAN FRONT PROPERTY LOCATED AT VILANO BEACH FOR POTENTIAL MULTI-USE; OFF BEACH PARKING, RECREATIONAL AND CULTURAL USES

Mary Ann Blount, Land Management Director, explained the offer to purchase the Fiddler's Green property for \$5.5 million. Discussion followed regarding the proposed uses for the property.

(4:49 p.m.) Vivian Browning, 40 Beachcomber Way, commented in favor of the acquisition of the property.

(4:54 p.m.) Karen Taylor, 3070 Harbor Drive, commented in favor of the acquisition of the property.

(4:59 p.m.) Steve Jarrett, 2423 SPU Blvd., Jacksonville Beach, commented in favor of the acquisition of the property.

(5:05 p.m.) **Motion by Maguire, seconded by Stern, to adopt Resolution No. 2006-119, approving a Purchase and Sale Agreement for acquisition of ocean front property located at Vilano Beach for potential multi-use, off beach parking, recreational, and cultural uses; and that the price be conditioned upon more parking spaces and utilization than currently exists; and to direct Staff to move forward with identifying the funding and bring that back to the Board for approval, and also to move forward with making application as an FCT project for this cycle.** Discussion followed on the terms of the appraisals and development rights. (5:16 p.m.) **The motion carried 5/0.**

RESOLUTION NO. 2006-119

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT FOR ACQUISITION OF OCEAN FRONT PROPERTY LOCATED AT VILANO BEACH FOR A POTENTIAL MULTI-USE BEACH ACTIVITIES AND CULTURAL CENTER

(5:17 p.m.) Maguire left the meeting.

(04/18/06 - 11 - 5:16 p.m.)

13. PUBLIC HEARING - MAJMOD 2005-24, AVERY PROJECT PUD - THE AVERY PROJECT PUD CONSISTS OF .71 ACRES AND IS LOCATED ON THE NORTH SIDE OF STATE ROAD 16, JUST WEST OF COLLEGE DRIVE. THE MAJOR MODIFICATION PROPOSES TO EXTEND THE COMMENCEMENT DATE, REDESIGN THE SITE LAYOUT, AND TO MODIFY THE ALLOWED USES. THE PROJECT IS PROPOSING TO BUILD 8,520 SQUARE FEET OF OFFICE PROFESSIONAL AND COMMERCIAL NEIGHBORHOOD SPACE. THE SITE IS LOCATED IN THE RESIDENTIAL - C LAND USE OF THE 2015 FUTURE LAND USE MAP. THE CITY OF ST. AUGUSTINE WILL BE THE PROVIDER

OF CENTRAL WATER AND SEWER. A WAIVER TO PROVIDING SIDEWALKS ON SR 16 HAS BEEN ELIMINATED; INTERNAL SIDEWALKS ARE BEING PROVIDED, AS DEPICTED ON THE REVISED MASTER DEVELOPMENT PLAN. SURROUNDING ZONINGS INCLUDE OPEN RURAL (OR), PLANNED UNIT DEVELOPMENT (PUD), COMMERCIAL NEIGHBORHOOD (CN), COMMERCIAL GENERAL (CG) AND RESIDENTIAL SINGLE FAMILY (RS-3). THE PZA RECOMMENDED APPROVAL AT THEIR FEBRUARY 16, 2006 MEETING, WITH A 6-0 VOTE

Proof of publication for the notice of public hearing for MAJMOD2005-24, Avery Project PUD, was received, having been published in *The St. Augustine Record* on April 3, 2006.

Bruce Ford, Chief Planner, explained the request to extend phasing, add new uses, and redesign the site. Discussion followed regarding the waivers. (5:23 p.m.) Kevin Davenport, 245 River Plantation Road, representing Ron and Joy Avery, further explained the request addressing the location of the buildings on the property, the parking, and water and sewer issues. (5:26 p.m.) **Motion by Stern, seconded by Stevenson, carried 4/0 with Maguire absent, to enact Ordinance No. 2006-38, known as MAJMOD 2005-24, Avery Project PUD; adopting findings of fact 1-6 to support the motion, and including the three waivers.**

ORDINANCE NO. 2006-38

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE AVERY PROJECT PUD (FORMERLY KNOWN AS MEXICAN IMPORTS) ORDINANCE NUMBER 01-17, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION, AND PROVIDING FOR AN EFFECTIVE DATE

The meeting recessed at 5:27 p.m., and reconvened at 5:36 p.m.

(04/18/06 - 12 - 5:36 p.m.)

14. PUBLIC HEARING - MAJMOD 2005-34, ISTORIA PUD - THIS IS A MAJOR MODIFICATION TO REVISE THE ISTORIA PUD IN ORDER TO ADD 3.5 ACRES AT THE NORTHEAST END OF THE PUD FOR AN ADDITIONAL EIGHT (8) DWELLING UNITS. IN ADDITION, THERE IS AN EXISTING DWELLING, WHICH WILL BE INCLUDED IN THE PUD AND ACCESS WILL BE PROVIDED VIA NEW ROAD LANDING WHICH WILL COME OFF OF ISTORIA DRIVE. A TEN (10) FOOT PERIMETER BUFFER WILL BE PROVIDED ALONG THE WEST AND NORTH SIDES OF THE LANDS TO BE ADDED, AND AN UPLAND BUFFER WILL BE MAINTAINED ADJACENT TO THE WETLANDS ASSOCIATED WITH CASA COLA CREEK. THE PUD WILL MAINTAIN A MINIMUM OF 25% OPEN SPACE WITH THESE ADDITIONAL LANDS. THE PLANNING AND ZONING AGENCY MADE A RECOMMENDATION TO DENY THIS MODIFICATION AT ITS FEBRUARY 16, 2006 MEETING BY A VOTE OF 3 TO 3 (MOTION FAILED). THE PZA EXPRESSED THAT THE PROJECT WAS POORLY PLANNED AND INCOMPATIBLE WITH THE SURROUNDING AREA, ESPECIALLY WITH REGARD TO THE FOUR (4) PROPOSED TOWNHOME UNITS

Proof of publication for the notice of public hearing for MAJMOD2005-34, Istoria PUD, was received, having been published in *The St. Augustine Record* on April 3, 2006.

Bruce Ford, Chief Planner, explained the request to add 3.5 acres at the northeast end of the PUD for an additional eight (8) single-family dwelling units. Discussion followed regarding the density. (5:46 p.m.) Michael Antonopoulos, 115 Solana Road, Suite D, further explained the request by addressing the architectural themes of the homes and the expansion of the pond. Discussion followed regarding the compatibility with the surrounding area and the buffers.

(5:57 p.m.) Mani Perumal, 5870-G Capo Island Road, commented in opposition to the major modification.

(6:03 p.m.) John Pearson, 5870 Capo Island Road, Lot C, commented in opposition to the modification.

(6:08 p.m.) Antonopoulos addressed the issues raised by the public speakers regarding the requirement for interconnectivity, buffers, and the building restriction lines. Discussion followed regarding the buffers. (6:30 p.m.) **Motion by Rich, seconded by Stevenson, carried 4/0 with Maguire absent, to enact Ordinance No. 2006-39, known as MAJMOD 2005-34, Istorica PUD; adopting findings of fact 1-6 to support the motion; with the following modification to the submission, including: the closing of the gate to the northwestern most portion of the property as soon as the access road is completed; a replanting of a 30' buffer along the northern edge to allow for a permanent 30' buffer to grow; a fence, appropriate for the development in the area, to be erected as a temporary division on the property; the access points to be clearly defined for the access to the privately owned property, which is adjacent on the northeastern side of the property, as well as the south portion of the property; and that the northeastern portion of the privately owned property is not included in the 3.5 acres of the change to the PUD.**

ORDINANCE NO. 2006-39

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ISTORIA PLANNED UNIT DEVELOPMENT (PUD) AND A REZONING FROM PUD AND OPEN RURAL (OR) TO PUD, ORDINANCE NUMBER 2004-31; AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(04/18/06 - 13 - 6:33 p.m.)

15. PUBLIC HEARING - MAJMOD 2005-29, SAWGRASS PUD (NADER'S PEST RAIDERS) - THE 1.48 ACRE SITE IS CURRENTLY IN USE AS A WAREHOUSE AND STORAGE AREA FOR NADER'S PEST RAIDERS. THIS REQUEST SEEKS TO MODIFY THE APPROVED SAWGRASS PUD, SPECIFICALLY THE SUBJECT PARCEL LOCATED BETWEEN A1A AND SAWGRASS DRIVE WEST TO RE-DESIGNATE THE PARCEL FROM "UTILITIES" TO "COMMERCIAL" FOR CONSISTENCY WITH THE EXISTING BUSINESS, AND TO ADD A SECOND BUILDING THROUGH APPROVAL OF A MASTER DEVELOPMENT PLAN AND RELATED TEXT. THE PARCEL MAY BE DEVELOPED AS A COMMERCIAL CENTER OR DIVIDED INTO INDIVIDUAL PARCELS. PERMITTED USES WILL INCLUDE THOSE DESCRIBED IN SECTION 2.02.01 OF THE LAND DEVELOPMENT CODE INCLUDING INDUSTRIAL, WAREHOUSING, AND OFFICE AND PROFESSIONAL SERVICES. THE PROPOSED MASTER DEVELOPMENT PLAN WILL INCLUDE THE EXISTING WAREHOUSE (4,000 S.F.) AND A PROPOSED TWO-STORY OFFICE BUILDING UP TO 6,444 S.F. ALONG WITH 41 PARKING SPACES.

MAXIMUM BUILDING HEIGHT WILL BE 35 FEET. A 20 FOOT BUFFER WILL BE PROVIDED ALONG THE FRONTAGE ADJACENT TO A1A AND THE REMAINDER OF THE PARCEL WILL HAVE A 10 FOOT PERIMETER BUFFER. THE PARCEL IS DESIGNATED COMMERCIAL ON THE FUTURE LAND USE MAP AND ADJACENT LAND USES ARE COMMERCIAL AND RESIDENTIAL C. THE PLANNING AND ZONING AGENCY MADE A RECOMMENDATION TO APPROVE THIS MODIFICATION AT ITS MARCH 16, 2006 MEETING BY A VOTE OF 4 TO 1

Proof of publication for the notice of public hearing for MAJMOD2005-29, Nader's Pest Raiders, was received, having been published in *The St. Augustine Record* on April 3, 2006.

Bruce Ford, Chief Planner, explained the request to modify the Sawgrass PUD to re-designate the parcel from "Utilities" to "Commercial" for consistency with the existing business on the property and to add a second building, with parking, through approval of a Master Development Plan and Text. (6:37 p.m.) Kevin Davenport, 245 River Plantation Road, representing Randal and Kimberly Nader, further explained the request. (6:41 p.m.) Randy Nader, 10066 Sawgrass Drive West, responded to questions from the Board regarding the location of the building, the storage of the chemicals and the chemical trucks, the location of the dumpsters, and access to the property.

(6:48 p.m.) Bob Blaine, 48 Walkers Ridge Drive, President of the Walker's Ridge Homeowner's Association, addressed the lighting of the project; and sight of the building. Discussion followed regarding allowable uses, the entrance and exit to the property, and buffers.

(7:01 p.m.) Paul Thomason, 312 South Nine Drive, representing the Sawgrass Country Club Board of Directors, commented in opposition to the modification; and requested the Board place strict restrictions on the back portion of the property for future use. Discussion followed regarding the current use of the property.

(7:14 p.m.) Motion by Stern, seconded by Rich, to enact Ordinance No. 2006-40, known as MAJMOD 2005-29, Sawgrass PUD (Nader's Pest Raiders), adopting findings of fact 1-6 to support the motion; and removing the language, "not limited to" in paragraph (G)(2)(a), in the uses of the property; and include the statement, "and upon construction, include the planting of a vegetative buffer to block the view of the warehouse by Sawgrass residents." Discussion followed regarding the current concerns of the residents. (7:16 p.m.) The motion and the second were withdrawn. (7:18 p.m.) **Motion by Bryant, seconded by Stevenson, carried 4/0 with Maguire absent, to continue this item for 15 minutes. (8:16 p.m.) Motion by Stern, seconded by Bryant, carried 4/0 with Maguire absent, to adopt Ordinance No. 2006-41, known as MAJMOD 2005-29, Sawgrass PUD (Nader's Pest Raiders); adopting findings of fact 1-6 to support the motion, and including: amending Exhibit G, paragraph G(2)(a), by deleting the words "but not limited to;" also that the applicant agrees to provide reasonable buffering and screening pertaining to the property to provide a non visibility from the adjacent residential uses.**

ORDINANCE NO. 2006-41

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE SAWGRASS PLANNED
UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER
73-08, AS AMENDED, MAKING FINDINGS OF FACT;**

**REQUIRING RECORDATION; AND PROVIDING FOR
AN EFFECTIVE DATE**

(04/18/06 - 15 - 7:19 p.m.)

16. PUBLIC HEARING - CDD 2005-04, MAIN STREET COMMUNITY DEVELOPMENT DISTRICT - THE MAIN STREET COMMUNITY DEVELOPMENT DISTRICT (CDD) IS PROPOSED FOR A PORTION (APPROXIMATELY 89.93 ACRES) OF THE RIVERTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI), WHICH WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON FEBRUARY 24, 2004, PURSUANT TO RESOLUTION 2004-45. THE RIVERTOWN PROJECT HAS BEEN APPROVED AND PLANNED FOR THE FOLLOWING USES: 3,700 SINGLE-FAMILY HOMES; 800 MULTI-FAMILY UNITS; 300,000 SQUARE FEET OF RETAIL/COMMERCIAL/SERVICE; 100,000 SQUARE FEET OF OFFICE; 100,000 SQUARE FEET OF LIGHT INDUSTRIAL; 18 HOLES OF GOLF; 204 ACRES OF PARKS; AND THREE PUBLIC SCHOOLS. THE CDD COVERS APPROXIMATELY 89.93 ACRES OF LAND LOCATED WHERE THE TOWN CENTER AND RIVERFRONT PARK HAVE BEEN DESIGNATED, ADJACENT TO S.R. 13 NORTH OF ORANGEDALE. OF THE TOTAL DEVELOPMENT APPROVED FOR RIVERTOWN, THE MAIN STREET PETITION WILL FUND IMPROVEMENTS WITHIN THE TOWN CENTER, THE RIVERFRONT PARK AND THREE PUBLIC SCHOOLS

Proofs of publication for the notice of public hearing for the Main Street CDD were received, having been published in *The St. Augustine Record* on March 24 and 31; and April 7 and 14, 2006.

Ginger Besecker, Court Reporter, was present.

Bruce Ford, Chief Planner, explained the CDD. (7:22 p.m.) Johnathan Johnson, Hopping, Green, & Sams, 123 South Calhoun Street, Tallahassee, representing the applicant, The St. Joe Company, addressed the affordable housing component, the proofs of publication for the public hearing, and the affidavits adopting the written, pre-filed testimony. (7:24 p.m.) **Motion by Stevenson, seconded by Rich, carried 4/0 with Maguire absent, to enact Ordinance No. 2006-40, known as CDD 2005-04, Main Street CDD; adopting findings of fact 1-3 to support the motion.**

ORDINANCE NO. 2006-40

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, ESTABLISHING THE MAIN
STREET COMMUNITY DEVELOPMENT DISTRICT
PURSUANT TO CHAPTER 190, FLORIDA STATUTES
(2005); NAMING THE DISTRICT; DESCRIBING THE
EXTERNAL BOUNDARIES OF THE DISTRICT;
DESCRIBING THE FUNCTIONS AND POWERS OF THE
DISTRICT; DESIGNATING FIVE PERSONS TO SERVE
AS THE INITIAL MEMBERS OF THE DISTRICT'S
BOARD OF SUPERVISORS; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE**

(04/18/06 - 16 - 7:25 p.m.)

17. PUBLIC HEARING - CONAGREE2005-02, CONCURRENCY AND IMPACT FEE CREDIT AGREEMENT - THE DEVELOPERS OF THE GATEWAY TO ST. JOHNS PUD, THE WESTGATE CROSSING PUD, THE DEERFIELD PRESERVE PUD, AND THE TMI ROLLING HILLS PUD HAVE PROPOSED A CONCURRENCY AND IMPACT FEE CREDIT AGREEMENT WITH ST. JOHNS COUNTY. THE PROPOSED CONCURRENCY AGREEMENT WILL SERVE AS THE DEVELOPERS' COMMITMENT TO BUILD THE TRANSPORTATION FACILITIES NECESSARY TO SERVE THE IMPACTS OF THE PROPOSED DEVELOPMENTS, SPECIFICALLY IMPROVEMENTS THAT PROVIDE ADEQUATE CAPACITY ON LINK 67.1 (HOLMES BLVD. FROM SR 207 TO CR 214), THE SR 207/HOLMES BLVD./ROLLING HILLS DR. INTERSECTION AND THE SR 207/SR 312 INTERSECTION IN ORDER TO SATISFY THE COUNTY'S TRANSPORTATION CONCURRENCY REQUIREMENTS

Proof of publication of the notice of public hearing on CONAGREE 05-02, Concurrency and Impact Fee Credit Agreement, was received having been published in *The St. Augustine Record* on April 3, 2006.

Bill Hartmann, Transportation Planning Manager, explained the concurrency and impact fee agreement between four developments: 1) Gateway to St. Johns PUD; 2) Westgate Crossing PUD; 3) Deerfield Preserve PUD; and 4) TMI Rolling Hills PUD. Hartmann then reviewed each development. Discussion followed regarding transferability between the parties to the contract and the amount of the impact fees. (7:39 p.m.) Rich declared ex-parte communication; he met with a Rogers Towers' representative regarding the herding of cats. (7:42 p.m.) Stern declared ex-parte communication; she met with some individuals from Rogers Towers law firm and with the principals of Coastal Atlantic Commercial Properties and discussed the agreement, and the various projects involved in Phase 1 of the project. (7:43 p.m.) Stevenson declared ex-parte communication; she met with Doug Burnett and a Rogers Towers' law firm representative and discussed various aspects of the project. (7:44 p.m.) Doug Burnett pointed out the four projects, and introduced those present representing each project. Burnett then reviewed the improvements at Holmes Boulevard. (7:50 p.m.) Frank DeMarsh, EPIC Theaters, Deland, requested the Board support the concurrency agreement; and explained the components of the theater. Discussion followed regarding the transfer of impact fee credits. (8:14 p.m.) **Motion by Rich, seconded by Stern, carried 3/1 with Stevenson dissenting and Maguire absent, to approve the proposed Concurrency and Impact Fee Credit Agreement with the amendment to Section (e), include at the end of the sentence, "Thirty (30) days prior to the assignment of Impact Fee Credits, the Developer Parties will notify the Planning Director in writing, on a form acceptable to the Planning Director of the transfer of Impact Fee Credits."**

(04/18/06 - 16 - 11:06 a.m.)

18. PUBLIC HEARING - PUD 2004-35, TMI-ROLLING HILLS PLANNED UNIT DEVELOPMENT

This item was rescheduled to May 2, 2006.

(04/18/06 - 16 - 8:18 p.m.)

19. PUBLIC HEARING - PUD 2005-22, DEERFIELD PRESERVE PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 127.22 ACRES FROM OPEN RURAL (OR) AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT IN ORDER TO DEVELOP A SINGLE-FAMILY PLANNED UNIT DEVELOPMENT (PUD)

CONSISTING OF UP TO 285 UNITS. 66.95 ACRES OF THE SITE WAS LOCATED IN REGIS LAKES PUD, THE ORIGINAL PLAN OF DEVELOPMENT CALLED FOR UP TO 250 MOBILE HOMES. THE REMAINING 60.27 ACRES IS CURRENTLY ZONED OPEN RURAL (OR). THE APPLICANTS ARE PROPOSING A MAXIMUM OF 285 SINGLE-FAMILY UNITS. THE SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROAD 207, WEST OF SOUTH HOLMES BLVD. THE PLAN PROPOSES A SINGLE VEHICULAR ACCESS POINT ONTO SR 207. THE MASTER DEVELOPMENT PLAN INCLUDES THE PROVISION FOR A SIDEWALK ALONG ONE SIDE OF EACH INTERNAL LOCAL ROAD. THE MASTER DEVELOPMENT PLAN ALSO INCLUDES 38.85 ACRES OF OPEN SPACE, OR 30.5% OF THE PROJECT SITE. OPEN SPACE TOTALS INCLUDE RECREATION, WETLANDS, PERIMETER BUFFERS, AND UPLAND BUFFERS. A TOTAL OF 6.45 ACRES OF ACTIVE RECREATION IS BEING PROVIDED; AMENITIES SHALL INCLUDE A SWIMMING POOL, BASKETBALL COURT, FITNESS CENTER, TOT LOT, SOCCER FIELD AND BASEBALL DIAMOND. CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES. THE PROJECT SITE IS SURROUNDED BY THE FOLLOWING EXISTING ZONING CATEGORIES: RESIDENTIAL SINGLE FAMILY (RS-3), PLANNED UNIT DEVELOPMENT (PUD), RESIDENTIAL MOBILE HOME (RMH), INDUSTRIAL WAREHOUSE (IW) AND OPEN RURAL (OR). THE SURROUNDING FUTURE LAND USE IS RESIDENTIAL - C (C) AND MIXED USE (MD). THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR DECEMBER 1, 2005 HEARING, BY A VOTE OF 5/0

Proof of publication for the notice of public hearing for PUD 2005-22, Deerfield Preserve, was received, having been published in *The St. Augustine Record* on April 3, 2006.

Bruce Ford, Chief Planner, explained the request to rezone 127.22 acres from PUD and OR to PUD in order to develop up to 285 single-family units. Discussion followed regarding interconnectivity to Rolling Hills Drive. (8:27 p.m.) Anna Shea, 170 Malaga Street, addressed the density and the affordable housing component. Discussion followed regarding mobile homes. (8:34 p.m.) **Motion by Stern, seconded by Rich, carried 4/0 with Maguire absent, to enact Ordinance No. 2006-42, known as PUD 2005-22, Deerfield Preserve PUD; adopting findings of fact 1-7 to support the motion.**

ORDINANCE NO. 2006-42

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

(04/18/06 - 17 - 8:34 p.m.)

20. PUBLIC HEARING - CDD 2005-06, DEERFIELD PRESERVE COMMUNITY DEVELOPMENT DISTRICT - THE DEERFIELD PRESERVE COMMUNITY DEVELOPMENT DISTRICT (CDD) IS PROPOSED FOR THE DEERFIELD PRESERVE PUD WHICH IS IN THE REVIEW STAGES AND IS WAITING FOR APPROVAL OF A MULTI-DEVELOPMENT CONCURRENCY AGREEMENT ON THAT SEGMENT OF S.R. 207 PRIOR TO GOING TO THE BOARD OF

COUNTY COMMISSIONERS FOR A PUBLIC HEARING (THE CONCURRENCY AGREEMENT AND THE REZONING FOR DEERFIELD PRESERVE WILL PROCEED THIS CDD PETITION AGENDA ITEM AT THE APRIL 18, 2006 BOARD OF COUNTY COMMISSIONERS MEETING). THE PUD WAS RECOMMENDED FOR APPROVAL BY THE PLANNING AND ZONING AGENCY AT ITS DECEMBER 1, 2005 MEETING BY A VOTE OF 5 TO 0, WITH THE CONDITION THAT A LEFT TURN LANE BE ADDED ON S.R. 207. THE CDD COVERS APPROXIMATELY 127.22 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF STATE ROAD 207, WEST OF SOUTH HOLMES BLVD. AND THE CDD BOUNDARY IS COTERMINOUS WITH THE BOUNDARY OF THE PROPOSED PUD

Proofs of publication for the notice of public hearing for the Deerfield Preserve CDD were received, having been published in *The St. Augustine Record* on March 24 and 31; April 7 and 14, 2006.

Bruce Ford, Chief Planner, explained the CDD. (8:36 p.m.) Gerald Knight, 888 SE 3rd Avenue, Fort Lauderdale, representing the applicant, addressed the wetlands and the enhanced exposure requirements. (8:37 p.m.) **Motion by Stevenson, seconded by Rich, carried 4/0 with Maguire absent, to enact Ordinance No. 2006-43, known as CDD 2005-06, Deerfield Preserve CDD; adopting findings of fact 1-3 to support the motion.**

ORDINANCE NO. 2006-43

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, ESTABLISHING THE DEERFIELD PRESERVE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2005); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

(04/18/06 - 18 - 8:37 p.m.)

20A. MOTION TO ADOPT A RESOLUTION APPROVING A FINAL PLAT FOR MURABELLA UNIT THREE (*Formerly Consent Item 14*)

Kathy Neilsen, Application Review Coordinator, explained that there was an easement showing on the title opinion that actually terminated upon the recording of a plat. The title opinion has since been corrected. (8:38 p.m.) **Motion by Bryant, seconded by Stevenson, carried 4/0 with Maguire absent, to adopt Resolution No. 2006-120, approving a final plat for Murabella, Unit III.**

RESOLUTION NO. 2006-120

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

(04/18/06 - 18 - 8:39 p.m.)

20B. MID-YEAR POSITION REQUEST FOR THE COUNTY ATTORNEY'S OFFICE

Daniel Bosanko, County Attorney, requested permission to hire an additional assistant county attorney to allow for turnover training and to cover the perspective attrition caused by the retirement of the current county attorney. (8:41 p.m.) **Motion by Stern, seconded by Stevenson, carried 4/0 with Maguire absent, to authorize the mid-year position request; and to authorize transfer of funds from General Fund reserves to fund this position.**

(04/18/06 - 19 - 8:41 p.m.)

COMMISSIONERS' REPORTS

Commissioner Stern:

Stern reported that she was asked to serve on the Regional Agricultural Advisory Council beginning in May.

Stern reported that she will also serve on the Statewide Agricultural Panel in May; said it was a statewide panel, which would be discussing the impact of growth on agricultural lands.

Stern announced that the Northeast Florida Regional Affordable Housing Task Force would begin meeting during the first week of May.

(8:43 p.m.)

Commissioner Rich:

Rich requested that the Human Resources Department draft a contract for the position of county attorney; also draft a policy and procedure document for the hiring of the county attorney and county administrator.

(8:44 p.m.)

Commissioner Stevenson:

Stevenson announced the 2nd Annual Bartram Bash, which would include the unveiling of the Bartram Scenic and Historic Sign.

(8:48 p.m.)

Commissioner Bryant:

Bryant addressed a letter to the Board of County Commissioners and the School Board from the Governor regarding the School Concurrency Pilot Program.

Bryant addressed the term limits on the Recreation Advisory Board. Discussion followed regarding the term limits. (8:54 p.m.) **Motion by Bryant, seconded by Stern, carried 4/0 with Maguire absent, to change the term of Jack Boyd to four years from the date of his appointment.**

Bryant relayed that the Sunshine Bus Company wanted to have covered bus stop shelters; said there was a company that provided plexi-glass stops free of charge if they could have advertising on them. Bryant requested the County Attorney's Office to research the advertising on the bus stop shelters.

(04/18/06 - 19 - 8:55 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams announced that he would not be able to attend the entire BCC meeting on April 19, 2006 because he would be short staffed.

Adams informed the Board that he would be meeting with each commissioner regarding some upcoming personnel moves over the next few days.

(04/18/06 - 20 - 8:56 p.m.)
COUNTY ATTORNEY'S REPORT

No report.

(04/18/06 - 20 - 8:56 p.m.)
CLERK OF COURT'S REPORT

No report.

(8:56 p.m.) **Motion by Bryant, seconded by Stern, carried 4/0 with Maguire absent, to adjourn.** With there being no further business to come before the Board, the meeting adjourned at 8:56 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners' Check Register; approving Checks No. 381691 through 382075, totaling \$2,238,947.63 (03/28/06)
2. St. Johns County Board of County Commissioners' Check Register; approving Checks No. 382076 through 382104, totaling \$54,797.13 (03/30/06)
3. St. Johns County Board of County Commissioners' Check Register; approving Checks No. 382106 through 382110, totaling \$148,626.53 (04/03/06)
4. St. Johns County Board of County Commissioners' Check Register; approving Checks No. 382111 through 382521, totaling \$3,959,687.47 (04/04/06)
5. St. Johns County Board of County Commissioners' Check Register; approving Check No. 382876 through 382877, totaling \$3,309.99 (04/11/06)
6. St. Johns County Board of County Commissioners' Check Register; approving Checks No. 382878 through 382900, totaling \$39,978.66 (04/12/06)
7. St. Johns County Board of County Commissioners' Check Register; approving Check No. 382901 in the amount of \$50,000.00 (04/12/06)

CORRESPONDENCE:

1. Letter to the Secretary of State filing Ordinances No. 2006-35 through 2006-37 (04/07/06)

Approved June 27, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant
James E. Bryant, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King
Deputy Clerk