

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 29, 2008
(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: Thomas G. Manuel, District 4, Chairman
 Cyndi Stevenson, District 1, Vice Chair
 Ron Sanchez, District 2
 Ben Rich, District 3
 James Bryant, District 5
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

(04/29/08 - 1 - 9:01 a.m.)
CALL TO ORDER

Manuel called the meeting to order.

(04/29/08 - 1 - 9:02 a.m.)
ROLL CALL

Manuel stated that all five commissioners were present.

(04/29/08 - 1 - 9:02 a.m.)
Stevenson gave the Invocation and Manuel led the Pledge of Allegiance.

(04/29/08 - 1 - 9:04 a.m.)
SPECIAL RECOGNITION OF CALVIN ENGEL BY BOB PETERS, PERSONNEL SERVICES DIRECTOR

Bob Peters, Director Human Resources, presented a watch to Calvin Engel for 34 years of service to St. Johns County. Gene Burns, Engel's supervisor, presented a picture to Engel of the building they worked in 34 years ago and wished him well in his retirement. Engel received the award and thanked them.

(04/29/08 - 1 - 9:07 a.m.)
PROCLAMATION DESIGNATING MAY 2008 AS NATIONAL DRUG COURT MONTH

Rich read the proclamation and presented it to the Drug Court representatives Judge Wendy Berger, Francis Colone, Diane Timeson of Epic Community Services, Cheryl McRay, Assistant State Attorney, Gary Smolek, Public Defender and Ralph Cumberbatch, Program Coordinator for the St. Johns County Drug Program. Judge Berger thanked the Commissioners for the proclamation and commented on the positive results of the Drug Court.

(04/29/08 - 1 - 9:14 a.m.)
PROCLAMATION DESIGNATING APRIL 27 - MAY 3, 2008 AS NATIONAL VOLUNTEER WEEK

Bryant introduced Shirley Barber, Master Gardner; Barbara Purple, Master Gardner; Lisa Schrupp, Master Gardner; Nettie Ruth Brown, 4- H Youth Development; Mary Ann Larson, The Pet Center; and Bob John, Master Gardner. Bryant stated how important their volunteer services were. He read the proclamation and presented it to the group. Ms. Brown thanked the Commissioners for recognizing the volunteers within the County. She thanked the volunteers at the Agricultural Center, and noted they had done a beautiful job with their projects there.

(04/29/08 - 2 - 9:19 a.m.)

PROCLAMATION DESIGNATING APRIL 28 - MAY 2, 2008 AS SMALL BUSINESS DEVELOPMENT WEEK

Manuel read the proclamation and presented it to Nick Sacia, Katie Mohn, Robin Burchfield and others who were present. Burchfield thanked them for the presentation, and mentioned the luncheon to be held later that day to recognize a number of small businesses within the County.

(04/29/08 - 2 - 9:24 a.m.)

PROCLAMATION DESIGNATING MAY 12, 2008 AS LETTER CARRIERS FOOD DRIVE DAY

Sanchez read the proclamation and introduced Letter Carrier, Julie Gustafson, who received the proclamation on behalf of the Letter Carriers. Gustafson stated that the food drive was important for St. Johns County and noted that all the food stayed in the County and would go to local food banks. She said May 10th would be the food drive day and encouraged everyone to leave food at their mailboxes on that day.

(04/29/08 - 2 - 9:28 a.m.)

ACCEPTANCE OF PROCLAMATION

Motion by Stevenson, seconded by Sanchez, carried 5/0, to approve the proclamations.

(04/29/08 - 2 - 9:28 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(04/29/08 - 2 - 9:28 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Rich, seconded by Stevenson, carried 5/0, to approve the Consent Agenda.

1. Approval of the Cash Requirement Report
2. Minutes:
 - 04/01/08 - BCC Regular Meeting
 - 04/09/08 - BCC Emergency Meeting
3. Sheriff Office Bonds:
 - Approve: Mary Rinker
 - Cancel: Joseph Anderson III Sean Smith David Toth
 - Change Name: MaryAnn Pettigrew to MaryAnn Tatem

4. Motion to approve Intergovernmental Relations position changes not included in the Board of County Commissioner's FY 08 Adopted County Budget
5. Motion to approve a transfer in the amount of \$950 from Transportation Trust Fund Reserves (1131-59920) to the appropriate salary and benefit line items within the Fleet Maintenance Department
6. Motion to adopt **Resolution No. 2008-110**, approving the Final Plat for Trestle Bay Replat of Lot 12

RESOLUTION NO. 2008-110

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR TRESTLE BAY REPLAT OF LOT 12

7. Motion to adopt **Resolution No. 2008-111**, recognizing unanticipated revenue in the amount of \$23,663.37 and increasing the Transportation Trust Fund Insurance Proceeds (1111-36402) and increasing the expenditure budget of the Road & Bridge Department Vehicle Maintenance (1122-54602) in the same amount

RESOLUTION NO. 2008-111

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2008 TRANSPORTATION TRUST FUND TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZING ITS EXPENDITURE BY THE ROAD AND BRIDGE DEPARTMENT

8. Motion to adopt **Resolution No. 2008-112**, approving the terms and conditions of the Joint Participation Agreement, FPN 418441-1-84-04, for purposes of receiving a State of Florida Public Transit Block Grant for \$183,426 and authorizing the Chairman of the Board of County Commissioners to execute the Agreement and authorize the County Administrator, or his designated representative, to execute other related documents and take any actions necessary in connection with the Joint Participation Agreement

RESOLUTION NO. 2008-112

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION DESIGNATING ST. JOHNS COUNTY AS THE RECIPIENT OF A PUBLIC TRANSIT BLOCK GRANT (FINANCIAL PROJECT NUMBER 41844-1-84-04) IN THE AMOUNT OF \$183,426, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY

COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
TO EXECUTE THE JOINT PARTICIPATION
AGREEMENT ON BEHALF OF THE COUNTY AND
AUTHORIZE THEIR EXPENDITURE BY ST. JOHNS
COUNTY

9. Motion to adopt **Resolution No. 2008-113**, approving the terms, and conditions of the Contract between the Board of County Commissioners of St Johns County, Florida and the St Johns County Council on Aging to provide transit services and be reimbursed for those services from JPA FP#-418441-1-84-04, and authorizing the Chairman of the Board of County Commissioners to execute the Contract on behalf of the County

RESOLUTION NO. 2008-113

A RESOLUTION OF 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 ST. JOHNS COUNTY COUNCIL ON AGING TO PROVIDE TRANSPORTATION SERVICES AND TO BE REIMBURSED FOR THOSE SERVICES FROM FUNDS RECEIVED BY THE COUNTY FROM A FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSIT BLOCK GRANT IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FP-NUMBER 414441-1-84-04, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

10. Motion to adopt **Resolution No. 2008-114**, approving the terms and authorizing the County Administrator to execute the 2nd Amendment to the Purchase and Sale Agreement for acquisition of property to mitigate wetland impacts as a result of the construction of Capital Improvement Projects to extend Section (4) and Section (10) for 120 days

RESOLUTION NO. 2008-114

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE 2ND AMENDMENT TO THE PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF PROPERTY TO MITIGATE WETLAND IMPACTS AS A RESULT OF THE CONSTRUCTION OF CAPITAL IMPROVEMENT PROJECTS TO EXTEND SECTION (4) AND SECTION (10) FOR 120 DAYS

11. Motion to adopt **Resolution No. 2008-115**, accepting a Grant of Easement for construction of a sidewalk and additional right-of-way needed for a turn lane off of Old Moultrie Road

RESOLUTION NO. 2008-115

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR CONSTRUCTION OF A SIDEWALK AND ADDITIONAL RIGHT-OF-WAY NEEDED FOR A TURN LANE OFF OF OLD MOULTRIE ROAD

12. Motion to adopt **Resolution No. 2008-116**, accepting a Grant of Easement for drainage, utility, and roadway purposes located on the corner of Big Oak Road and Avenue B

RESOLUTION NO. 2008-116

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR DRAINAGE, UTILITY AND ROADWAY PURPOSES LOCATED ON THE CORNER OF BIG OAK ROAD AND AVENUE B

13. Motion to adopt **Resolution No. 2008-117**, accepting a Grant of Easement for drainage purposes along South Roscoe Boulevard in Ponte Vedra

RESOLUTION NO. 2008-117

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A GRANT OF EASEMENT FOR DRAINAGE PURPOSES ALONG SOUTH ROSCOE BOULEVARD IN PONTE VEDRA

14. Motion to adopt **Resolution No. 2008-118**, approving the terms and authorizing the County Administrator to execute certain Purchase and Sale Agreements of Easement for drainage improvements along South Wilderness Trail in Palm Valley

RESOLUTION NO. 2008-118

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CERTAIN PURCHASE AND SALE AGREEMENTS OF EASEMENT FOR DRAINAGE IMPROVEMENTS ALONG SOUTH WILDERNESS TRAIL IN PALM VALLEY

15. Motion to adopt **Resolution No. 2008-119**, approving the terms of a License Agreement to use a portion of unopened Dixie Highway, and authorizing the County Administrator to execute the agreement on behalf of the County

RESOLUTION NO. 2008-119

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

**APPROVING THE TERMS OF A LICENSE AGREEMENT
TO USE A PORTION OF UNOPENED DIXIE HIGHWAY
AND AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE THE AGREEMENT ON BEHALF OF THE
COUNTY**

16. Motion to adopt **Resolution No. 2008-120**, approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement of Easement for drainage improvements along North Roscoe Boulevard in Ponte Vedra

RESOLUTION NO. 2008-120

**A RESOLUTION OF 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 OF EASEMENT
FOR DRAINAGE IMPROVEMENTS ALONG NORTH
ROSCOE BOULEVARD IN PONTE VEDRA**

17. Motion to authorize the County Administrator, or his designee, to negotiate with and, if successful with negotiations, enter into contract with GPI Southeast, GCY Surveyors, Robert M. Angus Associates and Bradshaw Niles for Surveying/Mapping Services
18. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Grosch Irrigation Co., Inc. in the amount of \$294,738 for Bid # 08-77 CR 214 Mainland Floridian Aquifer Production Well TR-48
19. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, B and B of Duval Companies, Inc. in the amount of \$155,107 for Bid # 08-78 CR 214 Well field (Well Road 400) Raw Water Main Extension
20. Motion to authorize the County Administrator, or his designee, to negotiate with and enter into contract with the Number One ranked firm, Glatting Jackson, for the William Bartram Scenic and Historical Highway Master Plan. If an agreement cannot be reached with the top ranked firm, authorization is requested to begin negotiations with the next ranked respondent and continue until an agreement is reached
21. Motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Hager Construction in the amount of \$139,530 for Bid # 08-94, West Core HVAC Renovation of the Health & Human Services Building
22. Motion to authorize the County Administrator, or his designee, to purchase three (3) 2008 Fourteen Cubic Yard Dump Trucks from Heintzelman's Truck Center from Bid No: 08-103, in the amount of \$263,208
23. Motion to authorize the County Administrator, or his designee, to purchase one (1) 2008 Sewer Vacuum Truck from Heintzelman's Truck Center from Bid No: 08-106 in the amount of \$139,606.00

24. Motion to authorize the County Administrator, or his designee, to purchase two (2) 2008 15,000 GVWR, Extended Cab Trucks, 4X2 with Service body and 4,000 lb crane from Tropical Ford from Bid No. 08-111, in the amount of \$101,552
25. Motion to authorize the County Administrator, or his designee, to purchase Cisco Networking Gear from the low bidder (Bid 08-117) PC Mall Gov., Inc., in the amount of \$87,216.91
26. Motion to adopt **Resolution No. 2008-121**, approving the SHIP Local Housing Assistance Plan for Fiscal Years ending 2008-2011

RESOLUTION NO. 2008-121

A RESOLUTION OF THE ST. JOHNS COUNTY COMMISSION OF THE BOARD OF COUNTY COMMISSIONERS (LOCAL GOVERNMENT) FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE

27. Motion to adopt **Resolution No. 2008-122**, approving the terms and authorizing the County Administrator to execute Change Order #4 and associated documents to complete the Utility's meter change out and fixed base meter reading system

RESOLUTION NO. 2008-122

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF CHANGE ORDER #4 TO THE PERFORMANCE CONTRACT, BETWEEN ST. JOHNS COUNTY, FLORIDA, AND JOHNSON CONTROLS, INC., FOR A METER CHANGE-OUT PROGRAM AND CONVERSION TO A FIXED BASE AUTOMATED METER READING SYSTEM, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE CHANGE ORDER AND ALL ASSOCIATED DOCUMENTS ON BEHALF OF ST. JOHNS COUNTY

28. Proofs:
 - a. Proof, Notice to Bidders, RFP No. 08-30
 - b. Proof, Notice to Bidders, RFP No. 08-100
 - c. Proof, Notice of Proposed Exchange of County Property, Board of County Commissioners, Resolution approving exchange between St. Johns

- County and Charles R. Usina, Gabbye Usina and Charles R. Usina, Jr., Tuesday April 1, 2008 (St. Johns Recorder)
- d. Proof, Notice of Proposed Exchange of County Property, Board of County Commissioners, Resolution approving exchange between St. Johns County and Charles R. Usina, Gabbye Usina and Charles R. Usina, Jr., Tuesday April 1, 2008 (Ponte Vedra Recorder)
 - e. Proof, Notice of Proposed Exchange of County Property, Board of County Commissioners, Resolution approving exchange between St. Johns County and SONOC Company, LLC, Tuesday, March 18, 2008 (St. Johns Recorder and Ponte Vedra Recorder)
 - f. Proof, Notice of Public Hearing, Board of County Commissioners, Establishment of Ordinance/Regulation Affecting the Use of Land, Tuesday, March 18, 2008 at 9:00 a.m. (St. Johns Recorder and Ponte Vedra Recorder)
 - g. Proof, Notice of Intent, Board of County Commissioners, Intent to Use Uniform Method of Collecting Non-Ad Valorem Assessments, Unincorporated Area of the County, Public Hearing to be held at 9:00 a.m. on February 19, 2008 (St. Johns Recorder and Ponte Vedra Recorder)
 - h. Proof, Notice of Special Meeting, Board of County Commissioners, Tuesday, February 26, 2008 at 9:00 a.m. (St. Johns Recorder)
 - i. Proof, Notice of Special Meeting, Board of County Commissioners, Tuesday, February 26, 2008 at 9:00 a.m. (Ponte Vedra Recorder)
 - j. Proof, Notice of Hearing, Board of County Commissioners, Consider renaming Coastal Ridge Blvd. To Valley Ridge Blvd., Tuesday, March 4, 2008 at 9:00 a.m. (Ponte Vedra Recorder)
 - k. Proof, Notice of Hearing, Board of County Commissioners, Consider renaming Coastal Ridge Blvd. To Valley Ridge Blvd., Tuesday, March 4, 2008 at 9:00 a.m. (St. Johns Recorder)
 - l. Proof, Notice to Bidders, RFP No. 08-121

(04/29/08 – 8 - 9:29 a.m.)

PUBLIC COMMENT

Richard Ornstein, 3815 Wahoo Drive, Vilano Beach, spoke regarding erosion of primary sand dunes and coastline. He urged the Board to issue no new permits for building on the dunes, that an immediate moratorium be implemented along A1A for building on primary dunes and that no waivers be allowed. Stevenson noted that a moratorium currently existed for a portion of the coastline. She said they had to work with DEP, and it was very frustrating. She said high risk insurance should not be subsidized by the general public. She said a workshop would be in order to explore the issue, which she acknowledged was huge. General discussion followed.

(9:45 a.m.) B. J. Kalaidi, 8 Newcomb St., asked that Jason Ford be removed from the Tourist Development Council since he did not meet qualifications according to Ordinance 86-62 or Florida Statute 125.0104 and that Joe Finigan be reappointed to the TDC for the term beginning January 1, 2008 to January 1, 2012 or that another owner/operator be appointed to fill that position. She spoke regarding a one cent sales tax and the possible uses of Category I, II and III monies. Manuel said the County Attorney and County Administrator would look into the issue. He said that the ability to use bed tax to maintain or construct capital assets was permissible under Florida Statute 125.0104. He said it was important for the TDC, as the tourist development arm of the County, to work with the City and the County to maximize the potential rewards on the upcoming celebration.

(04/29/08 - 9 - 9:49 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Manuel said Items 1-3 would be heard that morning and because of the celebration for small businesses being held that day, the Commission would adjourn about 11:15 a.m. so they could arrive there on time. He said the afternoon items would be Items 4 - 16.

Wanchick clarified that Items 4-10 would move to the back of the agenda and they would try to move through as many of the other items as possible.

McCormack asked that Item 2 be removed from the agenda until May 14th at 5:00 p.m. for a special Ponte Vedra Architectural Review Committee meeting. *The Board concurred to allow McCormack to attend the special meeting.* He said hopefully the resolution would come back for a major modification and would become an expeditious item at that time. He asked it be returned for a time certain meeting on May 27th as Item No. 1.

McCormack said that counsel had requested Item No. 3 be moved to the afternoon, as they needed more time to review a public records request paperwork. Manuel said they should move forward with it at the appointed time and the Board concurred.

(04/29/08 - 9 - 9:54 a.m.)

APPROVAL OF REGULAR AGENDA

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

(9:54 a.m.) Stevenson said a speaker had asked to reopen public comment.

(9:55 a.m.) Ellen Whitmer, 1178 Natures Hammock Rd. South, Fruit Cove, reminded the people who lived in the homes along the ocean, that their property was not worth much when it was falling into the ocean.

(04/29/08 - 9 - 9:56 a.m.)

1. PRESENTATION OF THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR FISCAL YEARS 2008/2009 THROUGH 2012/2013

Wanda Forrest, Long Range Planning Manager, First Coast Metropolitan Planning Organization (MPO), gave a presentation on the Transportation Improvement Program (TIP). In response to a question from Manuel, she said they had an \$80 million shortfall in State revenue funds. She said they did not know what the DOT plans were for those cuts. She gave a PowerPoint presentation explaining the MPO and what the upcoming plans were for St. Johns, Duval, Clay and Nassau Counties with emphasis on those proposed projects for St. Johns County. She said the MPO would approve the TIP at the May 8th meeting.

(04/29/08 - 9 - 10:00 a.m.)

(DISTRICT 4)

2. PUBLIC HEARING - MAJMOD 2007-23 PLAYERS, CLUB PUD (VERANDA UNIFIED SIGN PLAN) - THIS IS A MAJOR MODIFICATION TO THE PLAYERS CLUB PUD (ORDINANCE 1975-15, AS AMENDED) TO MODIFY THE VERANDA FINAL DEVELOPMENT PLAN (1996-224) IN ORDER TO DEFINE THE INDIVIDUAL BUILDING SIGNAGE FOR VERANDA BUILDINGS A-F. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST DURING THE MARCH 6, 2008 MEETING (MOTION BY WHEELER, SECOND BY WILLIAMS) BY A

VOTE OF 6/1. THE RECOMMENDATION INCLUDES THE WAIVERS AS PRESENTED AND MODIFIES THE UNIFIED SIGN PLAN TO REMOVE SIGNAGE FROM THE SOUTHERN ELEVATION OF BUILDING D AND LIMIT SIGNAGE TO ONE SIGN ALONG THE TOP BAND ON THE NORTHERN ELEVATIONS OF BUILDINGS A AND F (FACING PGA BOULEVARD)

Proof of publication of the notice of public hearing regarding MAJMOD Players Club PUD 07-23, Veranda Unified Sign Plan, was received having been published in *The St. Augustine Record* on April 17, 2008.

This item was postponed until May 27, 2008.

(04/29/08 - 10 - 10:00 a.m.)

(DISTRICT 3)

3. PUBLIC HEARING - PUD 2005-30, LIGHTSEY ROAD APARTMENTS - THIS IS A REQUEST TO REZONE FROM OPEN RURAL (OR) TO PUD FOR THE CONSTRUCTION OF 264 APARTMENT UNITS AND 25,000 SQUARE FEET OF COMMERCIAL SPACE. SUBJECT PROPERTY IS 25.21 ACRES AND IS LOCATED ALONG THE INTERSECTION OF LIGHTSEY RD AND SR 207. THE BOARD OF COUNTY COMMISSIONERS PREVIOUSLY DENIED THIS REQUEST ON FEBRUARY 20, 2007 BY A VOTE OF 3/2. ON DECEMBER 12, 2007 THE COURT QUASHED THE ORDER BY THE BCC AND REMANDED THE ITEM FOR REHEARING BY THE BCC. ON APRIL 15 THE BCC REQUESTED ADDITIONAL INFORMATION REGARDING DENSITY IN THE SURROUNDING AREA

Proof of publication of the notice of public hearing regarding PUD 2005-30, Lightsey Road Apartments, was received having been published in *The St. Augustine Record* on April 17, 2008.

Cathy Upchurch, St. Augustine Court Reporters, was present for this item.

Manuel said any comments needed to be limited to density and compatibility and any public comment should be limited to those two issues only.

(10:00 a.m.) Mc Cormack requested a five minute recess. The meeting recessed at 10:00 a.m. and resumed at 10:14 a.m.

(10:14 a.m.) Manuel said staff would do a presentation on the surrounding area density. Teresa Bishop summarized the density in the general mixed use area along CR 207 in the Lightsey Road area. She said the Lightsey Road project was right at 13 units per acre net, and was the maximum allowed in mixed use. She said the Seaview Landing project was the nearest project with 9.3 units per acre net density. She said the remainder of the projects were calculated with gross density because they were unable to determine net density for them. She said their zoning included OR, CI, RS3 and IW, a mixture of uses inside the reviewed area.

(10:17 a.m.) Burnett said in order to make the record clear, they would object to that line of testimony and presentation related to density because the Circuit Court had already heard issues related to density because it was wrapped in with compatibility. He said the Board's original order from February 20, 2007, addressed and denied the application, alleging incompatibility and the Court had already ruled on that issue. He said it was the law of the case and it was final. Manuel said he appreciated those comments but some Board members wanted to have more data.

(10:17 a.m.) Stevenson asked for staff legal opinion as to whether compatibility had already been ruled on as a matter of law and that it was now by law compatible because of the Circuit Court opinion.

(10:18 a.m.) Whitehouse said, in their legal opinion, there had been a ruling on the case, however, when the case was remanded, the Circuit Court had no authority under current Florida law to tell the lower body what to do. He said the Commission had to base any new opinion on new facts and new evidence, and it was their opinion that it was new facts and new evidence that was asked for by the Commission, and it could be considered. McCormack added additional comments regarding the hearing.

(10:19 a.m.) Bishop continued with the presentation. She said the range of densities went from 2 units per acre up to the 9.3 units per acre. She said the next largest project would be 5 units per acre after the Lightsey Road project. She noted the height in the area was primarily 35 feet and the Lightsey Road project was proposed at 41 feet. She said the minimum lot sizes went from around an acre to 6,050 square feet.

(10:20 a.m.) Manuel asked what they had found on the intensity issue. Bishop responded they tried to look at it as it related to the overall mixed use areas. She said the areas were quite large and linear and it was difficult to employ those mixtures and that design all the time. She stated staff looked at it in their reviews and tried to take into account the project itself, the acres of the project and how it was being designed. She said they looked at the transition of the uses between mixed uses and coming into a mixed use area and tried to accommodate buffers on the perimeters of the projects.

(10:22 a.m.) Manuel stated that the shape of the mixed used districts made it more problematic to have a high density core with less density as it moved out. He urged staff to look carefully at mixed use districts, as there was a lot of concern by the Board on the use of mixed use districts. He said they created potential for arbitrary decisions which neither the Board nor the applicant wanted to be subject to.

(10:23 a.m.) Stevenson clarified what had taken place at the last hearing and asked for clarification on the legal grounds. She asked staff to comment on the conditions on Lightsey Road, the number of units that were on it now and the number of units that were continuing to be added, whose primary access was by that roadway. She said the primary issue was the intensity of the use, the adequacy of the infrastructure, and the safety of the residents, with safety being their primary goal.

(10:27 a.m.) Bryant said that the Land Development Code was the mitigating document that made those projects compatible and if that was not happening, they needed to go back and readdress the issue.

(10:27 a.m.) Burnett requested a five minute break.

The meeting recessed at 10:27 and resumed at 10:36 a.m.

(10:36 a.m.) *This item was continued until 1:30 p.m.*

The meeting reconvened at 1:57 p.m. with all five commissioners, Wanchick, McCormack, and Deputy Clerk Lenora Newsome present.

Subsequently, at 1:57 p.m. Item No. 3 was revisited. Cathy Upchurch, Court Reporter, was present. McCormack stated that since the agenda item started that morning, and they had an opportunity to discuss the matter, the applicant and representatives of the neighbors came close to an agreement on the configuration. He stated that this was a

matter that could come to a reasonable solution and requested a two week extension. Rich voiced his concerns. E-mails were handed in for the record, Exhibit A.

(2:03 p.m.) Burnett responded that they had no objection to continuing this item. (2:04 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to continue the Lightsey Road Apartments PUD 2005-30, to May 13th as Item #1 and to direct the County Attorney and county staff to arrange for a community meeting pertaining to this issue.**

(04/29/08 - 12 - 2:48 p.m.)

4. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF AGREEMENT BETWEEN THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, CITY OF BUNNELL, CITY OF DELAND, DUNES COMMUNITY DEVELOPMENT DISTRICT, CITY OF FLAGLER BEACH, FLAGLER COUNTY, MARION COUNTY, CITY OF PALM COAST, ST. JOHNS COUNTY AND VOLUSIA COUNTY FOR THE DEVELOPMENT OF A PRELIMINARY DESIGN REPORT AND ENCUMBRANCE OF FUNDING FOR THE COQUINA COAST SEAWATER DESALINATION ALTERNATIVE WATER SUPPLY PROJECT AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

Whitehouse left the meeting and Michael Hunt, Deputy Attorney, entered the meeting.

Bill Young, Director of Utilities, reviewed this item. He spoke on a letter from Melinda Grunland regarding the overall effectiveness of water conservation rate structures. Stevenson spoke on attending a meeting in Sanford where they talked about the overall effectiveness of water conservation rate structures. She stated that she thought it was a positive move for the County in an appropriate direction. Manuel spoke on conservation being the number one goal and that reuse remains one of their highest priorities. He spoke on their ability to demonstrate alternative water supply sources.

(3:00 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to adopt Resolution No. 2008-124, approving the terms, provisions, conditions, and requirements of a Memorandum of Agreement among the St. Johns River Water Management District, City of Bunnell, City of DeLand, Dunes Community Development District, City of Flagler Beach, Flagler County, City of Mount Dora, City of Leesburg, Marion County, City of Palm Coast, St. Johns County and Volusia County for the development of a Preliminary Design Report and encumbrance of funding for the Coquina Coast Seawater Desalination Alternative Water Supply Project and authorizing the County Administrator, or designee, to execute the Agreement on behalf of St. Johns County,**

(3:02 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to transfer up to \$180,000 from the Utility Force Main Systems category (4416 fund) to the Utility Engineering Studies category (4409 fund).**

RESOLUTION NO. 2008-124

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A MEMORANDUM OF AGREEMENT AMONG THE ST. JOHNS RIVER MANAGEMENT DISTRICT, CITY OF BUNNELL, CITY OF DELAND, DUNES COMMUNITY DEVELOPMENT DISTRICT, CITY OF FLAGLER BEACH,

FLAGLER COUNTY, CITY OF LEESBURG, MARION COUNTY, CITY OF MT. DORA, CITY OF PALM COAST, ST. JOHNS COUNTY AND VOLUSIA COUNTY FOR THE DEVELOPMENT OF A PRELIMINARY DESIGN REPORT AND ENCUMBRANCE OF FUNDING FOR THE COQUINA COAST SEAWATER DESALINATION ALTERNATIVE WATER SUPPLY PROJECT AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ON BEHALF OF ST. JOHNS COUNTY, ANY DOCUMENTS ASSOCIATED WITH SUCH PROJECT

The meeting recessed at 3:03 p.m. and reconvened at 3:14 p.m.

(04/29/08 - 13 - 3:14 p.m.)

5. CONSIDER A MOTION TO AUTHORIZE THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO AWARD A CONTRACT TO THE LOW BIDDER, EWP CONSTRUCTION, IN THE AMOUNT OF \$3,980,000 FOR BID # 08-42R WEST AUGUSTINE IN-FILL HOUSING RE-BID

Sharon Haluska, Purchasing Department, representing Joe Burch, explained the bid.

(3:15 p.m.) Motion by Rich, seconded by Sanchez, carried 5/0, to authorize the County Administrator, or his designee, to award a contract to the low bidder, EWP Construction in the amount of \$3,980,000.

(04/29/08 - 13 - 3:15 p.m.)

6. CONSIDER A MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF THE ASSIGNMENT AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AND THE FALCONE GROUP, LLC, REGARDING THE CONSTRUCTION LICENSES, PERMITS, CONTRACTS, PLANS AND MATERIALS RELATED TO THE INTERCHANGE OF INTERSTATE 95 AT CR 210, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE SAID AGREEMENT

Joe Stephenson, Public Works Director, explained the agreement. Stevenson stated that she appreciated staff's work on this. Rich spoke on infrastructure. Sanchez questioned the status of Twin Creeks. Stevenson replied that it did nothing to relieve Twin Creeks of any of their commitments. Sanchez stated that he didn't want to relieve them of any of their obligations. Manuel stated that the major thrust was for the County to get control of this critically important transportation safety PM fix. Discussion followed.

(3:21 p.m.) Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2008-125 approving the terms, provisions, conditions, and requirements of the Assignment Agreement between the Board of County Commissioners of St. Johns County, Florida, and the Falcone Group, LLC, regarding the construction licenses, permits, contracts, plans and materials related to the interchange of Interstate 95 at CR 210, and authorizing the County Administrator to execute said agreement.

RESOLUTION NO. 2008-125

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT AND

EXECUTE AN ASSIGNMENT OF CONSTRUCTION LICENSES, PERMITS, CONTRACTS, PLANS AND MATERIALS RELATED TO THE INTERSTATE 95 AT COUNTY ROAD 210 PHASE I SAFETY IMPROVEMENTS PROJECT FROM FALCONE GROUP, LLC.

(04/29/08 - 14 - 3:22 p.m.)

7. CONSIDER MOTION TO ADOPT A RESOLUTION APPROVING THE TERMS OF THE THREE PURCHASE AND SALE AGREEMENTS FOR THE ACQUISITION OF PROPERTY REQUIRED FOR THE I95/CR210 PHASE 1A TRANSPORTATION IMPROVEMENT PROJECT

(3:22 p.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2008-126, approving the terms of the three Purchase and Sale Agreements for the acquisition of property required for the I95/CR210 Phase 1A Transportation Improvement Project.**

RESOLUTION NO. 2008-126

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THREE PURCHASE AND SALE AGREEMENTS FOR ACQUISITIONS OF PROPERTY NEEDED FOR THE PHASE 1A I95/CR210 TRANSPORTATION IMPROVEMENT PROJECT

(04/29/08 - 14 - 3:23 p.m.)

8. CONSIDER AN APPOINTMENT TO THE MID-ANASTASIA ISLAND DESIGN REVIEW BOARD

Motion by Bryant, seconded by Rich, carried 5/0, to appoint Mr. Edward H. Underhill, Jr., to the Mid-Anastasia Island Design Review Board for a partial term scheduled to expire April 3, 2011.

(04/29/08 - 14 - 3:24 p.m.)

9. CONSIDER APPOINTMENTS TO THE PLANNING & ZONING AGENCY

(3:25 p.m.) **Motion by Sanchez, seconded by Rich, carried 5/0, to (re) appoint Hiram Hanson to the Planning & Zoning Agency for a full four-year term scheduled to expire April 29, 2012.**

Manuel stated that he would like to nominate Brad Wester to the Board, but he would yield to Stevenson. Stevenson stated that she would like to have Brad Nelson back on the Board. Rich spoke about David Valentine.

(3:30 p.m.) **Motion by Stevenson, seconded by Rich, carried 5/0, to appoint Brad Nelson to the Planning & Zoning Agency for a partial term scheduled to expire December 1, 2009.**

(04/29/08 - 14 - 3:31 p.m.)

10. CONSIDER AN APPOINTMENT TO THE PONTE VEDRA ZONING & ADJUSTMENT BOARD

Motion by Manuel, seconded by Sanchez, carried 5/0, to (re) appoint David Swanson to the Ponte Vedra Zoning & Adjustment Board for a full four-year term scheduled to expire April 29, 2012.

(04/29/08 - 15 - 10:36 a.m.)

11. CONSIDER MOTION TO TRANSMIT THE EAR ISSUES LETTER TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA)

Bishop gave the presentation and provided a reformatted letter with additional information which the Board had requested. She noted that she had worked with the County Administrator and thought they had addressed all the concerns expressed.

(10:37 a.m.) Stevenson thanked Bishop and said it more clearly reflected some of the issues and concerns that the Board had talked about, which had come forth from the community.

(10:37 a.m.) Motion by Stevenson, seconded by Sanchez, carried 5/0, to transmit EAR Issues Letter to the DCA.

(04/29/08 - 15 - 10:38 a.m.)

(DISTRICT 1)

12. PUBLIC HEARING - NOPC 2007-06, BARTRAM PARK DRI - THIS IS A NOTICE OF PROPOSED CHANGE (NOPC) TO REVISE THE ST. JOHNS COUNTY BARTRAM PARK DRI DEVELOPMENT ORDER AS FOLLOWS: AMEND GENERAL CONDITION 3 TO CHANGE THE PHASE 2 COMPLETION DATE, BUILDOUT DATE AND THE DRI TERMINATION DATE INCLUDING ACCELERATION LANGUAGE FOR RETAIL/OFFICE USES UPON COMPLETION OF ALL DRI TRANSPORTATION MITIGATION REQUIREMENTS OF ST. JOHNS COUNTY

Proof of publication of the notice of public hearing on NOPC 07-06/Bartram Park was received, having been published in *The St. Augustine Record* on April 14, 2008.

Jason Cleghorn, Planner III, stated that the PZA vote had been omitted from the staff report and the vote on November 15, 2007 was 7/0.

(10:38 a.m.) Stevenson expressed appreciation to the applicant for getting the connector road open, which provided access up Bartram Parkway to the hospital in that area. She also thanked them for using transportation dollars collaboratively and more effectively with another property owner in the area.

(10:40 a.m.) Rich expressed concern about moving the date from 20 months to 30 months on the related completion of construction. Cleghorn said the purpose of the change was because it had been determined in staff discussions with Joe Stephenson and Press Tompkins in the Planning Division, that the reality of the construction industry practices, that 20 months for a project of that magnitude was not feasible, and they would be unable to meet that time period. They determined that 30 months was more realistic. He said if they were unable to meet that time frame, they would have to do a Notice of Proposed Change (NOPC). Rich asked Joe Stephenson, Public Works Director, to comment. Rich said the appearance didn't look ready and wanted to know how they had gotten in that situation.

(10:43 a.m.) Stephenson said the project had grown in complexity, and originally was a straight ahead project to replace a bridge and build a second bridge over Durbin Creek at Racetrack Road. He said they were now trying to rebuild both of those bridges in a

manner that would line up with a future un-designed connection to SR 9B. He said that was a complexity they had not anticipated.

(10:44 a.m.) Stevenson said that was what she had been alluding to in her earlier comment about developers working together. She said it did slow down the project, but it was an overall lasting enhancement to the citizens of the County.

(10:45 a.m.) **Motion by Stevenson, seconded by Bryant, carried 5/0, to adopt Resolution No. 2008-123, approving a Notice of Proposed Change to the Bartram Park DRI Development Order, adopting findings of fact one through four, to support the motion.**

RESOLUTION NO. 2008-123

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE BARTRAM PARK DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY, FLORIDA, ON SEPTEMBER 19, 2000, UNDER RESOLUTION 2000-139, PREVIOUSLY MODIFIED BY RESOLUTION 2001-93, APPROVED MAY 8, 2001; AS MODIFIED BY RESOLUTION 2003-94, APPROVED MAY 21, 2003; AS MODIFIED BY RESOLUTION 2005-146, APPROVED JUNE 1, 2005; AS MODIFIED BY RESOLUTION 2006-52, APPROVED FEBRUARY 21, 2006; AND AS PREVIOUSLY MODIFIED BY RESOLUTION 2006-175, APPROVED MAY 30, 2006; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE

(04/29/08 - 16 - 10:46 am.)

(DISTRICT 1)

13. PUBLIC HEARING - MAJMOD 2008-03, NOCATEE PUD - THIS APPLICATION IS A REQUEST FOR A MAJOR MODIFICATION TO THE NOCATEE PUD. THE PROPOSED CHANGE INCLUDES A REQUEST TO REDUCE THE REAR YARD SETBACK WITHIN THE VILLAGE RESIDENTIAL DISTRICT OF NOCATEE FROM THE CURRENT TWENTY FEET TO TEN FEET. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL BY A VOTE OF 5-1 WITH MR. LAIDLAW MAKING THE MOTION AND MR. WHEELER THE SECOND AT THE APRIL 3RD PZA MEETING. LIMITED DISCUSSION CENTERED ON THE IMPACT OF THE CHANGE AND THE GENESIS OF THE CHANGE BEING FROM THE BUILDERS WITHIN NOCATEE TO PROVIDE FLEXIBILITY ON A LIMITED NUMBER OF LOTS

Proof of publication of the notice of public hearing on MAJMOD 2008-03/Nocatee PUD was received, having been published in *The St. Augustine Record* on April 14, 2008.

Don Smith, 14558 St. Augustine Road, England Timms & Miller, 14775 Old St. Augustine Rd., said the change was an adjustment to the Nocatee PUD. He said they currently had a ten foot rear yard setback in all of the residential districts except for Village Residential and the change would move the setback for Village Residential to ten feet also. He said it was consistent with their County Codes for PUDs. He reviewed the various phases and current construction.

(10:48 a.m.) Rich expressed concern because a planned community was being changed and he would not support it.

(10:49 a.m.) Manuel also expressed concern and noted that there had been a request that setbacks on the back of the property not be reduced. Smith said they were well away from the pond site, and they were asking for flexibility in order to be able to fit certain home footprints. He said it was consistent with the other setbacks within Nocatee and with County standards.

(10:50 a.m.) Stevenson asked if the request was throughout the development or just for a certain part. Smith said it was for the Village Residential and would apply to any of the Villages that surrounded the town center.

(10:51 a.m.) **Motion by Stevenson, seconded by Bryant, carried 4/1 with Rich dissenting, to enact Ordinance No. 2008-21, known as MAJMOD 2008-03, Nocatee PUD, adopting findings of fact one through five to support the motion, and noting that it has no effect on the overall number of units that are to be developed or the open space of the project.**

ORDINANCE NO. 2008-21

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, APPROVING A MAJOR
MODIFICATION TO THE NOCATEE PLANNED UNIT
DEVELOPMENT, ORDINANCE NUMBER 2002-46, AS
AMENDED MAKING FINDINGS OF FACT;
REQUIRING RECORDATION; AND PROVIDING FOR
AN EFFECTIVE DATE**

(10:53 a.m.) Manuel said there would be a five minute recess in order to prepare the presentation. The meeting resumed at 10:57 a.m.

(04/29/08 - 17- 10:57 a.m.)

(DISTRICT 1)

14. PUBLIC HEARING - MAJMOD 2008-05, PRIME OUTLET SIGNAGE (ST. AUGUSTINE CENTRE PUD) - THIS IS A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PUD, SPECIFICALLY THE PRIME OUTLET MALL PARCEL, SEEKING CHANGES TO THE APPROVED SIGNAGE. THE PLANNING AND ZONING AGENCY RECOMMENDS APPROVAL OF THE REQUEST, INCLUDING THE WAIVERS AS REQUESTED AND RECOMMENDED LIGHTING BE LIMITED TO INTERNAL ILLUMINATION FOR THE SIGNAGE (MOTION BY WHEELER/SECOND BY LAIDLAW; PASSING BY A VOTE OF 6/1 WILES DISSENTING)

Proof of publication of the notice of public hearing on MAJMOD 2008-05/Prime Outlets was received, having been published in *The St. Augustine Record* on April 14, 2008.

Isabel Lopez, 245 Riverside, Jacksonville, said she represented Prime Outlets. She gave a PowerPoint presentation (Exhibit A). She explained the remodeling process and outlined the proposed changes. She noted most signage would not be visible from I-95. She said there would be a European influence with upscale facades and signage. She showed what the mall currently looked like compared with how it would look. (11:07 a.m.) Manuel said it was an excellent project for the County.

(11:08 a.m.) **Motion by Sanchez, seconded by Rich, carried 5/0, to enact Ordinance No. 2008-22, known as MAJMOD 2008-05, adopting findings of fact one through six to support the motion.**

ORDINANCE NO. 2008-22

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE ST. AUGUSTINE CENTRE PLANNED UNIT DEVELOPMENT (PUD) ORDINANCE NUMBER 97-23, AS AMENDED, MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE

(11:09 a.m.) Salem Lahood, Senior Vice President for Prime Outlets, thanked the Board for their support.

(11:11 a.m.) Manuel said they would continue with Item No. 3 at 1:30 p.m. and recessed the meeting until then.

(04/29/08 - 18 - 2:05 p.m.) (DISTRICT 3)

15. PUBLIC HEARING - REZ 2007-33 BELLA - THIS IS A REQUEST TO REZONE FROM OPEN RURAL (OR) TO COMMERCIAL INTENSIVE (CI) FOR THE CONSTRUCTION OF AN AIR CONDITIONER REPAIR BUSINESS. SUBJECT PROPERTY IS 2.2 ACRES AND IS LOCATED OFF OF SR 207. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR MARCH 20, 2008 MEETING BY A VOTE OF 6 TO 0 (MOTION BY LAIDLAW, SECOND BY HANSON)

Proof of publication of the notice of public hearing on Rezoning 07-33/Bella Rezoning, was received having been published in *The St. Augustine Record* on April 14, 2008.

Michael Blackford, Planner II, stated that he had no new information at this time, handing in e-mails for the record, Exhibit A.

(2:05 p.m.) Todd Wilson, 3776 Laura Lane, stated that he had nothing to add. McCormack left the meeting.

(2:06 p.m.) **Motion by Rich, seconded by Sanchez, carried 5/0, to enact Ordinance No. 2008-23, known as REZ 2007-33, Bella, adopting findings of fact 1 through 4 to support the motion.**

ORDINANCE NO. 2008-23

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

(04/29/08 - 18 - 2:07 p.m.) (DISTRICT 1)

16. PUBLIC HEARING - PUD 2007-18 FRONTIER COMMONS - THIS IS A REQUEST TO REZONE FROM RESIDENTIAL SINGLE FAMILY THREE (RS-3) AND OPEN RURAL (OR) TO PUD FOR THE CONSTRUCTION OF AN 80 UNIT TOWNHOME DEVELOPMENT. SUBJECT PROPERTY IS 18.5 ACRES AND IS LOCATED WEST OF MASTERS DRIVE, OFF OF RAVENSWOOD DRIVE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REQUEST AT THEIR MARCH 20, 2008 MEETING BY A

VOTE OF 4 TO 2 (MOTION BY WHEELER, SECOND BY WILLIAMS, DISSENTING VOTE BY WILES AND HANSON). DISSENTING VOTES WERE BASED ON THE DENSITY/INTENSITY OF THE PROJECT

Proof of publication of the notice of public hearing on PUD 07-18/Frontier Commons, was received having been published in *The St. Augustine Record* on April 14, 2008.

Karen Taylor, 77 Saragossa Street, gave a brief overview of this item displaying pictures, Exhibit A. She spoke on the density and adding additional fencing. Rich spoke on the lots that were going to have one story units that back up to the residential lots. Taylor responded. Bryant declared exparte communication with Ms. Cole and Ms. Taylor regarding a brief overview on the affordability of the units. Stevenson declared exparte communication regarding making the PUD compatible with the neighbors. Rich declared exparte communication with Ms. Taylor involving compatibility surrounding single residential units. Sanchez declared exparte communication speaking about the project. Manuel declared exparte communication.

(2:17 p.m.) Tom Crawford, Director of Housing Community Service, spoke on the need for this project, Exhibit B. Rich asked Crawford what the restrictions were on buying affordable houses. Crawford responded that they could do a land use restriction agreement or a deed restriction agreement.

(2:19 p.m.) John George, 446 Ravenswood Drive, spoke in opposition of rezoning the property.

(2:26 p.m.) Taylor spoke on adding the additional buffer. Stevenson asked about doing inspections on the water issues. Taylor responded that they had already been through the initial inspection. Taylor spoke on workforce housing. Bryant gave the history on the transfer station located there. Rich asked Blackford about upland acreage and how many units per acre would be on this property. Blackford responded. Rich spoke on safety issues involving school buses. Blackford stated that safety was one of the aspects that concurrency looked at. Rich spoke on density and intensity of the project.

(2:40 p.m.) Press Tompkins, County Engineering, spoke on Masters Drive, stating there were no indications of any problems. He stated that there were no sidewalks on Crookshank or Ravenswood. Taylor spoke on providing for children's activities and on the density bonus. Rich asked what was on the lots. Taylor replied single family homes.

(2:47 p.m.) Motion by Sanchez, seconded by Rich, carried 5/0, to enact Ordinance No. 2008-24, known as PUD 2007-18, Frontier Commons adopting findings of fact 1 through 7 to support the motion.

ORDINANCE NO. 2008-24

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM OPEN RURAL (OR) AND RESIDENTIAL SINGLE FAMILY (RS-3) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(04/29/08 - 20- 3:32 p.m.)
COMMISSIONERS' REPORTS

Commissioner Rich:
No report.

(3:32 p.m.)

Commissioner Sanchez:

Sanchez asked the County attorney to place the Whetstone issue on the agenda in two weeks. McCormack replied that he would place it on the first available meeting. Discussion followed.

(3:38 p.m.)

Commissioner Stevenson:

Stevenson gave a brief report on the Regional Corridors meeting that she attended yesterday, stating that the focus of the discussion was about good planning principles, building and leaving Florida in a sustainable position, having an affordable quality of life, respecting water and energy resources and property rights.

(3:39 p.m.)

Commissioner Bryant:

No report.

(3:39 p.m.)

Commissioner Manuel:

Manuel spoke about primary dune construction and stated that he would like staff to start taking a very hard look at putting a moratorium on any further construction on primary dunes until they could figure out specifically the impact on A1A. Sanchez spoke on permitting. Wanchick spoke on coastal permits. Sanchez spoke on the re-nourishment program. Wanchick spoke on corrosion. Stevenson spoke on buildable lots, the effort to direct some funding toward critically eroded and vulnerable beaches, and getting some relief. Manuel stated that they needed to be as proactive as they possibly could, that he sees no difference between someone who chooses to buy an ocean front piece of property or someone who bought a thousand shares of Wachovia Bank before it fell 50%.

Manuel stated that he would like to have the County Attorney, with the concurrence of the Board, to look into the potential of putting a bounty on homestead fraud. Rich asked if there was any way that they could do a target sampling of possible violations. Discussion followed.

Manuel mentioned that on August 11th, the Civic Roundtable asked for permission to use the auditorium for a discussion of County finances in cooperation with the School Board, concerning the state of finance in St. Johns County. Stevenson stated that she supported it and asked if they would consider the round table discussion for transportation.

(04/29/08 - 20 - 3:52 p.m.)

COUNTY ATTORNEY'S REPORT

McCormack mentioned that there was a special meeting that night in the auditorium at 5:30 p.m. regarding the Charter. McCormack spoke on the Seminole County Water Management District's water war issue. McCormack spoke on the issue of homestead exemption and stated that he encouraged it.

(04/29/08 - 21 - 3:54 p.m.)
COUNTY ADMINISTRATOR REPORT

No report.

(04/29/08 - 21 - 3:54 p.m.)
CLERK OF COURT'S REPORT

No report.

Motion by Rich, seconded by Stevenson, carried 5/0, to adjourn the meeting at 3:54 p.m.

The Board reconvened at 5:31 p.m. with all five commissioners, Wanchick, McCormack, Ross, Locklear and Deputy Clerk Pam Halterman present.

(04/29/08 - 21 - 5:31 p.m.)
PROCLAMATION DESIGNATING A NATIONAL DAY OF PRAYER

Manuel read the proclamation with Susan Alberti accepting it.

(5:34 p.m.) Alberti thanked the Commission and recited a prayer.

(04/29/08 - 21 - 5:35 p.m.)
17. DISCUSSION AND INPUT REGARDING DRAFT CHARTER, OTHER POSSIBLE REFERENDUM TOPICS, AND POSSIBLE STRAW BALLOT QUESTIONS

Manuel explained that the meeting was being held to allow the public to offer suggestions to the Board regarding possible referendum items to be placed on the primary ballot to be held in August 2008. He pointed out that they would start discussions with the Charter proposal issue.

(5:36 p.m.) McCormack pointed out that it appeared to be a good public turn out and in attendance he recognized former County Commissioners, dignitaries, business people and numerous Airport Authority members. He explained that the Board would discuss several issues including sales tax, Charter, and other referendums. He presented a timeline in regards to items being placed on a ballot which the Board needed to consider. He offered a presentation that included an explanation of the proposed Charter, local option sales tax, general obligation bonds and straw ballots. He questioned whether the Board wanted to review potential Charter amendments. He mentioned that term limits, campaign finance regulations and non-partisan elections were two potential amendments which should be addressed.

(5:47 p.m.) Manuel said the Board needed to determine whether the Charter proposal and amendments should be on the August or November ballot. He suggested that they open the meeting to public comment. McCormack pointed out that he had invited Alan Watts, who was a statewide expert on Charter, to help inform the Board and public on the Charter matter.

(5:48 p.m.) Stevenson opened the hearing to public comment.

The following citizens spoke on the Charter proposal issue:

(5:49 p.m.) Louis H. Ritter, 985 Palm Valley Road, Ponte Vedra

(5:56 p.m.) Herbie Wiles, 63 Bay View Drive, St. Augustine
(5:59 p.m.) Craig Maguire, 1544 San Rafael Way, St. Augustine
(6:09 p.m.) Ed Slavin, P.O. Box 304, St. Augustine
(6:13 p.m.) Marcy Silkebaken, 1145 Neck Road, Palm Valley
(6:16 p.m.) Douglas Worth, 108 Sea Island Lake Court, Ponte Vedra Beach
(6:22 p.m.) Ken Bryan, 126 Oyster Catcher Circle, St. Augustine
(6:27 p.m.) Annette Cappella, 4617 Coquina Crossing Drive, Elkton
(6:30 p.m.) Cathy Brown, 20 Sevilla Street, St. Augustine
(6:34 p.m.) Richard Bowers, 6504 Burnitim Circle, Ponte Vedra Beach
(6:40 p.m.) Mary Kohnke, 27 South Roscoe Blvd, St. Augustine

Those citizens offered the following comments regarding the Charter proposal:

- * The Charter proposal should not be placed on the November ballot because it would be too cluttered with other issues
- * Term limits would not be appropriate
- * Non-partisan elections produced a better form of government
- * The proposed Charter had not received enough public input
- * Board members had promised to place the Charter proposal on the November ballot
- * Article 7, section 7.01 and Article 9, section 9.02(3) of the Charter conflicted
- * A Charter Commission should be created to review and amend the current proposed Charter language
- * Amendments to the Charter needed a minimum of thirty percent of voters in order to pass
- * The Board would be boxing themselves in if they adopted a supermajority vote procedure on the Comprehensive Plan changes
- * The previously held public meetings on the Charter generated less than one-hundred and fifty citizens
- * The pros and cons of the proposed Charter should be made available to the public
- * Compare what other counties had included in their Charter

(6:42 p.m.) Rich noted that the Charter has been in the process since prior to him running for office four years ago. He noted that the ad-hoc committee included people from all over the county and they had created a good document. He questioned the value of further studying of the proposed Charter. He suggested that the County did not need to be bombarded by amendments to the Charter and encouraged the Board to come to a consensus regarding the proposed provision of 30%.

(6:49 p.m.) Alan Watts, Cobb and Cole Law Firm, Daytona Beach, board certified specialist on city, county, local government and Charter proposals and process, noted that he had worked on many unique Charters and amendments throughout the State of Florida. He said most proposed Charter Governments were initiated through citizens and not board members.

(6:58 p.m.) Stevenson questioned whether he had seen a budget created for a Charter study committee. Watts pointed out that most Charter committees involved volunteers; therefore, a budget was not normally required.

(7:02 p.m.) **Manuel asked for a roll call vote on placing the Charter initiative on a ballot:**

Yea: Manuel, Bryant, Stevenson, Sanchez and Rich
Nay: None

Motion carried 5/0.

(7:06 p.m.) McCormack advised that the current vote would not determine whether the Charter was placed on the ballot but whether an ordinance to place the Charter on the ballot was adopted by the Board. Sanchez commented he had made a commitment to support the voters having a right to vote for a Charter. Manuel directed staff to start the PowerPoint presentation involving choice alternatives to the Charter proposal. Sanchez voiced that he wanted to study what had been voiced that day prior to choosing alternatives. McCormack suggested that the Board decide whether they wanted the Charter on the August or November election ballot due to the sensitivity of time and ordinance verbiage. Bryant questioned whether the proposed elements were current in the charter. McCormack and Manuel affirmed that they were not.

(7:11 p.m.) Sanchez said he would support the current language in the Charter. Bryant said he could not support the August date because of a lower turnout due to summer vacations of local citizens. Stevenson voiced concern with the August date and questioned whether the Charter was the most important local issue for the people. Rich voiced that he supported the August ballot and citizens on vacation could be provided a mail-in ballot and pointed out that polls would be open for ten days.

(7:15 p.m.) Consensus of the Board was to include the Charter proposal ordinance on the August primary ballot.

(7:15 p.m.) McCormack said he would prepare an ordinance for the Charter in order to place the issue on the ballot. Stevenson suggested that the Board consider a study committee to determine whether the proposal should be placed on the August or November ballot. Sanchez stated that he did not want the Commission to write the Charter because a committee had already created the proposal. Stevenson noted that the public was tired of waiting and opportunity for changes had been furnished; however, it needed more process with the public. Discussion ensued between Stevenson and Sanchez regarding whether the issue should have more public review. Bryant voiced that the Charter, as written, should be placed on the ballot to be voted on by the citizens. Manuel asked that the amendment options be reviewed by the Board. Rich suggested that any Board member could specify any items they would like addressed through the County Attorney. McCormack stressed that the language needed to be at the Supervisor of Elections by June 6 in order to be on the August primary ballot. He said staff had planned a special meeting on May 20th, 2008 for the Board to entertain items such as straw ballots, sales tax, bond, etc. He advised that material needed to be defined by May 6th, 2008 in order to properly advertise. Sanchez requested staff to furnish the Board a list of additional suggested changes to the proposed Charter. Manuel agreed with Sanchez. McCormack suggested that, for clarification, some issues should be addressed that night. Stevenson said she would like to see a one-year residency requirement in order to run for office. Sanchez reiterated that he wanted to review what citizens voiced that night prior to making a decision on individual items to determine whether to include amendments on the Charter. Manuel agreed that the non-partisan issue was important along with height limits on the high hazard areas, and he would favor twelve year term limits. Rich said he would prefer two-term limits, non-partisan elections, supermajority votes for certain Comprehensive Plan amendments, building height restrictions and campaign finance regulations. Manuel said the proposed charter included campaign finance limit regulations of \$250.00. Discussion ensued between Rich and Stevenson regarding soft monies such as Political Action Committee and other political monies.

(7:35 p.m.) McCormack stated that he could discuss elements of the Charter with Watts. He pointed out that term limits were in the proposed Charter and questioned whether the Board thought it should remain. Stevenson reiterated that she had a problem with the Commission writing the Charter document. Sanchez agreed with Stevenson. Bryant said the charter should be sent to the voters as drafted, and he asked the Board to move to the next issue on the agenda.

The meeting recessed at 7:40 p.m. and reconvened at 7:50 p.m.

(7:50 p.m.) Manuel asked that the conservation issue be heard; however, Bryant noted that many citizens were in attendance for the Airport Authority issue which he said should be heard first.

AIRPORT AUTHORITY STRAW BALLOT:

(7:51 p.m.) Manuel voiced that he was a supporter of the Airport and its economic contribution to the County; however, he did not support the current management and he would like to see a straw vote in order to allow the electorate of the county to express their opinion concerning the operation of the Airport Authority. He pointed out that the Airport Authority had received, over the last ten years, ad valorem tax monies in excess of \$30 million dollars. He said he had a letter from the Jacksonville Aviation Authority expressing interest in operating the airport and paying a lease fee to St. Johns County which would result in the airport having a positive contribution and not the \$4.5 million dollars of ad valorem taxes being paid to the airport.

(7:53 p.m.) Sanchez stated that he wanted the Airport Authority off the tax roll as well; however, he questioned whether it was the Board's place to take shots at taxing districts such as the Airport Authority. He pointed out that the Airport Authority Board wanted to be off the tax roll and was working diligently to accomplish that task. He voiced that Manuel's letter in the newspaper had made the Airport Authority employees concerned about their jobs. He said the Board's position was to support the people of the county of which the Airport Authority employees were a part. He reiterated that the Airport Authority was attempting to come off the tax rolls and he was shocked at Manuel's letter. He advised that the Airport Authority was close to accomplishing their goal, and they had backup plans for the Skybus bankruptcy situation and any future situations that might occur. He said legal issues as well as financial issues concerning the citizens of St. Johns County were immense. He voiced that the Board was not capable of running an airport and a private company could not come in and take over the airport, lose \$5 million dollars of income, and pay the County a lease fee. He stated that he could not support placing the Airport Authority issue on the ballot, and it was true that people would vote for any item placed on the ballot that reduced taxes. He noted that the Airport's audit had remarked that it was the first time they had seen such a high amount of assets being handled professionally by such a small number of people. He pointed out that he was the liaison commissioner for the Airport Authority and he had attended almost every board meeting which ran well under the current board membership. He suggested that the JAA should not be considered if an RFP was issued due to the early exposure by one member of the BCC.

(8:06 p.m.) Manuel said although he had a very different view, he would not debate the issue with Sanchez. Bryant voiced that he had not heard an outcry to do away with the Airport Authority; therefore, he would support the Airport Authority.

(8:07 p.m.) Stevenson opened the hearing to public comment and the following citizens spoke on the Airport Authority straw ballot issue:

(8:07 p.m.) Alice Sutherland, 15 Davis Street, St. Augustine
(8:14 p.m.) Michael Slingluff, 25 Marshview Drive, St. Augustine
(8:20 p.m.) Louise Thrower, 288 Orange Avenue, St. Augustine
(8:25 p.m.) Theodore Gladu, 701 Palm Hammock Circle, St. Augustine
(8:26 p.m.) Sherry Badger, 2772 S. Collins Avenue, St. Augustine
(8:27 p.m.) Al Sesona, 394 North Blvd., St. Augustine
(8:32 p.m.) Herb Rippe, 324 Village Drive, Vilano Beach
(8:35 p.m.) Kathy Heller, 4075 Quail Drive, St. Augustine
(8:35 p.m.) Barbara Howe, 79 Palm Hammock Circle, St. Augustine
(8:39 p.m.) Victor Martinelli, 24 Carriage Lane, Ponte Vedra Beach
(8:42 p.m.) Shane McWilliams, 5478 2nd Street, Crescent Beach

(8:50 p.m.) *There was Board consensus to hear the remainder of the public speakers for the airport authority and to reschedule the remainder of the agenda.*

(8:51 p.m.) Stevenson said there was one item she would like to cover and asked for the Board's indulgence regarding the Trust for Public Land effort in house. Wanchick said that Cameron had met with them about ten days earlier and was present to give an update. Stevenson said the issue was time sensitive and asked the speaker if they could recess the current item for a few minutes to allow for the report.

TRUST FOR PUBLIC LAND:

(8:52 p.m.) Jerry Cameron, Assistant County Administrator, advised the Board that they were willing to do a poll, and money was available, though it was a very time sensitive area. Stevenson said she knew it was time sensitive and had seen little movement as far as gathering information. Cameron noted that the ballot was going to be crowded and questioned whether the issue would get the attention it deserved. Susan Gradin, 1022 Park Street, #401, Jacksonville, from the Trust for Public Land, reported that it was a very time sensitive issue. She said they had not received any direction from Administration, so they had taken no action. She said in her experience, the November ballot was the best time to place it on the ballot due to a higher turnout. She noted that they were 84% effective with their informational campaigns and the item would probably be at the bottom of the ballot. She said they needed direction from the Board to move forward, and it would cost about \$10,000 for a feasibility study, then a public opinion poll would be paid for by donors to the Trust for Public Land. Sanchez pointed out that the Board had directed them to contact Administration. Stevenson said she would support it, as did Manuel. Rich pointed out that it involved a sales tax and an effort to preserve agricultural and conservation land. Gradin said the poll would actually measure the amount of a tax and the length of the taxation period to which the public would agree. Rich said it was a priority issue and he would support it as far as the poll was concerned.

(9:01 p.m.) Motion by Rich, second by Sanchez, carried 5/0, to continue to support the effort by the Trust for Public Lands to poll the people of St. Johns County to determine whether or not a sales tax increase could be implemented for the preservation of existing agricultural lands by purchasing development rights as well as the purchase of conservation lands, including the feasibility study, up to \$10,000 from General Reserve.

Subsequently, at 9:04 p.m. the Board continued with the Airport Authority Straw Ballot issue:

(9:04 p.m.) Ed Slavin, P.O. Box 3084, St. Augustine resumed his comments.

The meeting recessed at 9:09 p.m. and reconvened at 9:16 p.m.

(9:17 p.m.) R. Michael Thompson, 895 Roberts Road, St. Johns

(9:22 p.m.) Joe Jones, 4672 5th Avenue, St. Augustine

(9:23 p.m.) Reba Ludlow, 46 Village Walk Drive, Ponte Vedra Beach

(9:26 p.m.) Bruce Kendeigh, 240 Redfish Creek Dr., St. Augustine

(9:32 p.m.) Jack Gorman, Treasurer, member of the St. Augustine Airport Authority, 795 E. Stokes Landing Rd.

(9:43 p.m.) Leonard Tucker, 223 S. Matanzas Blvd., St. Augustine

(9:48 p.m.) Suzanne Green, 105 B Solano Road, Ponte Vedra Beach, member of the St. Augustine Airport Authority

(9:54 p.m.) Kelly Barrera, 101 Greencrest Drive, member of the St. Augustine Airport Authority

Those citizens offered the following comments concerning the Airport Authority:

- The Airport Authority was a little more than eighteen months away for being off the tax roll
- Manuel had never asked for information or had a conversation with Wuellner, Director of the Airport Authority
- JAA running the SJC Airport would be a conflict of interest due to competition
- JAA was currently in the red over approximately \$10,000,000
- The airport was the industry and economic gateway to the community and businesses located directly on the airport employed close to 2000 people with an average salary of \$45,000 and contributed nearly \$300,000,000 to the local economy
- Skybus had over 110,000 people arrive and depart the airport in the short eight months they existed with a seventy percent load factor on each flight
- The airport had already been approached by two major airlines to replace Skybus
- The airport had no debt, no debt service and was a positive environment to develop business and create jobs
- Placing the Airport Authority on the ballot would be an act of real democracy which would truly give the voters a voice that the Airport Authority had chucked off
- Hundreds of pieces of valuable properties had been removed from the tax rolls which resulted in lost revenue to the county
- Northrop Grumman located here because it had a labor drive and all its corporate needs were being met and the notion that it and other major companies would leave if taken off the tax rolls was not accurate
- Accountability by commissioners was to the people of St. Johns County whether it be the Airport Authority or the Board of County Commissioners.
- The County Commission had enough on its plate and the airport issue should not be one of them
- Cecil Field would like to acquire Northrop Grumman
- St. Johns County residents should be able to vote on whether to have airport taxes
- The County would not survive financially unless the tax base shifted in the county to not rely on residential taxes
- There should be better management at the airport
- Some on the numbers quoted by Manuel were not accurate
- According to the most recent audit report by Davis Monk, an operating profit of \$225,000 for the current year and assets had increased by \$12 million from \$4.4 million in ad valorem taxes
- Plans for the Airport Authority were to be off the tax rolls by 2010.

- Less than one percent of airport income comes for ad valorem taxes
- It was suggested that landing fees be charged, the Airport Authority was mismanaged and unaccountable, and they had abused eminent domain.
- Limited hours of operation
- The St. Augustine Airport had a great reputation among other airports and among pilots.
- The Airport Authority had an excellent professional staff
- JAA would certainly guarantee the move of Northrop Grumman to Jacksonville
- The Airport Authority needed to be policed more regarding their development expenditures versus their income.
- The Airport Authority meetings should be televised
- The major objective of the Airport Authority was to acquire more land for a backup on hanger requests
- The Airport Authority were building more hangars
- Jobs were at stake, but things that need to be fixed included the expansion of the airport across US 1 and payment of litigation fees in the amount of \$300,000.
- Reserves were high
- Other funding was generated from fuel tax bills
- The airport was used to attract business to the County
- Manuel should read the audit and see how their Board was fiscally responsible
- In 2004 a concrete plan was announced to allow the airport to become self sufficient and details of the plan were reviewed, and in 2010 the Airport Authority would no longer be assessing millage rates
- St. Augustine airport provides support and services for various agencies including: The St. Johns County Sheriff's Office, the U.S. Coast Guard, the Florida Department of Law Enforcement, the Florida Highway Patrol, the Florida Wildlife Commission, the Division of Forestry, the Army National Guard and the U.S. Navy.
- Northrop Grumman pays over \$168,000 in ad valorem taxes and 25 other businesses at the airport pay over \$98,000 in ad valorem

(10:07 p.m.) Ed Wuellner, Executive Director, St. Augustine / St. Johns County Airport Authority, 4796 US 1, St. Augustine, offered a PowerPoint presentation (Exhibit A) comparing the governance, airport expertise, ad valorem taxes, financial overview and asset management of the Airport Authority as compared to St. Johns County. General discussion followed regarding the difference between a capital intensive business and a service intensive business and that they were very different measurements required for each. Wuellner continued and reviewed the possibility of putting the Authority under the Jacksonville Airport Authority and what the potential results might be. He said relocating the airport would be a "Billion Dollar" Folly. He said professional airport engineers had estimated that it would cost St. Johns County taxpayers at least \$1 billion, not including land, to relocate the airport anywhere within the state of Florida and would take at least 10 years to permit such a project. He asked why the citizens of St. Johns County would want to divest themselves of an asset of that caliber.

(10:23 p.m.) Stevenson asked for clarification on who could run the airport. Wuellner said if the airport's assets became those of the County, provisions related to the deed on the property and to every Federal grant that had been accepted would require that the airport property would have to generate revenue at fair market value, which made it virtually impossible for private sector businesses to run public airports. Stevenson clarified that they would be competitively disadvantaged compared to other airports because they would have to generate a return that was phenomenally higher.

(10:26 p.m.) Manuel asked if Wuellner was stating that the Airport Authority would be off the ad valorem tax rolls by October 1st, 2010. Wuellner affirmed that to be correct.

Manuel explained his position on his belief of the Airport Authority situation. He said if that validation did not occur, he would aggressively seek to abolish the Airport Authority.

(10:27 p.m.) Sanchez apologized on behalf of the Board for any threat made to Wuellner or to the airport.

(10:28 p.m.) **Motion by Sanchez, seconded by Stevenson, not to place a straw ballot concerning the Airport Authority on the ballot.**

(10:28 p.m.) Bryant referenced a recent poll about abolishing the Airport Authority and 62 percent said not to abolish the Authority (plus or minus 4 percent). He said according to that poll, the people want to keep the Airport Authority.

(10:29 a.m.) Stevenson said there were many community issues wrapped up in the airport, and it was important to signal stability of the airport to the business community. She said it was important, had a big part in our future and there were questions as to what would happen when they started returning revenue. She urged them to work with the public and urged the BCC to signal stability and partnership with the Airport Authority. She said each needed to reach out collaboratively to make St. Johns County the best it could be.

(10:34 p.m.) Rich said his concerns were based on past promises and comments which had not been fulfilled. He noted that Wuellner had made bold statements that night and he would expect to see them come to fruition.

(10:39 p.m.) Bryant commented on the hours of operation at the airport and said that transporting organs for transplant operations was a major function of the airport and night time flights were necessary.

(10:40 p.m.) Sanchez called the vote.

(10:40 p.m.) **Motion carried 5/0.**

(10:41 p.m.) McCormack asked that a special meeting be set. There was discussion on the date and it was decided to meet with the County Administrator to determine a date.

(10:42 p.m.) **Motion by Bryant, seconded by Sanchez, carried 5/0, to adjourn the meeting.**

With there being no further business to come before the Board, the meeting adjourned at 10:42 p.m.

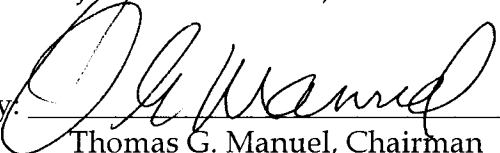
REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check No. 418259 through 418606, totaling \$2,411,731.12 (04/08/08)
2. St. Johns County Board of County Commissioners Check Register, Check No. 418607 through 418608, totaling \$6,693.96 (04/08/08)
3. St. Johns County Board of County Commissioners Check Register, Check No. 418609 through 418633, totaling \$43,357.63 (04/10/08)
4. St. Johns County Board of County Commissioners Check Register, Check No. 418633 through 418969, totaling \$1,963,078.18 (04/15/08)
5. St. Johns County Board of County Commissioners Check Register, Check No. 418970, totaling \$216.00 (04/15/08)

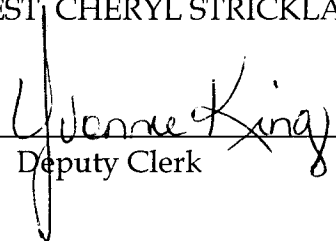
6. St. Johns County Board of County Commissioners Check Register, Check No. 418971, totaling \$231.49 (04/16/08)
7. St. Johns County Board of County Commissioners Check Register, Check No. 418972, totaling 912.00 (04/17/08)

Approved June 10, 2008

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Thomas G. Manuel, Chairman

ATTEST, CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

