

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
DECEMBER 4, 2006
(9:00 A.M.)**

Proceedings of a special 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 US 1 North, St. Augustine, Florida.

Present were: Ben Rich, District 3, Chairman
Thomas G. Manuel, Vice Chairman, District 4, arrived 9:15 a.m.
Ron Sanchez, District 2
James Bryant, District 5, arrived 9:20 a.m.
Cyndi Stevenson, District 1, arrived 9:26 a.m.
Patrick McCormack, County Attorney
Terry Bulla, Deputy Clerk

(12/04/06 - 1 - 9:10 a.m.)

Chairman Rich called the meeting to order.

(12/04/06 - 1 - 9:10 a.m.)

Rich led the Pledge of Allegiance.

(12/04/06 -1 - 9:11 a.m.)

WELCOME AND INTRODUCTIONS - PHILIP MCDANIEL, COMMISSIONERS, STAFF & GUESTS

Phil McDaniel introduced commissioners who were participating in the meeting, along with Bill Leary, Melissa Cato, Tom Bledsoe, Nick Meiszer and members of the Board of Directors of the St. Johns Cultural Council.

(12/04/06 - 1 - 9:13 a.m.)

STAKEHOLDERS ROLL CALL - INTRODUCTIONS - ORGANIZATION - POTENTIAL USE / NUMBER OF EVENTS (DAYS)

McDaniel gave a review of the proposed structure of the meeting. He thanked the commission for meeting with the Cultural Arts Council for what was the first time in twenty years. He said they were attempting to get a handle on which groups wanted to use the facility and the approximate number of days and the time of year they would be using it. He then turned the meeting over to Tom Bledsoe, Amphitheatre Operations Manager.

(9:18 a.m.) Bledsoe gave a PowerPoint presentation from pre-renovation up to the present and the historical use of the facility including community events that were held at the amphitheatre and the possible future uses.

(9:27 a.m.) Beth Hughes, Betty Griffin House, stated they had used the facility every year for Earth Day and have considered using it for the Summer Sizzler and collaborating with the Taste of St. Augustine Beach. She said they would also consider using it for a three-day weekend event one weekend in the year. She said if they tied in with the St. Augustine Beach fundraiser, it would be in May.

(9:28 a.m.) Charlie Doolittle, President EMMA Concert Association, said they put on 21 events annually, including ten concerts, two holiday pops concerts, three free concerts

for the community and for students at St. Augustine High School and six lecture recitals each year. He said they had been partners with Flagler College since 1993 and had used the college auditorium for concerts and ballets. He said their use of the amphitheatre would be limited to fundraisers done in the spring by the EMMA guild. He suggested that liability insurance and security charges be included in non-profit rental fees.

(9:30 a.m.) Gerald Eubanks, Arielle Productions, gave a brief history of their productions in the community and said they were currently in the production phase of Motown and Mo. He said if they had a suitable facility they could expand their exposure to the community. He noted he was passionate about the Passion Play returning to the amphitheatre and said he could envision at least two weekends around Easter each year for productions plus rehearsal time. He said he was an advocate for the Cross and Sword, also a worthy productions which could be resumed.

(9:33 a.m.) Paul Linser, Board of Directors and member of the Gamble Rogers Folk Festival, said it had been conducted at the Amphitheatre site since its inception and hopefully would continue there. He said they would need approximately a week, two days to set up, a weekend for the event, and a day to tear down. He said if it happened that year, it would be May 4 - 6. He said they would also like to hold a fall concert fundraiser for the festival, which emanated from Gamble Rogers Middle School.

(9:35 a.m.) Tom Costeira, Vice President of the Dance Company, a non-profit dance organization, said they serviced 235 students and gave two performances a year in the winter and spring. He said they currently used the Flagler auditorium for approximately seven days per year, and they were rapidly outgrowing the auditorium.

(9:36 a.m.) Andrea Samuels, Secretary St. Augustine Beach Civic Association, said they put on events free to the community, and they were expanding greatly and outgrowing their facility. She said because they didn't charge for their events, they had difficulty finding larger facilities, and they wondered how they might use the Amphitheatre without charging people. She said they averaged twenty-two concerts a year and suggested the use of the concessions stands to help keep it a service to the community.

(9:38 a.m.) Patti Greenough, EPIC Community Services, Executive Director, said EPIC presented the Celebration of Spring, a water and garden expo and A Taste of St. Augustine at the amphitheatre. She said they would need 2 - 3 days in the spring and possibly for the Blues Festival in the fall for 2-3 days.

(9:41 a.m.) Mike Mitchell, O.U.R (Organization of United Resources) Center, Hastings, social services groups, said they would want to use the facility to offer more arts related events to the Town of Hastings. He said they had no specific dates or exact functions, but the interest was there and the town would want to use the facility.

(9:42 a.m.) Diane Quick, Executive Director, Habitat for Humanity, would like to use the facility for outdoor concerts each fall and possibly to bring in national artists for fund raisers and for meetings as well.

(9:44 a.m.) Betty Fell, President of Tale Tellers, would use the conference room or as part of a larger group. She noted that they got their start at the amphitheatre. She said they could not approximate the number of days yet, but estimated five events a year with the Limelight Theatre, and about four benefits in various venues which could possibly be moved to their conference room. She said they mostly wanted to give their support of the use of the amphitheatre by local groups.

(9:46 a.m.) Pam Youngquist, Natural Living Alliance/Earth Day held at the amphitheatre in conjunction with the Farmers Market. She said they would like to use it in April, close to Earth Day in partnership with the Farmers Market, possibly using nature trails and other facilities as well. She urged that the fee be inclusive of liability insurance for the non-profit and smaller organizations.

(9:48 a.m.) Bonnie Barns, St. Johns Vision, Executive Director, said they would use the meeting rooms and larger outside areas for receptions four to six times a year for larger meetings. She stated that she wore another hat as the event chair for a non-profit band, which was a benefit for Children's Miracle Network, and would love to use the amphitheatre December 8, 2007 for a benefit concert.

(9:49 a.m.) Septimus Connor, Commander, American Legion Post 194, said they would use the amphitheatre twice a year for Veterans Appreciation Day and for the Jazz Festival to raise scholarship funds and to assist veterans.

(9:50 a.m.) Dorothy Barrett, Vice Chair of the Board of the St. Augustine Community Orchestra, said they were a full symphony orchestra and gave four free concerts each year, and visualized the use of the amphitheatre to augment other groups that might use the facility for fundraisers, graduations, choral groups etc.

(9:51 a.m.) James Bullock spoke regarding access. He said there was lots of history in St. Augustine and he had written a play about Ft. Mose and would like to see his play performed at the amphitheatre. He said he had no specific times yet, but probably would perform four nights per week for two to four weeks.

(9:56 am.) Mary Marx, Executive Director of the Cultural Center of Ponte Vedra Beach, said she could see many opportunities for collaboration with local events to bring the county together through the arts. She said they usually sponsored one event in late May or early June to bring a named musical performance to the county.

(9:57 a.m.) Bill Hamilton, sponsor of the St. Johns County Environmental Youth Council, said it was an agency for high school kids concerned with environmental and social issues. He said last year they held a music benefit concert, a sit down benefit dinner, and the Environmental Youth Congress free and open to the public. He said it was usually held during the second week in February, to host a dinner, and the return on the investment to these groups would be huge for the county. He changed hats and spoke as Chairman for the Humanitarian Grants Committee for Rotary District 6970 for northeast Florida. He reported that a grant request had been approved for the Hastings cultural and arts programs.

(10:01 a. m.) Laura Stevenson, Director of College Relations with Flagler College, stated they were outgrowing their facility for commencement and would need two days in December and April for commencement. She said they could also possibly use the facility for theatre performances in the fall, though she was not sure of the number of days. She said they might also use the facility for alumni events.

(10:02 a.m.) Tim Forsome, of the St. Johns County School District, said many educational programs and events could be done at the amphitheatre, including the Center for the Arts performances, musical and drama performances and other events.

(10:04 a.m.) Brian Dettra, St. Johns Cultural Council, expressed concern about accessibility for public venues for the arts. He stated that the arts created economic development and the impact on the county was enormous.

(10:07 a.m.) Nancy Christensen, an independent artist, said she did portraits at the Farmers Market and on the street. She said she was also the Coordinator for the ACE program, an after school tutorial program to give art exposure to kids by local artists. She said she would like to use the amphitheatre for arts events and classes. She said she was also the coordinator for the art pod at the NLA and they used the amphitheatre for getting trails ready for sculpting by the public and to interact with nature. She said she had also done classes for home-schooled children where they utilized the natural elements at the amphitheatre.

(10:10 a.m.) Lynn Wettach, Old City Farmers Market, said they were the oldest on-going event at the amphitheatre, each Saturday morning for 8:30 a.m. to 12:30 p.m. and would like to continue the same schedule with additional time for set up and breakdown.

(10:11 a.m.) Bruce Lucker, President, Signature Entertainment, and President of the St. Augustine Foundation, thanked McDaniel for the work he had done on behalf of the cultural arts community and for those present. He stated that tourism drove economic development within the community. He said they needed jobs and to find ways to pay for the facility. He noted the commission was tasked with finding new revenue streams, and Signature Entertainment would bring in concerts and programs to have a robust calendar throughout the year in that effort.

(10:14 a.m.) Melanie Pauley, St. Augustine Jazz Society, stated they had raised money for scholarships and had given \$70,000 for scholarships so far. She said they would like to have jazz concerts in the amphitheatre, probably four times a year.

(10:16 a.m.) McDaniel suggested that since the meeting had gone on so long that they table the question and answer portion of the agenda for another meeting.

(12/04/06 - 4 - 10:17 a.m.)

Commissioner Comments (3 minutes)

Ben Rich, District 3, said the meeting was for the community, and they could hold another meeting for answering questions if they preferred. He thanked all the people for coming out, and said he supported their use of the amphitheatre. He said his general philosophy encompassed volunteers, and the facility could be run by a private volunteer organization to ensure that it would run smoothly. He said to turn it over to a private organization and subsidize the losses of that organization was not the right direction to go. He said it would be expensive to run, we were bonded on the issue, and it would run at a loss, and but they should look at the benefits to the community and suck it up.

(10:23 a.m.) Ron Sanchez, District 2, thanked everyone for the hard work to make everything come together that day. He said his philosophy was that the taxpayers should not go into the business of profit and loss with a private corporation. He said he liked the direction things were moving that day, and he would work with the Arts Council, as the Board's liaison, to implement its use and to deal with whatever came up.

(10:25 a.m.) James Bryant, District 5, stated that the Commission had to balance the use by the non-profits of the community and paying for the facility. He said they needed a higher level for bringing in entertainment for the arts and cultural events. He explained the TDC tax, and said he would like to see the TDC ordinance looked at again, and to try to come up with a better use of the TDC tax dollars that were generated. He noted it would take a referendum to readdress the distribution of the funds to fund the facility.

He said there was enough money coming in that they could address all the issues that had been brought up.

(10:28 p.m.) Thomas Manuel, District 4, thanked everyone, and said he hoped the meeting would become a model for future issues. He said he agreed with Commissioner Bryant on looking at the allocation of the TDC funds. He stated the County Commission should not be in the risk business and they were not venture capitalists. He said it was a public facility funded by public money and should be used by the public.

(10:30 p.m.) Cyndi Stevenson, District 1, said she was a big supporter of the arts, and it was an important part of the community. She said the TDC tax concept was interesting, but expressed concerns for the rest of the County which had almost no influence by the cultural and arts community. She said she was concerned on how to fund the venue, as 80 percent of the budget was for property taxes.

(10:35 a.m.) Bill Leary said it was an extraordinary meeting as they had an opportunity to meet with all five commissioners. He also recognized Phil McDaniel and his contribution in organizing the meeting.

(10:36 a.m.) Nick Meiszer, 252 Redfish Creek Dr., said he was there at their request to be of assistance to the Arts Council. He said ownership of the facility was an issue, and there was a question as to whether the County had a legal right to sublease the facility and should have been determined before the RFP went out. He reported that the State had said that it could not be subleased by the County without State approval. He said the second thing were the comments about debt service, and they should keep in mind that bonds issued for the facility were revenue bonds, and tax money could not be used to fund revenue debt. He said the revenue from the facility was to be used to repay the debt. He said the bond attorneys had to be informed as to what revenue was going to be used to repay the debt. He said it was not a matter of opinion or debate but was a matter of legality.

(10:42 a.m.) McDaniel took a quick poll of stakeholders as to whether to hold the next workshop before or after the holidays. The consensus was to hold the next workshop after the holidays. He said all the questions submitted that day would be compiled and placed on the website. He encouraged those who wanted to stay for the rest of the meeting to do so but the mission of the Cultural Council had been completed.

(10:43 a.m.) There was a brief recess and the meeting resumed with Stevenson, Rich and Sanchez present.

(12/04/06 - 5 - 10:47 a.m.)
County Staff Presentation:

Fred Halback, 287 St. George St., stated he was hired in 2000 to prepare and plan for the facility. He gave a PowerPoint presentation including the mission statement, the basis for the design, existing conditions, historic influences and destinations, feasibility and similar facilities, amenities and corporate services, the entertainment survey which was done within the county, transportation and parking at the facility, theme, character and image designs, the facility itself and venue areas, including design features. He said their desire was to create an outdoor performing arts center that was truly state of the art.

(10:55 a.m.) Mike Rubin, County Construction Manager, said the amphitheatre was one of the longest running projects the County had ever undertaken. He said it was funded

over a period of years and was done in phases. He said phase one was the back of the house and the stage building, phase two was the amphitheatre bowl and guest services. He reported that the construction and completion dates were very fluid but they did not foresee any problems ahead, and they should be finished sometime in March. He said they would then turn it over to an end user and they would put whatever finishing items in it that they needed. He gave budget figures for the various phases: Phase one, \$1,871,377, Phase two, \$5,443,690, and the arboretum which was funded separately was \$222,934 and the remaining items were sound, lighting, theatrical equipment and furniture, fixtures and equipment (FF&E) and there was approximately \$925,000 available for those items. He noted there were also some outstanding claims from contractors which could total as much as \$320,000 but those still had to be examined and might cost anywhere from zero to the full amount. He said the total cost for the project, excluding the arboretum was \$8,560,067, inclusive of the claims.

(10:58 a.m.) Stevenson asked Rubin if the \$8.5 million included FF&E. Rubin said it did. He said the end user group would be able to begin their part in March and that would determine the costs of much of what was needed. Stevenson said they needed to be serious about what was to be done and who would be directing things between now and March. Rubin said that in March they were going to have a "home run" beautiful facility. Halback said a theatrical consultant had been working for them for a while and they simply needed an operations head to determine what was needed. Rich said they needed to know who would head up the amphitheatre. Sanchez said the end user could rent any equipment, which might be necessary, and the person using it would pay for the equipment, not the county.

(11:03 a.m.) Manuel joined the meeting.

(11:04 a.m.) Joe Burch, Purchasing Manager, said he had some numbers and said there were fixed costs in addition to the \$8.5 million. He said the debt service was \$22,000 a month, utilities \$5,000 a month, insurance \$3,000 a month, maintenance and security \$1,000 a month, for a total \$31,000 per month. He said those numbers would go up as the use of the facility increased. Sanchez said the person using the facility paid for the additional staff, and they paid for every single separate thing they asked for. Rich said they also needed to look at the set up for the organization, whether for profit or volunteers. Stevenson asked what had been budgeted for the facility for the current year. Sanchez said \$500,000 was budgeted in the event we entered into a contract with an individual. Burch commented regarding ticketed revenue and that the money needed to be handled by people who the County was comfortable with to assure accountability. He said there were issues regarding liability and there had to be accountability in the process. Burch said he had an agenda item for December 12 for the commissioners to get into the issue of the proposed contract.

(11:10 a.m.) Sanchez said the entire issue was very complex and the riders on contracts could be very lengthy. He said they needed to be professionally handled by the promoter and the establishment itself. He said volunteers might not be able to handle that part of the contract, as it was very important to keep the entertainers happy so they would want to return.

(11:12 a.m.) Stevenson responded to Meiszer's comments about how it would be paid for and his discussion on sales tax revenues. She said she had just gotten clarification from McCormack that it was a sales tax bond. She said she had not determined whether volunteers or professionals should run the amphitheatre. She noted she was not pleased with the first contract they had received from Signature, though she was aware that some modifications had been made to it. She said she was very impressed with the arts community and what she had heard that day.

(11:15 a.m.) Manuel said best practices analysis was something they would need to do as a board. He said he would like to see a calendar of proposed events, and he would not be prepared by December 12 to make any decision.

(11:16 a.m.) Rich said a final decision would not be made on December 12. He said the date would be determined on December 12. He said another workshop would be held with the community so they could respond to the questions they had just submitted.

With there being no further business to come before the Board, the meeting adjourned at 11:18 a.m.

Approved _____ December 28 _____, 2006

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: L. Donnell King
Deputy Clerk

