

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
SEPTEMBER 4, 2007  
(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: Ben Rich, District 3, Chairman  
Thomas G. Manuel, District 4, Vice Chair  
Cyndi Stevenson, District 1  
Ron Sanchez, District 2  
James Bryant, District 5  
Michael D. Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Lenora Newsome, Deputy Clerk

(09/04/07 - 1 - 9:03 a.m.)  
CALL TO ORDER

Rich called the meeting to order.

(09/04/07 - 1 - 9:03 a.m.)  
ROLL CALL

Rich stated that all five commissioners were present.

(09/04/07 - 1 - 9:03 a.m.)  
Bryant gave the invocation and Manuel led the Pledge of Allegiance.

(09/04/07 - 1 - 9:05 a.m.)  
DELETIONS TO CONSENT AGENDA

McCormack requested to pull Item 5. Wanchick requested to add the following items; transfer of funds for beach services and an interlocal agreement with the City of St. Augustine for Davis Shores Skate Board Park. *(These items were incorrectly added to the Consent Agenda and were later added to the Regular Agenda as Item 11a and 11b).*

(09/04/07 - 1 - 9:06 a.m.)  
APPROVAL OF CONSENT AGENDA

**Motion by Manuel, seconded by Sanchez, carried 5/0, to approve the Consent Agenda as amended.**

1. Approval of the Cash Requirement Report
2. Minutes:  
08/07/07 - BCC Regular Meeting  
08/16/07 - BCC Special Meeting
3. Sheriff Office Bonds:  
Approve: Joyce Kerney Russel Rodgers Gail Schmidt  
Kimberly Small Susan Weidner Tina Watkins-Johnson

Cancel: Ronald Kowalczyk Bruce Pellicer  
Name Change: Catherine Patrick to Catherine Payne  
Terrie Loveday to Terrie Becker

4. Motion to authorize the County Administrator, or his designee, to award a contract to Kent Brothers Inc. in the amount \$323,095 for Bid #07-100 Pine Acres Road Drainage Improvements
5. Motion to adopt a resolution approving the final plat for Villa Sovana

*This item was pulled from the consent agenda.*

6. Motion to adopt **Resolution No. 2007-236**, approving the Final Plat for Westwind

**RESOLUTION NO. 2007-236**

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

7. Motion to adopt **Resolution No. 2007-237**, approving the 2007-2008 non-ad-valorem assessment roll for the Ponte Vedra Wastewater Vacuum Sewer Project, pursuant to Resolution No. 2002-245, and authorizing the Chairman to certify and deliver the 2007-2008 assessment roll to the St. Johns County Tax Collector

**RESOLUTION NO. 2007-237**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING ASSESSMENT ROLLS FOR VARIOUS ASSESSMENT AREAS ESTABLISHED PURSUANT TO ORDINANCE NO. 2002-55; ESTABLISHING THE LIEN ASSOCIATED THEREWITH; DIRECTING THAT THE ASSESSMENT ROLL BE CERTIFIED TO THE ST. JOHNS COUNTY TAX COLLECTOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

8. Motion to approve the transfer of \$7,600 from Impact Fee Road Zone C Reserves [1192 59927] for the completion of W. King St. Segment III and A motion to adopt **Resolution No. 2007-238**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement for property required for Segment III of the West King Street Improvement Project

**RESOLUTION NO. 2007-238**

**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 REQUIRED FOR SEGMENT III OF THE WEST KING STREET IMPROVEMENT PROJECT**

9. Motion to adopt **Resolution No. 2007-239**, approving the terms and authorizing the County Administrator to execute the Lease Agreement from Project Special Care to renew their lease for space in the Health and Human Services Center

**RESOLUTION NO. 2007-239**

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE LEASE AGREEMENT FROM PROJECT SPECIAL CARE TO RENEW THEIR LEASE FOR SPACE IN THE HEALTH AND HUMAN SERVICES CENTER

10. Motion to adopt **Resolution No. 2007-240**, accepting an Easement for Utilities for water service to NLS Warehouse located within Deerpark Industrial Park off of State Road 207

**RESOLUTION NO. 2007-240**

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER SERVICE TO NLS WAREHOUSE LOCATED WITHIN DEERPARK INDUSTRIAL PARK OFF OF STATE ROAD 207

11. Motion to adopt **Resolution No. 2007-241**, approving the 2007-2008 the Non-Ad Valorem Assessment Rolls and Annual Assessment Rates for Private Road Grading MSBUs and Right-of-Way MSBUs and to authorize the Chairman to certify and deliver the 2007-2008 assessment rolls to the St. Johns County Tax Collector

**RESOLUTION NO. 2007-241**

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2007-2008, NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL ASSESSMENT RATES FOR PRIVATE ROAD GRADING MUNICIPAL SERVICE BENEFIT UNITS AND RIGHT-OF-WAY MUNICIPAL SERVICE BENEFIT UNITS AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLLS TO THE ST. JOHNS COUNTY TAX COLLECTOR BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS, FLORIDA

12. Motion to certify the St. Johns County State Housing Initiatives Partnership (SHIP) Program Annual Report and authorize the Board Chairman and County Administrator sign both required sets of certification forms upon acceptance of the report
13. Motion to adopt **Resolution No. 2007-242**, approving the execution of Federal Transit Administration Grant FL-90-X638 by the County Administrator or his designee and to attach the executed grant to the April 1, 2005 subagreement with

the St. Johns County Council on Aging to provide transportation service for St. Johns County

**RESOLUTION NO. 2007-242**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE FEDERAL TRANSIT ADMINISTRATION GRANT FL-90-X638 WHICH PROVIDES \$563,072 FOR PUBLIC TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION AND TO APPROVE THE ATTACHING OF THIS GRANT AS AN EXHIBIT TO THE APRIL 1, 2005 SUBAGREEMENT WITH THE ST. JOHNS COUNTY COUNCIL ON AGING TO PROVIDE TRANSPORTATION SERVICES FOR ST. JOHNS COUNTY**

14. Motion to adopt **Resolution No. 2007-243**, approving the terms, conditions, and requirements of Amendment #17 to the Community Based Care contract # DJ993 between St. Johns County, Florida and the State of Florida, Department of Children and Families, and authorizing the County Administrator to execute Contract Amendment #17 on behalf of the County

**RESOLUTION NO. 2007-243**

**A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE SEVENTEENTH AMENDMENT TO THE CONTRACT DJ993 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILIES**

15. Motion to adopt **Resolution No. 2007-244**, approving the terms, conditions, provisions, and requirements of St. Johns County's State Aid to Libraries Grant Application and Grant agreement and authorize the Chairman of the Board of County Commissioners to execute the Grant Application and Grant Agreement on behalf of the County

**RESOLUTION NO. 2007-244**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A STATE OF FLORIDA, STATE AID TO LIBRARIES GRANT APPLICATION AND GRANT AGREEMENT, AND AUTHORIZING THE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

16. Proofs:
- a. Proof, Notice of Meeting, Commissioner Thomas G. Manuel, FY 2008 Budget Meetings, Monday, July 20, 2007 at 6:00 p.m., Wednesday, August 8, 2007 at 6:00 p.m. and Wednesday, August 29, 2007 at 6:00 p.m.
  - b. Proof, Notice of Meeting, St. Johns County Board of County Commissioners attending Northeast Florida Regional Leadership Forum, Thursday, July 19, 2007 at 6:30 p.m.
  - c. Proof, Notice of Meeting, Special Public Meeting and Private Meeting, St. Johns County Board of County Commissioners, Tuesday, July 24, 2007 at 8:00 a.m.
  - d. Proof, Public Notice, Unclaimed monies to be forfeited to the County unless claimed by September 1, 2007
  - e. Proof, Notice to Bidders, Bid No. 07-100
  - f. Proof, Notice of Meeting, St. Johns County Board of County Commissioners, Land Development Code Ordinance Amendments, Tuesday, July 10, 2007 at 5:30 p.m. and Tuesday, July 24, 2007 at 9:00 a.m.
  - g. Proof, Notice to Bidders, Bid No. 07-112
  - h. Proof, Notice to Bidders, Bid No. 07-110
  - i. Proof, Notice to Bidders, Bid No. 07-114
  - j. Proof, Notice of Meeting, Special Meeting, St. Johns County Board of County Commissioners, Tuesday, July 17, 2007 at 9:00 a.m.
  - k. Proof, Notice to Bidders, Bid No. 07-107
  - l. Proof, Notice of Workshop, St. Johns County Board of County Commissioners, District 2 Workshop, Wednesday, July 18, 2007 at 6:30 p.m.
  - m. Proof, Notice to Bidders, Bid No. 07-108
  - n. Proof, Notice to Bidders, RFQ No. 07-109
  - o. Proof, Notice to Bidders, RFP No. 07-78
  - p. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, CH Arnold Road Non-Ad Valorem Assessments, Tuesday, August 21, 2007
  - q. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, Rusty Anchor and Wendover Road Non-Ad Valorem Assessments , Tuesday, August 21, 2007
  - r. Proof, Notice of Meeting, St. Johns County and Putnam County Administrative Staff, Conflict Assessment Meeting, Wednesday, August 8, 2007 at 1:00 p.m.
  - s. Proof, Notice of Meeting, Special Public Meeting and Private Meeting, St. Johns County Board of County Commissioners, Tuesday, August 7, 2007 at 8:00 a.m.
  - t. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, Rusty Anchor and Wendover Road Non-Ad Valorem Assessments , Tuesday, August 21, 2007 (Ponte Vedra Recorder)
  - u. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, Rusty Anchor and Wendover Road Non-Ad Valorem Assessments , Tuesday, August 21, 2007 ( St Johns Recorder)
  - v. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, CH Arnold Road Non-Ad Valorem Assessments, Tuesday, August 21, 2007 (Ponte Vedra Recorder)
  - w. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, CH Arnold Road Non-Ad Valorem Assessments, Tuesday, August 21, 2007 (St Johns Recorder)

- x. Proof, Notice of Meeting, Special Public Meeting and Private Meeting, St. Johns County Board of County Commissioners, Tuesday, August 7, 2007 at 8:00 a.m. (Ponte Vedra Recorder)
- y. Proof, Notice of Meeting, Special Public Meeting and Private Meeting, St. Johns County Board of County Commissioners, Tuesday, August 7, 2007 at 8:00 a.m. (St Johns Recorder)
- z. Proof, Notice of Meeting, Commissioner Thomas G. Manuel, FY 2008 Budget Meetings, Monday, July 20, 2007 at 6:00 p.m., Wednesday, August 8, 2007 at 6:00 p.m. and Wednesday, August 29, 2007 at 6:00 p.m. (Ponte Vedra Recorder)
- aa. Proof, Notice of Meeting, Commissioner Thomas G. Manuel, FY 2008 Budget Meetings, Monday, July 20, 2007 at 6:00 p.m., Wednesday, August 8, 2007 at 6:00 p.m. and Wednesday, August 29, 2007 at 6:00 p.m. (St Johns Recorder)
- bb. Proof, Notice of Workshop, St. Johns County Board of County Commissioners, District 3 Workshop, Thursday, August 9, 2007 at 6:30 p.m. (Ponte Vedra Recorder)
- cc. Proof, Notice of Workshop, St. Johns County Board of County Commissioners, District 3 Workshop, Thursday, August 9, 2007 at 6:30 p.m. (St Johns Recorder)
- dd. Proof, Notice of Meeting, St. Johns County and Putnam County Administrative Staff, Conflict Assessment Meeting, Wednesday, August 8, 2007 at 1:00 p.m. (Ponte Vedra Recorder)
- ee. Proof, Notice of Meeting, St. Johns County and Putnam County Administrative Staff, Conflict Assessment Meeting, Wednesday, August 8, 2007 at 1:00 p.m. (St Johns Recorder)
- ff. Proof, Notice of Hearing, St. Johns County Board of County Commissioners, Notice of Intent, Deerwood Lane, Non-Ad Valorem Assessments, Tuesday, August 21, 2007
- gg. Proof, Notice of Meeting, Special Public Meeting and Private Meeting, St. Johns County Board of County Commissioners, Monday, July 30, 2007 at 9:00 a.m.

(09/04/07 - 6 - 9:06 a.m.)

PUBLIC COMMENT

Marcy Silkebaken, 1145 Neck Road, on behalf of the Civic Association Round Table, to give their recommendations for changes to height in the future; that any height consideration be considered as a zoning issue, revise the Land Development Code to require that exception and unique community characteristic be demonstrated before any future height variance be granted, and that it specifically provide that development enhancement was not a basis for a variance and amend the Comprehensive Plan.

(9:08 a.m.) Mary Anne Boczek, 196 Eldorado Way, Master Gardener from the University of Florida, presenting a power point, spoke on producing images that were high resolution, Exhibit A. She spoke on experimenting with soy beans.

(09/04/07 - 6 - 9:15 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add the following items; the transfer to the Beach Services Fund as Item 11a and the Interlocal Agreement with City of St. Augustine RE: Davis Shores Skate Park as Item 11b.

(09/04/07 - 7 - 9:16 a.m.)  
APPROVAL OF REGULAR AGENDA

**Motion by Manuel, seconded by Stevenson, carried 5/0, to approve the Regular Agenda as amended.**

(09/04/07 - 7 - 9:16 a.m.)

1. CONSIDER MOTION TO ADOPT A RESOLUTION MODIFYING CERTAIN WEIGH SCALE FEES AND CHARGES PERTAINING TO GARBAGE AND REFUSE DISPOSAL AND ESTABLISHING THE RATE OF THE ANNUAL SOLID WASTE NON AD VALOREM ASSESSMENT LEVIED PURSUANT TO ORDINANCE 89-20, AS AMENDED AND CONSIDER MOTION TO ADOPT A RESOLUTION ESTABLISHING THE RATE OF THE ANNUAL SOLID WASTE NON AD VALOREM COLLECTION ASSESSMENT AND THE ANNUAL SOLID WASTE NON AD VALOREM RECYCLED ASSESSMENT PURSUANT TO ORDINANCE 94-07, AS AMENDED

Wade Schroeder, Budget Analyst, reviewed this item, stating it was to establish the Fiscal Year 2008 solid waste assessments. Rich stated that basically they were taking monies that were overpaid on fuel and deducting it from the new contract. Schroeder responded. (9:21 a.m.) **Motion by Stevenson, seconded by Manuel, carried 5/0, to adopt Resolution No. 2007-245, modifying certain weigh scale fees and charges pertaining to garbage and refuse disposal and establishing the rate of the annual Solid Waste Non Ad Valorem Assessment levied pursuant to Ordinance 89-20, as amended.**

#### RESOLUTION NO. 2007-245

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ESTABLISHING THE RATE OF THE ANNUAL SOLID WASTE NON AD VALOREM COLLECTION ASSESSMENT AND THE ANNUAL SOLID WASTE NON AD VALOREM RECYCLED ASSESSMENT PURSUANT TO ST. JOHNS COUNTY ORDINANCE 94-07, AS AMENDED

(9:21 a.m.) **Motion by Stevenson, seconded by Manuel, carried 5/0, to adopt Resolution No. 2007-246, establishing the rate of the annual Solid Waste Non Ad Valorem Collection Assessment and the annual Solid Waste Non Ad Valorem Recycled Assessment pursuant to Ordinance 94-07, as amended.**

#### RESOLUTION NO. 2007-246

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, MODIFYING CERTAIN WEIGH SCALE FEES AND CHARGES PERTAINING TO GARBAGE AND REFUSE DISPOSAL AND ESTABLISHING THE RATE OF THE ANNUAL SOLID WASTE NON AD VALOREM ASSESSMENT LEVIED PURSUANT TO ST. JOHNS COUNTY ORDINANCE NO. 89-20, AS AMENDED

(09/04/07 - 7 - 9:22 a.m.)

2. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING THE 2007-2008 THE NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL

ASSESSMENT RATES FOR THE SOLID WASTE MSBU AND TO AUTHORIZE THE CHAIRMAN TO CERTIFY AND DELIVER THE 2007-2008, ASSESSMENT ROLLS TO THE ST. JOHNS COUNTY TAX COLLECTOR

Wade Schroeder, Budget Analyst, stated that this item was more of a formality once the rates were established. He mentioned that per Florida Statutes, by September 15 of each year, the Board had to certify the Non-Ad Valorem Assessment Roll and submit it to the Tax Collector. (9:23 a.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2007-247, approving the 2007-2008, the Non Ad Valorem Assessment Rolls and Annual Assessment Rates for the Solid Waste MSBU and to authorize the Chairman to certify and deliver the 2007-2008, Assessment Rolls to the St. Johns County Tax Collector.**

RESOLUTION NO. 2007-247

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2007-2008, NON-AD VALOREM ASSESSMENT ROLLS AND ANNUAL ASSESSMENT RATES FOR THE SOLID WASTE MUNICIPAL SERVICE BENEFIT UNITS AND AUTHORIZING THE CERTIFICATION OF SAID ASSESSMENT ROLLS TO THE ST. JOHNS COUNTY TAX COLLECTOR BY THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

(09/04/07 - 8 - 9:24 a.m.)

3. CONSIDER APPOINTMENTS TO THE CONTRACTORS REVIEW BOARD

Melissa Lundquist, Administrative Coordinator, reviewed this item, stating that there were three vacancies on this Board. Rich spoke on not having a chance to talk to Andy Chance about this appointment and asked the Board to hold off on appointing Chance and bring this appointment back to the Board in two weeks. (9:26 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to reappoint Claude T. Abbott to the Contractors Review Board for a full four-year term scheduled to expire February 25, 2011.**

(09/04/07 - 8 - 9:27 a.m.)

4. CONSIDER APPOINTMENT TO THE PONTE VEDRA ZONING & ADJUSTMENT BOARD

Melissa Lundquist, Administrative Coordinator, reviewed this item. (9:27 a.m.) **Motion by Manuel, seconded by Rich, carried 5/0, to appoint William F. Warnock, Jr. to the Ponte Vedra Zoning & Adjustment Board for a full four-year term scheduled to expire September 4, 2011.**

(09/04/07 - 8 - 9:28 a.m.)

5. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD

Melissa Lundquist, Administrative Coordinator, stated that there was a vacancy due to an expired term and another one due to a resignation. (9:28 a.m.) **Motion by Bryant, seconded by Manuel, carried 5/0, to reappoint Pamela Kessler to the Recreation Advisory Board for a full four-year term scheduled to expire June 24, 2011. (9:31 a.m.) Motion by Stevenson, seconded by Manuel, to appoint Keith Martin to the Recreation Advisory Board for a full four-year term scheduled to expire September 4,**



**2011.** Discussion followed on having too many representatives from one district on any one certain Board. **The motion carried 5/0.**

(09/04/07 - 9 - 9:34 a.m.)

6. PUBLIC HEARING - MAJMOD 2007-09, MARRIOTT AT WESTPARK CENTER PUD - THIS APPLICATION IS A MAJOR MODIFICATION TO THE WESTPARK CENTER PUD (ORDINANCE NO. 2000-37) AND SPECIFICALLY WOULD AMEND THE MASTER DEVELOPMENT PLAN MAP APPROVED IN SMADJ 2006-82, RECORDED IN PUD DRAWING BOOK 18, PAGE 20. THE CHANGES CONTEMPLATED IN THIS MAJMOD APPLICATION CONSIST OF THE ELIMINATION OF A RIGHT TURN IN/RIGHT TURN OUT ACCESS POINT ONTO STATE ROAD 16, THE RELOCATION OF A FIRE HYDRANT TO AN ORIGINAL LOCATION AND THE ADDITION OF TWO PARKING SPACES. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR JULY 5, 2007 MEETING BY A 5-0 VOTE AND WAS MOVED BY MR. LAIDLAW, SECONDED BY MR. WHEELER. LIMITED DISCUSSION CENTERED ON THE ELIMINATION OF THE RIGHT TURN IN/RIGHT TURN OUT AND THE EFFECT ON THE RESIDENTIAL DEVELOPMENT TO THE REAR OF THE PUD

Proof of publication for the notice of public hearing regarding MAJMOD 2007-09, Marriott at Westpark Center PUD, was received, having been published in *The St. Augustine Record* on August 20, 2007.

Jason Cleghorn, Planner III-DRI Coordinator, reviewed this item, stating that they wanted to eliminate the right turn in/right turn out access point onto State Road 16 and that there would be a 621 foot long right turn lane added.

(9:36 a.m.) Peter King, 8936 Western Way #190, Jacksonville, stated he was here for any questions. (9:37 a.m.) **Motion by Stevenson, seconded by Manuel, carried 5/0, to enact Ordinance No. 2007-68, known as MAJMOD 2007-09, Marriott at Westpark Center PUD adopting findings of fact one through six to support the motion.**

#### ORDINANCE NO. 2007-68

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE WESTPARK CENTER PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 2000-37, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(09/04/07 - 9 - 9:38 a.m.)

7. PUBLIC HEARING - REZ 2007-15, HODGINS SHELDON REZONING - THIS IS A REQUEST TO REZONE 2.5 ACRES FROM RESIDENTIAL MOBILE HOME TO COMMERCIAL NEIGHBORHOOD TO CONSTRUCT RETAIL SPACE. THE PROPERTY IS LOCATED ON THE EAST SIDE OF US 1 SOUTH, NORTH OF OLD MOULTRIE ROAD. THE PARCEL IS SERVED BY PUBLIC WATER AND SEWER. ADJACENT AND SURROUNDING ZONING DESIGNATIONS INCLUDE COMMERCIAL GENERAL, INDUSTRIAL WAREHOUSE AND RESIDENTIAL SINGLE FAMILY-3 TO THE EAST. THE PROPERTY IS LOCATED IN THE MIXED USE DISTRICT FUTURE LAND USE MAP DESIGNATION. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THEIR

JULY 5, 2007, HEARING BY A VOTE OF 5/0 (LAIDLAW MOTION/GRAYSON SECOND). DISCUSSION DURING THE HEARING QUESTIONED THE VEGETATION ON SITE AND BUFFERING REQUIREMENTS OF THE LAND DEVELOPMENT CODE

Proof of publication for the notice of public hearing regarding REZ 2007-15, Hodgins Sheldon Rezoning, was received, having been published in *The St. Augustine Record* on August 20, 2007.

Lindsay Haga, AICP, Chief Planner, reviewed this item.

(9:39 a.m.) Karen Taylor, 77 Saragossa Street, stated she was here to answer any questions. Rich mentioned receiving an email from Michelle Raymond objecting to this item, Exhibit A. (9:40 a.m.) **Motion by Rich, seconded by Manuel, carried 5/0, to enact Ordinance No. 2007-69, known as REZ 2007-15, Hodgins Sheldon, adopting findings of fact 1 through 3 to support the motion.**

#### ORDINANCE NO. 2007-69

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL MOBILE HOME (RMH) TO COMMERCIAL NEIGHBORHOOD (CN) MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

McCormack left the meeting and James Whitehouse, Assistant County Attorney, entered the meeting.

(09/04/07 - 10 - 9:41 a.m.)

8. PUBLIC HEARING - PUD 2006-33, VILLAGE COMMONS PLANNED UNIT DEVELOPMENT - THIS REQUEST SEEKS TO REZONE APPROXIMATELY 5 ACRES FROM OR TO PUD TO ALLOW FOR THE DEVELOPMENT OF 17,969 SQUARE FEET OF NEIGHBORHOOD BUSINESS USES DESIGNED ON A SCALE TO SERVE THE NEEDS OF THE SURROUNDING AREA AND DESIGNED TO EVOLVE AS THE AREA GROWS, CONTAINED WITHIN FOUR PHASES, OVER A TWELVE YEAR PERIOD. THE SUBJECT PROPERTY IS LOCATED IN THE NORTHWEST SECTOR, SOUTH SIDE OF SR 16 WEST OF PACETTI ROAD AND IS CURRENTLY DEVELOPED WITH TWO SINGLE FAMILY UNITS. THE PROPERTY IS DESIGNATED RESIDENTIAL A ON THE 2015 FUTURE LAND USE MAP. ADJACENT PROPERTY IS ZONED OPEN RURAL AND RMH(S). A FINAL CERTIFICATE OF CONCURRENCY WAS APPROVED MARCH 13, 2007, FOR 20,000 SQUARE FEET OF GENERAL OFFICE SPACE. CENTRAL WATER AND SEWER WILL BE PROVIDED BY ST. JOHNS COUNTY UTILITIES AT BUILD OUT. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING REQUEST AT THE JULY 5, 2007, HEARING BY A VOTE OF 3/2. (WHEELER MOTION/WILES SECOND). MOTION TO RECOMMEND APPROVAL INCLUDING A REQUEST FOR THE COUNTY ATTORNEY TO REVIEW THE ENCROACHMENT INTO THE REQUIRED EDGES. GRAYSON/LAIDLAW OPPOSING. DISCUSSION INCLUDED TIMING, INCOMPATIBILITY AND THE LEGAL INTERPRETATION OF ALLOWING AN EXISTING USE TO ENCROACH INTO THE REQUIRED EDGES

Proof of publication for the notice of public hearing regarding PUD 2006-33, Village Commons Planned Unit Development, was received, having been published in *The St. Augustine Record* on August 20, 2007.

Lindsay Haga, AICP Chief Planner, reviewed this item, mentioning the waiver request, and the policy interpretation request.

(9:45 a.m.) Karen Taylor, 77 Saragossa Street, spoke on the request not being for a commercial type use but for a neighborhood office use. She showed maps and pictures, utilizing the overhead projector, Exhibit A. Stevenson asked about the businesses in the surrounding area. Taylor responded.

(9:55 a.m.) Harry Broom, 5865 SR 16, spoke in favor of a small office building. Rich spoke on why he opposed this item, with Manuel concurring with him. (9:59 a.m.) **Motion by Manuel, seconded by Stevenson, carried 5/0, to deny rezoning application PUD 2006-33, Village Commons PUD adopting the seven findings of fact to support the motion.**

(09/04/07 - 11 - 10:00 a.m.)

9. PUBLIC HEARING - REZ 2005-50, VENETIAN BOULEVARD PROFESSIONAL OFFICE CENTER - THIS REQUEST SEEKS TO REZONE 1.0 ACRE OF LAND FROM OPEN RURAL (OR) TO OFFICE PROFESSIONAL (OP) FOR THE CONSTRUCTION OF TWO PROFESSIONAL OFFICE BUILDINGS, TOTALING APPROXIMATELY 7,720 SQUARE FEET. THIS REQUEST WAS DENIED BY THE COUNTY COMMISSION ON MAY 2, 2006, FINDING THE PROPOSED OFFICE USE INCOMPATIBLE WITH THE SURROUNDING RESIDENTIAL AREA. THE APPLICANT APPEALED THIS DECISION (CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT IN AND FOR ST. JOHNS COUNTY FLORIDA - CASE NO. CA07-303, DIVISION 55, ALEX PELLERITO, PETITIONER VS. ST. JOHNS COUNTY FLORIDA, RESPONDENT). THE JUDGE RULING THAT 1) THE PETITION FOR WRIT OF CERTIORARI IS GRANTED, 2) THE ORDER DENYING REZONING RENDERED BY THE ST. JOHNS BOARD OF COUNTY COMMISSIONERS ON MAY 4, 2006, IS HEREBY QUASHED AND THIS CAUSE SHALL BE REMANDED TO COMMISSION FOR ITS DETERMINATION CONSISTENT WITH THE PROVISIONS OF THIS ORDER, 3) THE COURT RESERVES JURISDICTION TO ENTER SUCH ORDERS AS ARE NECESSARY TO CARRY OUT THE PROVISIONS THEREOF

Proof of publication for the notice of public hearing regarding REZ 2005-50, Venetian Boulevard Professional Office Center, was received, having been published in *The St. Augustine Record* on August 20, 2007.

Teresa Bishop, AICP Director Growth Management Services, reviewed this item, stating that the application came before the Board on May 2, 2006 and was denied at that time. She stated that the applicant appealed and the judge remanded it back to the BCC for consideration again.

(10:01 a.m.) Doug Burnett, 170 Malaga Street, pointed out, since this item went to the County Commission in May, 2006, two parcels were zoned IW on the zoning map. He stated they were asking for office professional use which was a far less potential use than IW. Discussion followed on the denial of this item in 2006.

(10:08 a.m.) Cory Mara, 364 Crescent Blvd., spoke in opposition of this item.

(10:10 a.m.) David Owen, 165 Venetian Blvd., stated that his property was across the street from the property with the proposed rezoning. Whitehouse swore in David Owen. Owen spoke in opposition of this rezoning, utilizing the overhead projector to show the area, Exhibit A.

(10:17 a.m.) Whitehouse swore in Cory Mara, asking him to affirm whether or not all the answers to the testimony that he offered earlier were true and accurate. Mara replied that it was. Burnett asked Mara, if his testimony relating to him being an expert in a normal definition. Mara replied no.

(10:19 a.m.) Burnett asked Owen if there was anything in his professional background or training that would make him an expert witness. Owen replied no. Whitehouse asked Owen about testifying on the traffic in the area. Owen stated that traffic had to be factored in. Discussion followed on the property in the area.

(10:24 a.m.) Carol Sullivan, 201 Venetian Blvd., spoke in opposition to the item, mentioning the possibility of more crime in the area because of the parking lot that would be going in, Exhibit B. Whitehouse swore in Carol Sullivan, with her stating that her testimony was true and accurate.

(10:28 a.m.) Whitehouse swore in Bonnie Thibault. Bonnie Thibault, 6392 Old Dixie Drive, spoke in opposition to this item, mentioning the increase in traffic and bringing commercial into the neighborhood. Manuel mentioned that they had 86 signatures in opposition to the item, Exhibit C.

(10:29 a.m.) Burnett stated all the concerns were the same as last time. He spoke on what would deny the application. Burnett submitted a building permit for the property on the corner zoned IW, Exhibit D. Bryant stated that he based his vote on the facts of the law. Stevenson spoke on taking safety concerns in consideration. Bishop stated that she was not aware of looking at site access issues. She stated that the property was designated mixed use, and the site needed to be designed to handle the traffic. Sanchez commented on business properties fronting U.S. 1. Burnett responded.

The meeting recessed at 10:40 a.m. and reconvened at 10:56 a.m.

Burnett reviewed the judge's order; then, suggested to the Board to approve the rezoning. Whitehouse mentioned declaring ex-parte communication. Rich declared ex-parte communication with Cory Mara regarding the rezoning. Manuel declared ex-parte communication with one of the neighbors. Stevenson declared ex-parte communication by emails, calls and with staff.

(11:02 a.m.) Rich commented on the traffic situation, increased crime and improper office buildings for a residential area.

(11:03 a.m.) Manuel concurred with the chairman and stated that he was not in support of this item. Whitehouse advised the Board that new facts had to be raised; then reviewed the options. Manuel suggested that concurrency review and safety be a consideration.

(11:07 a.m.) **Motion by Manuel, seconded by Sanchez, to deny REZ 2005-50, Venetian Boulevard Professional Office Center, adopting findings of fact 1 through 3 to support the motion.**

(11:08 a.m.) *Rich asked to add to the motion that one of the reasons for denial would be, that this is not appropriate for this area, even though it is in a mixed use area, and*

*the testimony shows that it would be in violation of public policy. Manuel stated so amended and the second also agreed. Whitehouse requested to add, that it was based on the safety health and welfare of the residents of the area in those neighborhoods around there. Manuel stated for the record they would incorporate public health and safety, with the second agreeing. (11:09 a.m.) The motion carried 4/1, with Bryant dissenting. (11:10 a.m.) Motion by Manuel, seconded by Sanchez, carried 5/0, to waive the one year refileing requirement, to give him an opportunity to come back with a more specific plan. Burnett stated that his client was not opposed to doing a conditional rezoning on this. Rich replied that they couldn't do that. Whitehouse left the meeting and Patrick McCormack, County Attorney, entered the meeting. Bryant left the meeting.*

(09/04/07 - 13 - 11:12 a.m.)

10. PUBLIC HEARING - SUMMER HAVEN BUILDING PERMIT MORATORIUM ORDINANCE (1ST OF 2 PUBLIC HEARINGS) - ORDINANCE NO. 2005-85, WAS ENACTED BY THE BOARD ON SEPTEMBER 13, 2005. FOR THE PROTECTION OF PUBLIC HEALTH, SAFETY, AND WELFARE, THE ORDINANCE IMPOSED A TEMPORARY MORATORIUM ON ISSUANCE OF BUILDING PERMITS IN THE SUMMER HAVEN AREA, WITH CERTAIN LIMITED EXCEPTIONS. THE TEMPORARY MORATORIUM WAS EXTENDED BY THE BOARD'S ENACTMENT OF ORDINANCE NO. 2006-114 ON SEPT. 26, 2006, AND WILL EXPIRE ON SEPTEMBER 30, 2007, IF NOT EXTENDED AGAIN. IN ADDITION TO CONSIDERING WHETHER TO EXTEND THE MORATORIUM AS IS, THE BOARD MAY ALSO CONSIDER OTHER OPTIONS, INCLUDING BUT NOT LIMITED TO AMENDING THE ORDINANCE, ALLOWING IT TO EXPIRE, AND ANY OTHER OPTIONS AVAILABLE. THE SECOND PUBLIC HEARING IS SCHEDULED SEPTEMBER 18, 2007, AT 5:30 P.M. THE MATTER WILL BE PRESENTED TO THE PZA ON SEPTEMBER 6, 2007

Proof of publication for the notice of public hearing regarding the Summer Haven Building Permit Moratorium Ordinance (1<sup>st</sup> of 2 Public Hearings), was received, having been published in *The St. Augustine Record* on August 24, 2007.

Patrick McCormack, County Attorney, reviewed this item, the first of two public hearings, introducing the Board to where they were right now, utilizing the overhead projector; aerial pictures of the area in 1957 and 1971, historical hurricanes chart 1878-2004, shoreline changes, coastal process summary, and permitting considerations, Exhibit A. He stated that Summer Haven was not a uniformed problem. He submitted an evaluation matrix. He stated that this was to introduce how complicated this was and that the moratorium should be extended to give them time. He reviewed option 1 and 2, and stated that they were not recommending them. They are recommending a new ordinance extending the moratorium and reviewed the potential modifications to the ordinance. He stated that the second hearing would be on the 18<sup>th</sup> and that they felt comfortable on recommending modifications to the ordinance. Rich mentioned the findings of PBS & J. Sanchez mentioned that he didn't think the revetment with rocks was allowed anymore and the terms of the bedrooms. McCormack responded. Stevenson spoke on the seepage coming from the river to the ocean from underneath the sandbar. McCormack responded.

(11:34 a.m.) Wayne Lasch, 7406 Fullerton Street, Jacksonville, spoke on the movement of the water. McCormack spoke on getting emergency service into the area.

(11:37 a.m.) Isabelle Lopez, 245 Riverside Ave., Jacksonville, spoke on variances matching the moratorium and trying to narrow the geography. Rich asked for a

consensus from the Board on the MSBU issue, and to have legal put a time line to allow people to build their homes. Manuel agreed with Rich. McCormack requested a few minutes to speak to the chair.

The meeting recessed at 11:44 a.m. and reconvened at 11:50 a.m.

(11:50 a.m.) *Rich recommended directing the County Attorney, within 90 days, to come back to this Board with a list of options, anyone of which they can or cannot adopt, and go ahead and make a motion and adopt that policy as being the policy of the County in reference to this issue. It was the consensus of the Board, with Bryant absent, to do Rich's recommendation.* McCormack stated that they would need to adopt this ordinance in two weeks and recommended extending as is, for that three month period or going to the first step of building permits other than homes and dwelling units for that period. Rich recommended continuing as they were and McCormack can bring it back within 90 days. McCormack stated that he would be back in two weeks with it. (11:51 a.m.) **Motion by Manuel, seconded by Sanchez, carried 4/0 with Bryant absent, to hold the second public hearing on September 18, 2007.**

(11:57 a.m.) Sanchez congratulated the entire amphitheater staff on a job well done.

The meeting recessed at 11:58 a.m. and reconvened at 5:30 p.m. with all the commissioners present, Wanchick, McCormack, and Deputy Clerk Lenora Newsome, present also.

(09/04/07 - 14 - 5:30 p.m.)

11. PUBLIC HEARING - ADOPTION OF TENTATIVE MILLAGE RATES & BUDGET FOR FY 2008 - FLORIDA STATUTES 129.03 AND 200.065 REQUIRE THE BOARD OF COUNTY COMMISSIONERS (BCC) TO ADOPT ITS MILLAGE RATES AND BUDGET FOR THE NEXT FISCAL YEAR (FY) AT A PUBLIC HEARING. THAT HEARING MUST BE HELD AFTER 5:00 PM IF SCHEDULED ON A DAY OTHER THAN SATURDAY. THE SEPTEMBER 4TH, 5:30 PM HEARING DATE HAS BEEN NOTICED, AS REQUIRED, IN THE RECENT MAILING OF NOTICES OF PROPOSED PROPERTY TAXES (TRIM) BY THE COUNTY'S PROPERTY APPRAISER. FLORIDA STATUTES PRESCRIBE A SPECIFIC ORDER FOR THE CONSIDERATION OF ITEMS AT THE PUBLIC HEARING. THE FIRST SUBSTANTIVE ISSUE OF DISCUSSION MUST BE THE PERCENTAGE INCREASE IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE. THE ROLLED-BACK RATE IS DEFINED AS THE AGGREGATE MILLAGE RATE THAT WOULD GENERATE THE SAME LEVEL OF PRIOR YEAR TAX REVENUES LESS CERTAIN DEFINED ALLOWANCES (SUCH AS NEW CONSTRUCTION). THE PERCENTAGE DECREASE FOR FY 2008 IN THE COUNTY'S AGGREGATE MILLAGE RATE OVER THE ROLLED-BACK RATE IS -13.4%. THE GENERAL PUBLIC SHALL BE ALLOWED TO SPEAK AND TO ASK QUESTIONS PRIOR TO ADOPTION OF ANY MEASURES BY THE BCC. THE BCC SHALL ADOPT BY RESOLUTION ITS TENTATIVE MILLAGE RATES PRIOR TO ADOPTING ITS TENTATIVE BUDGET FOR FY 2008. THE BCC WILL ALSO NEED TO ESTABLISH A DATE, TIME AND PLACE OF A PUBLIC HEARING FOR ITS FINAL MILLAGE AND BUDGET ADOPTION. IT IS RECOMMENDED THAT THE BCC ESTABLISH TUESDAY, SEPTEMBER 18, 2007 AT 5:30 PM IN THE COUNTY AUDITORIUM FOR ITS FINAL HEARING

Doug Timms, Director, Office of Management & Budget, reviewed this item discussing the percentage increase over the roll back rate, in which there was none. He stated that

actually, there was a decrease in the roll back rate, tentative budget hearing information, Exhibit A.

(5:32 p.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition of the county funding \$100,000 toward the skate boarding facility in Davis Park. She also spoke on the City of St. Augustine paying the water bills for city employees.

(5:36 p.m.) Timms reviewed the information on the millage rate. (5:37 p.m.) **Motion by Rich, seconded by Manuel, carried 5/0, to adopt Resolution No. 2007-249, be it resolved that the following tentative millage rate is hereby set by the Board of County Commissioners of St. Johns County, Florida, for all property in St. Johns County, Florida, as of January 1, 2007.**

**RESOLUTION NO. 2007-249**

**RESOLVED**, that the following **TENTATIVE MILLAGE RATE** is hereby set by the Board of County Commissioners of St. Johns County, Florida, for all property in St. Johns County, as of January 1, 2007.

General Fund	4.2214
County Transportation Trust Fund	.7652
County Health Unit Trust Fund	.0171
Fire District, County-wide Except City of St. Augustine	1.0954
Vilano Street Lighting District	.0114
St. Augustine South Street Lighting District	.1328
Summerhaven M.S.T.U.	10.0000
<b>AGGREGATE MILLAGE RATE</b>	6.0282
Rolled-back Rate	6.5786
Percentage decrease in Property Taxes from rolled-back rate:	-8.37%

Timms reviewed information on the tentative budget. (5:40 p.m.) **Motion by Rich, seconded by Manuel, carried 5/0, to adopt Resolution No. 2007-250, in that it is resolved with the following fiscal year 2008 tentative budget of the Board of County Commissioners of St. Johns County, Florida, developed using the certified taxable value of \$24,604,575,529, generating an estimated \$148,320,801 in taxes is hereby adopted, resulting in a total budget of \$706,339,476.**

**RESOLUTION NO. 2007 -250**

**RESOLVED**, that the following **FISCAL YEAR 2008 TENTATIVE BUDGET** of the Board of County Commissioners of St. Johns County, Florida, developed using the certified taxable value of \$24,604,575,529, generating an estimated \$148,320,801 in taxes, is hereby adopted, resulting in a total budget of \$706,339,476 as follows:

<b>General Fund</b>	\$177,398,080
<b>Special Revenue Funds</b>	
County Health Unit Trust Fund	\$471,474
Court Facilities Trust Fund	\$3,633,460

Building Services Fund	\$6,047,458
Law Enforcement Trust Fund	\$115,833
State Housing Init. Partnership (SHIP) Fund	\$4,775,275
Mental Health Fund	\$4,895,550
Community Based Care Fund	\$4,636,373
Utility Authority Fund	\$396,832
County Transportation Trust Fund	\$56,762,621
Beach Services Fund	\$1,828,001
County Pier Fund	\$210,906
Tourist Development Tax Fund	\$7,440,089
Amphitheater Operations Fund	\$2,613,995
Tree Bank Fund	\$2,339,533
Alcohol & Drug Abuse Trust Fund	\$27,124
Communications Surcharge Fund	\$1,060,496
Choose Life License Fund	\$18,025
Driver's Safety Education Fund	\$261,286
West Augustine CRA Fund	\$2,715,107
Flagler Estates CRA Fund	\$4,129,927
Vilano Beach CRA Fund	\$4,714,814
Florida Boating Improvement Fund	\$910,048
Housing Abatement Fund	\$89,112
Impact Fee Funds	\$39,605,246
Florida Arts License Plate Fund	\$13,984
Davis Park Fund	\$194,283
E-911 Communications Fund	\$1,345,357
Fire District Fund	\$38,408,970
Sidewalk Mitigation Fund	\$63,220
World Commerce Center DRI Fund	\$55,537
Vilano Street Lighting District Fund	\$17,555
Elkton Drainage District Fund	\$55,321
St. Augustine South Lighting District Fund	\$40,462
Treasure Beach M.S.B.U. Fund	\$4,612
C. H. Arnold Road M.S.B.U. Fund	\$18,257
Deerwood Lane M.S.B.U. Fund	\$10,243
Rusty Anchor/Wendover Rd. M.S.B.U. Fund	\$1,520
Summerhaven M.S.T.U. Fund	\$164,799
Northwest Tower Fund	\$158,674
Crimes Prevention Trust Fund	\$80,035
Court Innovation Fund	\$196,221
Court Technology Fund	\$3,774,871
Juvenile Alternative Programs Fund	\$61,005
Legal Aid Fund	\$301,771
Law Library Fund	\$101,424

**Debt Service Funds**

03 Transportation Improvement Debt Service	\$2,096,168
06 Transportation Improvement Debt Service	\$1,833,888
Refunded Courthouse Debt Service Fund	\$1,530,361
Ponte Vedra MSD Sewer Debt Service Fund	\$1,714,814
Commercial Paper Debt Service Fund	\$5,838,330
04 Sales Tax Bonds Debt Service Fund	\$2,099,362
06 Sales Tax Bonds Debt Service Fund	\$2,989,550
GE Capital Debt Service Fund	\$163,317
Fannie Mae Loan Debt Service Fund	\$1,354,179
04 Flagler Estates CRA Debt Service Fund	\$559,800
05 Revenue Sharing Debt Service Fund	\$1,249,873

**Capital Improvement Funds**

Northwest Road Project Fund	\$6,241,009
Park Projects Fund	\$2,382,861



Beach Re-Nourishment Fund	\$2,138,088
N. Holmes Blvd. Fund	\$1,709,518
Fair Share Transportation Projects Fund	\$2,904,179
03 Bond Transportation Projects Fund	\$1,285,592
04 Sales Tax Bond Projects Fund	\$1,217,426
Southeast Annex Construction Fund	\$1,759,149
Transit System Capital Project Fund	\$1,368,191
05 Revenue Sharing Projects Fund	\$13,709,549
06 Bond Transportation Projects Fund	\$28,326,541
06 Sales Tax Bond Projects Fund	\$36,339,206

**Enterprise Funds**

Solid Waste Fund	\$30,491,950
St. Johns County Utility Services Fund	\$142,282,921
Convention Center Fund	\$2,686,144
St. Johns County Golf Course Fund	\$2,876,711
Ponte Vedra Utility Fund	\$10,272,514

**Internal Service Funds**

Worker Compensation Fund	\$4,810,736
Group Health Insurance Fund	\$19,806,753
F.S.A – Medical	\$96,000
F.S.A – Dependent	\$40,010

(5:41 p.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to set a public hearing on September 18, 2007 at 5:30 p.m. in the County Auditorium to consider the adoption of the final millage rates and budget for FY 2008.**

(09/04/07 - 17 - 11:53 a.m.)

11a. TRANSFER TO THE BEACH SERVICES FUND

**Motion by Manuel, seconded by Sanchez, carried 4/0 with Bryant absent, to approve the transfer of \$168,000 from General Fund Reserves (0083-59920) to the Beach Services Fund (1139-59920).**

(09/04/07 - 17 - 11:53 a.m.)

11b. INTERLOCAL AGREEMENT WITH CITY OF ST. AUGUSTINE RE: DAVIS SHORES SKATE PARK

Manuel reviewed this item. Troy Blevins spoke on this item. Manuel voiced concern about committing additional funds right now. (11:56 a.m.) **Motion by Manuel, seconded by Sanchez, to adopt Resolution No. 2007-248, approving an interlocal agreement with the City of St. Augustine for the construction of a skate park and authorizing its execution by the Chair.** McCormack mentioned that the agreement needed a date filled in. Blevins stated that the date would be September 30, 2007. (11:56 a.m.) **The motion carried 4/0 with Bryant absent.**

**RESOLUTION NO. 2007-248**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE CITY OF ST. AUGUSTINE, FLORIDA, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO**

**EXECUTE THE AGREEMENT ON BEHALF OF ST.  
JOHNS COUNTY**

(09/04/07 - 18 - 5:41 p.m.)  
COMMISSIONERS' REPORTS

Commissioner Bryant:

Bryant spoke on funding duplicate services regarding the independent agencies. Rich asked the County Administrator to check into it.

(5:43 p.m.)

Commissioner Manuel:

Manuel voiced concerns over several areas in the departments within the budget. He stated that he would be meeting with the County Administrator to express those concerns and see if there was an opportunity for further allocations and reductions in some of the General Fund items, as well as some of the enterprise funds.

(5:43 p.m.)

Commissioner Sanchez:

Sanchez asked if anyone would be watching on what might happen on the devaluation of property according to assessed values.

(5:45 p.m.)

Commissioner Stevenson:

Stevenson spoke on the Health and Human Service Advisory Council funding. She asked for consensus of the Board to check into the new programs that were funded this year. Manuel stated that he shared Stevenson's concerns. Rich asked the County Administrator to get together with Stevenson, look at the projects that she was referring to, and come back to the Commissioners with his findings and recommendations. Discussion followed.

Stevenson spoke on other counties putting information into their trim notices and tax bills as a means to communicate with the public and she would like for St. Johns County to pursue that.

Stevenson spoke on getting a tax calculator including fees so people could get an idea of what the implications were to their tax bills.

Stevenson thanked everyone for doing such a good job on the budget.

(5:53 p.m.)

Commissioner Rich:

Rich spoke on the Florida Military Combat Duty Grant Program and asked for a consensus of the Board to participate in it. He explained the program and mentioned having staff research it. (5:57 p.m.) *It was the consensus of the Board for the County Administrator to research this.*

Rich spoke on the Public Safety Coordinating Council. He asked Stevenson to take over the council as acting chair, and Stevenson accepted it.

Rich asked the Board for an approval of a motion, to bring back to this Board, the Board's ability to designate and appoint the chairman of the St. Johns County Tourist Development Council. (6:00 p.m.) **Motion by Rich, seconded by Sanchez, in accordance with Ordinance No. 88-27, that the Board of County Commissioners designates the chairman of the St. Johns County Tourist Development Council.**

Discussion followed. McCormack stated that Ordinance No. 98-71 was the latest ordinance. **Rich amended the motion to be in accordance with Ordinance No. 98-71 and the second agreed as amended. The motion carried 5/0.**

(6:07 p.m.) **Motion by Rich, seconded by Sanchez, to nominate Commissioner Tom Manuel for the position of chairman to the St. Johns County Tourist Development Council.** McCormack checked into it and stated that the new chair should finish out the remainder of this year. (6:08 p.m.) **Rich amended the motion to make the appointment until the normal expiration of the current chairman. The second agreed to the amendment. The motion carried 5/0.**

(6:08 p.m.) Stevenson spoke on Manuel reconsidering budgets. She suggested having a workshop on it before the very end. Rich voiced his concerns. Stevenson withdrew her suggestion about a workshop.

(09/04/07 - 19 - 6:11 p.m.)

#### COUNTY ADMINISTRATOR REPORT

Wanchick spoke on a letter that was drafted for the Chairman's signature to Senator King regarding Transportation Project 9B, Exhibit A. (6:12 p.m.) *Motion by Manuel, seconded by Sanchez, to adopt Resolution No. 2007-251 endorsing the letter from the Chairman of the Board of County Commissioners of St. Johns County to Senator King Re: transportation issue 9b.* Discussion followed on the actual resolution. *McCormack recommended to authorize, the County Administrator and the County Attorney to draft a resolution based upon that letter and based upon including the whereas clauses that would support its need and authorize the chair to sign it to make it procedurally clean. He stated that they could have the resolution placed on the next consent agenda for ratification.* The motion was never voted on. The resolution number was retained to be used at the adoption of the resolution on September 11, 2007 meeting. (Patrick McCormack informed the clerk after the meeting that the resolution would be presented to the Board at the September 11, 2007 meeting, for approval.)

(09/04/07 - 19 - 6:18 p.m.)

#### COUNTY ATTORNEY'S REPORT

McCormack mentioned Danny Hernandez, representing the Summer Haven land owners, asking to revisit the Summer Haven settlement of \$2,500 per property. He stated that he would like to adjust it by remaining at \$2,500 for the unimproved properties and increase up to \$5,000 for the single family homes. He asked for the authority to make the change. (6:19 p.m.) **Motion by Manuel, seconded by Sanchez, carried 5/0, to do what McCormack suggested.**

McCormack spoke on the Intercostals Utilities case and suggested having a shade meeting at 11:30 a.m. on September 18th. The shade meeting was set up for 11:30 a.m. on September 18<sup>th</sup>.

(09/04/07 - 19 - 6:21 p.m.)

#### CLERK OF COURT'S REPORT

No report.

**Motion by Manuel, seconded by Bryant, carried 5/0, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 6:22 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 406522 through 406863, totaling \$4,184,432.84 (08/14/07)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 406864 through 406896, totaling \$67,059.88 (08/16/07)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 406897 through 407173, totaling \$2,461,915.33 (08/21/07)
4. St. Johns County Board of County Commissioners Check Register, Check No. 407174, totaling \$161.49 (08/21/07)

CORRESPONDENCE:

1. Letter from Eric Dailey, District Manager, Northridge Lakes Community Development District, regarding Board of Supervisors meeting dates Northridge Lakes Community Development District remainder of fiscal year 2007/2008 (08/22/07)
2. Letter from Eric Dailey, District Manager, Northridge Lakes Community Development District, regarding the proposed fiscal year 2007-2008 budget for Northridge Lakes Community Development District (08/22/07)
3. Letter from Melissa Dobbins, District Manager, World Commerce Community Development District, regarding Board of Supervisors Meeting Dates (08/15/07)
4. Letter from Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Numbers 2007-61 through 2007-64 (08/14/07)
5. Letter from Liz Cloud, Program Administrator, Bureau of Administrative Code, filing Ordinance Numbers 2007-65 through 2007-67 (08/28/07)

Approved October 2, 2007

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Ben Rich  
Ben Rich, Chairman

ATTEST: CHERYL STRICKLAND, CLERK

By: Cheryl Strickland  
Deputy Clerk

