

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 1, 2010
(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, 500 San Sebastian View, St. Augustine, Florida.

Present were: Ron Sanchez, District 2, Chair
 Ken Bryan, District 5, Vice Chair
 Cyndi Stevenson, District 1
 Ray Quinn, District 3
 Phillip Mays, District 4
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

(06/01/10 - 1 - 8:59 a.m.)
CALL TO ORDER

Sanchez called the meeting to order.

(06/01/10 - 1 - 8:59 a.m.)
ROLL CALL

Sanchez announced that four commissioners were present with Mays absent.

(06/01/10 - 1 - 8:59 a.m.)
Sanchez gave the Invocation and Bryan led the Pledge of Allegiance.

(06/01/10 - 1 - 9:01 a.m.)
PROCLAMATION DECLARING JUNE 7-11, 2010, AS CODE ENFORCEMENT OFFICER APPRECIATION WEEK

Quinn introduced Jim Acosta, Code Enforcement Supervisor, and his team and asked them to come forward to accept the proclamation. Karen Pan, Public Affairs Specialist, read the proclamation, which was received by Acosta, who expressed appreciation for his staff. He said they all did a fantastic job and deserved the recognition.

(06/01/10 - 1 - 9:06 a.m.)
ACCEPTANCE OF PROCLAMATIONS

Motion by Bryan, seconded by Sanchez, carried 4/0 with Mays absent, to approve the Proclamation.

(06/01/10 - 1 - 9:08 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

(06/01/10 - 1 - 9:08 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Stevenson, seconded by Minor, carried 4/0 with Mays absent, to approve the Consent Agenda as presented.

1. Approval of the Cash Requirement Report
2. Sheriff Bonds: None
3. Minutes: None
4. Motion to adopt **Resolution No. 2010-117**, authorizing the Chair of the Board, on behalf of the County, to execute and deliver a County Deed to the State of Florida Department of Transportation, conveying additional right-of-way along State Road 207

RESOLUTION NO. 2010-117

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, TO EXECUTE AND DELIVER A COUNTY DEED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, CONVEYING ADDITIONAL RIGHT-OF-WAY ALONG STATE ROAD NO. 207

5. Motion to adopt **Resolution No. 2010-118**, accepting a Special Warranty Deed from Main Street Community Development District to St. Johns County for the realignment of County Road 16A, at its intersection with County Road 210

RESOLUTION NO. 2010-118

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FROM MAIN STREET COMMUNITY DEVELOPMENT DISTRICT TO ST. JOHNS COUNTY FOR THE REALIGNMENT OF COUNTY ROAD NO. 16A, AT ITS INTERSECTION WITH COUNTY ROAD NO. 210

6. Motion to adopt **Resolution No. 2010-119**, approving the final plat for Riverwood by Del Webb At Nocatee Phase 1C

RESOLUTION NO. 2010-119

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB AT NOCATEE PHASE 1C

7. Motion to award Base Bid #10-59, Davis Park Drainage Improvements in the amount of \$101,279.74, and Alternate #2 in the amount of \$120,814.27 to Jacksonville Eighteen Construction, Inc., for a Total Lump Sum Bid Amount of \$222,094.01, and authorize the County Administrator or his designee, to negotiate a contract for same

8. Motion to declare County Vehicle #815, a 2001 Ford F-250 Truck, as surplus and authorize the County Administrator, or his designee, to sell to the COA for \$2,650.00
9. Motion to approve a transfer from Transportation Trust Fund Reserves in the amount of \$108,459 to Engineering - Legal Fees to fund the estimated litigation related fees and costs pertaining to the Summerhaven lawsuit
10. Motion to adopt **Resolution No. 2010-120**, accepting the terms of the fourth amendment to Contract #NH210 for mental health and substance abuse services between the State of Florida Department of Children and Families, and the St. Johns County Board of County Commissioners, and authorizing the Chair of the Board of County Commissioners to execute the Amendment on behalf of the County

RESOLUTION NO. 2010-120

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE FOURTH AMENDMENT TO CONTRACT #NH210 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, AND AUTHORIZING THE CHAIR TO EXECUTE THE FOURTH AMENDMENT ON BEHALF OF THE COUNTY

11. Motion to approve the current vacant position of Dependency Case Manager within Health and Human Services, Community Based Care, per the Administrative Code, at pay grade 118, step 20 and downgrade the Program Manager pay grade 128 to pay grade 126, step 1. The overall savings of this adjustment is estimated at \$4,980
12. Motion to **Resolution No. 2010-121**, recognizing \$500 of unanticipated revenue to the Mental Health Fund Contributions and appropriating it to the Mental Health Drop-In Expenditures. The \$500 Cultural Council Grant Award will fund the "Picture This in Hastings" photography skills program for members of the Mental Health Drop-In Center in Hastings

RESOLUTION NO. 2010-121

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2010 SPECIAL REVENUE FUNDS BUDGET TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE ST. JOHNS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT/MENTAL HEALTH SERVICES

13. Motion to approve the reassignment of five (5) Marine Rescue positions to the St. Johns County Fire/EMS Certified Pay Plan effective May 30, 2010, in order to complete the integration begun in FY 2009. The impact of this reassignment is an additional \$2,725 in salary and \$7,449 in benefits to be paid in FY 2010; however, due to salary savings resulting from intermittent vacancies within the Fire/EMS, this modification does not require reserve transfer

14. Motion to adopt **Resolution No. 2010-122**, authorizing the St. Johns County Housing Finance Authority, in accordance with County Resolution 2009-322 with the provisions and guidelines of the Neighborhood Stabilization Program, to purchase real property located at: 214 West Vivian Street, 920 & 900 Hibiscus Street, 755 & 759 Oakland Avenue, 1599 N. Whitney Street, 2919 N. 9th Street, 273 & 279 Cervantes Avenue, 4540 Alvin Street, and 15, 25, 33, 34, 70 South Twin Maple Road, with closing conditional upon the completion of due diligence

RESOLUTION NO. 2010-122

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING ACQUISITION OF REAL PROPERTY LOCATED AT 755 & 759 OAKLAND AVENUE, 214 WEST VIVIAN STREET, 900 & 920 HIBISCUS STREET, 1599 N. WHITNEY STREET, 2919 NORTH 9TH STREET, 273 & 279 CERVANTES AVENUE, 4540 ALVIN STREET, 550 FERN STREET, 15, 25, 33, 34, AND 70 SOUTH TWIN MAPLE ROAD, ST. AUGUSTINE BY THE ST. JOHNS COUNTY HOUSING FINANCE AUTHORITY ON BEHALF OF ST. JOHNS COUNTY FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP) WITH NSP GRANT FUNDS AND REHABILITATION OR RENOVATION OF ACQUIRED PROPERTIES IN ACCORDANCE WITH NSP REQUIREMENTS

15. Motion to adopt **Resolution No. 2010-123**, recognizing unanticipated revenue in the amount of \$4,535.71 through the Help America Vote Act 2002, to assist in tracking absentee votes from Uniformed and Overseas Citizens and increasing the General Fund General Government Federal Revenue and increasing the expenditure budget of Supervisor of Elections Federal Grant Expenditure in the same amount

RESOLUTION NO. 2010- 123

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2010 GENERAL FUND, IN ORDER TO RECEIVE UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE SUPERVISOR OF ELECTIONS

(06/01/10 - 4 - 9:09 a.m.)
PUBLIC COMMENT

There was no public comment.

(06/01/10 - 4 - 9:09 a.m.)
ADDITIONS/DELETIONS TO REGULAR AGENDA

There were no additions or deletions.

(06/01/10 - 5 - 9:10 a.m.)
APPROVAL OF REGULAR AGENDA

Motion by Quinn, seconded by Bryan, carried 4/0 with Mays absent, to approve the Regular Agenda as presented.

(06/01/10 - 5 - 9:10 a.m.)

1. REPORT ON THE FISCAL YEAR 2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT ANNUAL AUDIT CONCLUSION

Jess Dunn, Office of Management and Budget, introduced Cheryl Strickland, Clerk of Court, who then introduced Tina Robinson of Carr, Riggs & Ingram, who gave a brief summary and overview of the audit report.

(9:12 a.m.) Ms. Robinson stated that each Commissioner had received a copy of the letter from the accounting firm, Carr, Riggs & Ingram. She gave an overview of the audit and said there were over 70 funds covered in the audit. She noted that financial recommendations had been made at the back of the report. She said no non-compliance issues had been found. She noted that all expenditures were within the budget, and that more funding than was required was available for carry forward for the next year. She also stated they had received the Governmental Financial Officers Association award.

(9:15 a.m.) Motion by Bryant, seconded by Sanchez, carried 4/0 with Mays absent, to accept the financial statement audit for County Fiscal year 2009, as presented by independent auditors, Carr, Riggs & Ingram.

(9:16 a.m.) Commissioner Mays entered the meeting.

(06/01/10 - 5 - 9:16 a.m.)

2. REPORT ON ST. JOHNS COUNTY'S CONSUMPTION-ON-PREMISES ALCOHOL SERVING HOURS EXTENSION

Glenn Hastings, Executive Director, Tourist Development Council, gave an overhead presentation (*Exhibit A*), which was a follow up survey to one done last November. He said it involved two on-line surveys conducted in late May relating to the extended sales/serving hours for alcoholic beverage. The first survey was of St. Johns County establishments licensed for the sale of alcoholic beverages on premises. The second was of tourism businesses in general to gather anecdotal information about any impact the change might have had on visitors. He said they had gotten a 10% response. He reviewed the results of the survey.

(9:26 a.m.) Bryan stated that increased sales would also increase tax revenue to the County. Hastings said that was correct.

(9:27 a.m.) Mays said a 10% response was low and asked Hastings what his thoughts were on the effects of the extension. Hastings said he was focused more on the tourist industry survey. He said the bed and breakfast and inn owners were the ones making the most complaints regarding noise during the later hours.

(9:29 a.m.) Stevenson asked if the City of St. Augustine had followed the same hours. Hastings said they had, but it had taken place two or three weeks later. Stevenson said the City would regulate noise, and sleep interruptions would not necessarily reflect a police call. She said it would be an issue for the City to consider. Mays said they should be consistent with the City. Stevenson said it was important to find a balance between something for tourists to do at night and with providing a restful atmosphere for others.

(9:31 a.m.) Hastings acknowledged that a 10% response rate was disappointing and suggested reasons why it might have occurred.

(9:32 a.m.) Sanchez said the increase in business was what he was interested in because it was probably what had prevented some people from having to close their businesses.

(9:32 a.m.) Michael Hunt said there was a sunset date of July 12, 2010. He noted that there would be a public hearing on June 15, regarding its extension. He said the City also had a sunset provision, as did the City of St. Augustine Beach.

(9:34 a.m.) Wanchick emphasized that it was an option for business owners who wanted to take advantage of it.

(9:35 a.m.) McCormack said the City and the Beach were aware of where the County was on the matter, but he would make the municipalities, including Hastings, aware of what was going on. He said they would send a package to the Sheriff as well.

(9:36 a.m.) Stevenson suggested that the Administrator might want to speak with his counterparts in the other Cities.

(06/01/10 - 6 - 9:36 a.m.)

3. PUBLIC HEARING - PROPOSED FERTILIZER ORDINANCE FOR WATER QUALITY PROTECTION. CHAPTER 403, FLORIDA STATUTES, REQUIRES EACH COUNTY AND MUNICIPAL GOVERNMENT THAT IS LOCATED WITHIN A WATERSHED OF A WATER BODY THAT IS LISTED AS IMPAIRED BY NUTRIENTS TO ADOPT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL ORDINANCE FOR FLORIDA FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES (2009). ST. JOHNS COUNTY LIES WITHIN THE ST. JOHNS RIVER WATERSHED, A WATER BODY THAT IS LISTED AS IMPAIRED BY NUTRIENTS PURSUANT TO CHAPTER 403. AS WELL, IN 2008, THE COUNTY WAS REQUIRED TO BEGIN PROJECTS THAT WILL HELP MEET THE POLLUTION ALLOCATIONS OF THE TOTAL MAXIMUM DAILY LOAD (TMDL) PROGRAM FOR THE LOWER ST. JOHNS RIVER BASIN AS SET FORTH IN THE BASIN MANAGEMENT ACTION PLAN (BMAP) FOR THE LOWER ST. JOHNS RIVER BASIN. IT IS SET FORTH IN THE BMAP THAT THE COUNTY SHALL ADOPT A FERTILIZER ORDINANCE IN 2010. AS REQUIRED BY STATE LAW AND AS SET FORTH IN THE BMAP, THE PROPOSED FERTILIZER ORDINANCE SHALL PROVIDE FOR THE REGULATION OF FERTILIZERS AND TO PROVIDE ACCURATE MANAGEMENT GUIDELINES FOR THE APPLICATION OF FERTILIZER IN ORDER TO MINIMIZE ANY NEGATIVE EFFECT FERTILIZERS HAVE ON THE WATER BODIES OF ST. JOHNS COUNTY

Proof of publication of the Notice of Public hearing regarding the Proposed Fertilizer Ordinance was received, having been published in *The St. Augustine Record* on May 19, 2010.

Jan Brewer, Environmental Division, gave an overhead presentation (*Exhibit A*). She noted they were required by Florida Statute Chapter 403 to adopt the ordinance. She said it had to be adopted no later than 2010. She reviewed the key components of the Ordinance. She noted it was required to be followed by everyone in St. Johns County except agricultural and silvicultural activities, including residents. She said that training certification was applicable only to professional applicators.

(9:41 a.m.) Bryan stated that classes were being offered by the University of Florida Extension Program. He asked about it applying to the unincorporated areas and whether it would apply to the incorporated areas as well. Brewer said it would apply across the board, if they were adjacent to an impaired water body. Bryan said St. Johns County was leading the way in water conservation.

(9:43 a.m.) Quinn noted the St. Johns River was listed as a river in trouble and would remain that way as long as the St. Johns River Water Management District (SJRWMD) allowed Georgia Pacific to dump tainted water into the river. He said the citizens would follow the ordinance, but Georgia Pacific needed to follow it too.

(9:44 a.m.) **Motion by Stevenson, seconded by Bryan, carried 5/0, to approve Ordinance No. 2010-19, for Water Quality protection.**

ORDINANCE NO. 2010-19

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REPEALING ST. JOHNS COUNTY ORDINANCE 2003-52; PROVIDING DEFINITIONS; PROVIDING FOR THE PROPER USE OF FERTILIZERS BY AN APPLICATOR; REQUIRING PROPER TRAINING OF COMMERCIAL AND INSTITUTIONAL FERTILIZER APPLICATORS; ESTABLISHING TRAINING AND LICENSING REQUIREMENTS; ESTABLISHING A PROHIBITED APPLICATION PERIODS; SPECIFYING ALLOWABLE FERTILIZER APPLICATION RATES AND METHODS, FERTILIZER-FREE ZONES, AND LOW MAINTENANCE ZONES; PROVIDING FOR EXEMPTIONS; PROVIDING FOR A PUBLIC NUISANCE DECLARATION; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERANCE CLAUSE; AND SETTING AN EFFECTIVE DATE

(06/01/10 - 7 - 9:45 a.m.)

4. PUBLIC HEARING - PROPOSED LANDSCAPE IRRIGATION ORDINANCE FOR WATER CONSERVATION. WATER SUPPLY AND WATER CONSERVATION ARE ISSUES OF CRITICAL CONCERN FOR FLORIDA. THE AVAILABLE WATER SUPPLY FOR DRINKING WATER IN FLORIDA IS LIMITED AND ADDITIONAL WATER SUPPLY SOURCES ARE BEING EXPLORED IN ORDER TO MEET FUTURE WATER SUPPLY DEMAND. ONE EFFECTIVE WATER CONSERVATION MEASURE IS THE RESTRICTION ON LANDSCAPE IRRIGATION WHEREBY ONLY CERTAIN DAYS OF THE WEEK AND CERTAIN TIMES OF THE DAY A PERSON CAN WATER A LAWN OR LANDSCAPE PLANTS. THE STATE STRONGLY ENCOURAGES LOCAL GOVERNMENTS TO ADOPT A LANDSCAPE IRRIGATION ORDINANCE THAT IMPLEMENTS THE WATERING RESTRICTIONS WITHIN THEIR JURISDICTION. AND SO, TO PROTECT AND MINIMIZE THE REDUCTION OF OUR EXISTING WATER SUPPLY A LANDSCAPE IRRIGATION ORDINANCE IS BEING PROPOSED FOR ST. JOHNS COUNTY

Proof of publication of the Notice of Public hearing regarding the Proposed Irrigation Ordinance was received, having been published in *The St. Augustine Record* on May 19, 2010.

Jan Brewer, Environmental Division, gave an overhead presentation (*Exhibit A*). She noted that the State strongly encouraged local governments to adopt a landscape

irrigation ordinance that implemented the water restrictions within their jurisdiction. She stated that to protect and minimize the reduction of the existing water supply, a landscape Irrigation Ordinance is being proposed in St. Johns County.

(9:47 a.m.) Stevenson asked if there would be enforcement responsibility placed on the County. Brewer said it would, but it did not apply to reuse water.

(9:48 a.m.) Sanchez said sprinklers were often broken and said it would be difficult to enforce.

(9:49 a.m.) Bryan also questioned enforcement. He said the first contact was a written warning and subsequent contacts would require monetary fees being paid.

(9:50 a.m.) Wanchick said the current item and the preceding items were new enforcement items for the County. He said their main focus was on education and enforcement was second. He said they were primarily complaint based, and they did not have sufficient staff at the current time.

(9:51 a.m.) Walter Kelly, 214 7th Street, St. Augustine Beach, said he was a proponent of the Florida Friendly Landscape, which required no water at all. He mentioned the classes at the University of Florida Extension service and said it was a wonderful program. He noted that they had discussed water and fertilizer. He said most people were overwatering and over fertilizing, and education was the key to getting people to understand and comply. He stated that the staff of the Extension Service should be increased. He said we were in great trouble, the river was at maximum load, and we needed to look at it as a war that was happening right now. He also commented on the irrigation ordinance, and cited examples of overwatering and how some large users had become educated and reduced their water use by utilizing plants that did not require water. He thanked the Board for being proactive.

(9:58 a.m.) Jim Walter, 1136 Compass Row, St. Augustine, said the SJRWMD was the agency promoting conservation. However, he said they were asking residents to reduce usage but were giving permits to anyone who applied for one. He noted the Central Florida request to take water from the river, which would result in the influx of salt water into the river.

(10:00 a.m.) Stevenson suggested that Geoff Sample from the SJRWMD was present.

(10:01 a.m.) Geoff Sample and Derrick Busbee of the SJRWMD, thanked the Board for taking the action they were taking.

(10:02 a.m.) Stevenson said micro spraying and micro drips were allowed between anytime. She said that Florida yards were beautiful and there could be a new standard of beauty for Florida.

(10:03 a.m.) **Motion by Stevenson, seconded by Mays, carried 5/0, to approve Ordinance No. 2010-20, Landscape Irrigation Ordinance for Water Conservation.**

ORDINANCE NO. 2010-20

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,
STATE OF FLORIDA, PROVIDING FOR LOCAL
IMPLEMENTATION OF THE WATER CONSERVATION
RULE FOR LANDSCAPE IRRIGATION OF THE ST.
JOHNS RIVER WATER MANAGEMENT DISTRICT;**

PROVIDING DEFINITION; PROVIDING THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR APPLICABILITY OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

(06/01/10 - 9 - 10:04 a.m.)

District 1

5. PUBLIC HEARING - REZONING 2009-15, SHOPPES OF PONTE VEDRA. THIS IS A REQUEST TO REZONE FROM COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI) WITH CONDITIONS. SUBJECT PROPERTY IS APPROX. 13.25 ACRES IN SIZE AND IS LOCATED ON THE NORTH SIDE OF PALM VALLEY ROAD NEAR THE INTERSECTION OF PALM VALLEY ROAD AND NOCATEE PKWY. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO CI WITH CONDITIONS SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE, WITH THE CONDITIONS AS LISTED WITHIN THE STAFF REPORT. THE PZA RECOMMENDED UNANIMOUS APPROVAL OF THIS REQUEST AT THE APRIL 15, 2010 MEETING WITH THE CONDITIONS AS NOTED IN THE STAFF REPORT

Proof of publication of the Notice of Public hearing regarding REZ 2009-15, the Shoppes of Ponte Vedra, was received, having been published in *The St. Augustine Record* on May 19, 2010.

Michael Blackford, Planning and Zoning Manager, gave the overhead presentation (*Exhibit A*). He gave an overview of the request. He said it allowed additional uses as well as additional intensity with additional storage uses. He gave a history of the site and reviewed the application review comments. He reviewed the PZA recommendation and noted they had approved it unanimously at their April 15th meeting.

(10:08 a.m.) **Motion by Bryan, seconded by Stevenson, carried 5/0, to approve Ordinance No. 2010-21, known as REZ 2009-15, adopting findings of fact one through four to support the motion.**

ORDINANCE NO. 2010-21

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI); PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The board recessed at 10:10 a.m. and reconvened at 10:27 a.m.

(06/01/10 - 10 - 10:27 a.m.)

District 3

6. PUBLIC HEARING - PLANNED UNIT DEVELOPMENT (PUD) 2005-30, LIGHTSEY ROAD APARTMENTS. THIS IS A REQUEST TO REZONE 25 ACRES FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE DEVELOPMENT OF 256 APARTMENT UNITS AND 25,000 SQ FT OF COMMERCIAL. SUBJECT PROPERTY IS LOCATED AT THE INTERSECTION OF LIGHTSEY RD AND SR 207. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO PUD SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THIS FINDING IS BASED UPON THE FOLLOWING INFORMATION: THE APPLICATION MATERIALS AS SUBMITTED BY THE APPLICANT, SIMILAR USES WITHIN THE SURROUNDING AREA, CONSISTENCY WITH THE GOALS OF THE MIXED USE DISTRICT LAND USE CATEGORY, AND OTHER RELEVANT INFORMATION AVAILABLE TO STAFF. THIS FINDING MAY BE SUBJECT TO OTHER COMPETENT SUBSTANTIAL EVIDENCE RECEIVED AT THE QUASI-JUDICIAL PUBLIC HEARING. THE PZA RECOMMENDED APPROVAL OF THIS ITEM AT THEIR MAY 6TH MEETING BY A VOTE OF 6 TO 0. THE MOTION TO RECOMMEND APPROVAL INCLUDED ADDING LANGUAGE TO THE PUD TEXT PROHIBITING LIQUOR STORES, BARS, NIGHT CLUBS, AND OTHER SIMILAR ESTABLISHMENTS

Proof of publication of the Notice of Public hearing regarding PUD 2005-30, Lightsey Road PUD, was received, having been published in *The St. Augustine Record* on April 21, 2010.

Michael Blackford, Planning and Zoning Manager, introduced Phong Nguyen, Transportation Concurrency Manager, and John Burnham, Development Technical Manager, who had also worked on the project. He explained that the revised MDP Map and adjacent property owner notices had been handed out to the Board (*Exhibit A*). He gave an overhead presentation (*Exhibit B*) and reviewed the application. He noted the request was to rezone 25 acres from Open Rural (OR) to Planned Unit Development (PUD) for the development of 256 multi-family apartment units and 25,000 square feet of commercial. He reviewed the uses allowed within the CG zoning area. He reviewed the history of the project, including that it had been denied in 2007 and in 2008 by the BCC. He said it had gone to court and been quashed. He reviewed the revisions to the original plan. He said that Planning staff found that it met the requirements of the Comprehensive Plan and the Land Development Code. He said the PZA recommended approval on the May 6th meeting, but recommended revised language to limit the sale of alcohol in conjunction with a restaurant and prohibition of bars, taverns and package stores.

(10:34 a.m.) Bryan asked if there would be only one entrance onto Lightsey Road. Blackford said there would be another entrance onto SR 207. Bryan asked if there were restrictions. Blackford said there were no restrictions with access. Bryan said he had a problem with that because it was a residential area. He also questioned the backup onto SR 207. Blackford said the technical staff would look at where the gate would be located. Bryan said a backup could create a disaster.

(10:37 a.m.) Sanchez declared ex parte with McClure. Stevenson said she had met with McClure, received e-mails from people in the community concerning the liquor store and concerns about the transportation element. She stated that the road had a lot of demands on it. She said she had discussed changes with McClure. Mays said he had spoken with representatives of the project. Bryan disclosed that he had received several

e-mails regarding the project. Quinn said he had met with McClure, had received e-mails, and had attended the PZA meeting regarding the project.

(10:38 a.m.) Bryan said he would like to have the issues he raised, addressed for the record. He asked if a transportation study had been done on the project. Blackford said yes.

(10:40 a.m.) John Burnham commented on the stacking space and said it was 120 feet and would accommodate about seven vehicles. He said it could be adjusted if that continued to be a concern.

(10:42 a.m.) Phong Nguyen said new technologies had been developed and residents would have transponders in their car to enter the gate, allowing it to flow smoothly. He said there was 120 feet from the gate house from the entrance onto SR 207, and it would accommodate about six or seven cars. He said the turn lane onto SR 207 would provide additional capacity for visitors who would enter from another lane.

(10:43 a.m.) Bryan said he wanted to go on record, that if it became a problem in the future, he did not want the County to have to bear the expense for any traffic problems that might arise from traffic backups.

(10:44 a.m.) Nguyen also addressed the commercial parcel and said it would be required to 3-lane Lightsey Road for 300 feet, to allow a left turn into the commercial facility and delivery trucks would have a refuge to turn into the site without impacting Lightsey Road. He said they would look at it when the construction plans came in for the commercial development. He said the projected time line was not currently available.

(10:46 a.m.) Bryan said he would like to see the project halted until 6-lanes were built.

(10:46 a.m.) Stevenson said they were covered for west bound traffic, and asked about traffic entering from the east bound left turn. Nguyen said there was no center lane currently, but it would trigger a left turn lane requirement. She said at site plan preparation they would address traffic safety for that parcel and would talk about truck access and safety. Nguyen said that was correct. She echoed Bryan's concerns about pedestrian safety. She said it was a very busy rural road. Nguyen said PZA had recommended sidewalks be built to Century Boulevard.

(10:50 a.m.) Quinn said he would like to address exiting from the apartments onto SR 207. He said the majority of the vehicles would be moving toward St. Augustine and would have to cross the south bound lane to turn left. He said traffic often backed up at the light there.

(10:51 a.m.) Nguyen said the volume on SR 207 had not required a study for a signal, but spacing might require a signal there. He said they would look at it to see if a warrant study would be necessary for the possible installation of a signal there. Quinn said there was potential for a couple of hundred vehicles to make a left hand turn and it was going to be dangerous.

(10:53 a.m.) Bryan said Lightsey Road was a dead end road and it would be difficult for commercial drivers to turn around if they passed the entrance. He said they would have to enter the residential area in order to turn around.

(10:54 a.m.) Stevenson questioned ingress and egress for residents of Lightsey Road and the plan had evolved so that project residents would not have ingress or egress onto

Lightsey Road. Sanchez said the commercial entrance on Lightsey Road was provided to serve people that lived in that area. Stevenson said that an on-demand signal there would cause delays for others.

(10:56 a.m.) Sanchez said there was a lot of traffic on the road, mostly from Putnam County. He said it would be dangerous. Stevenson asked about a demand signal. Nguyen said a warrant study would have to be done.

(10:57 a.m.) Bryan said he liked the project, they were pushing commercial, and there was a need for apartments, but he had a lot of concerns with the transportation issues. He said he would like to see those issues addressed first, before they approved it. He said he had genuine concerns from the community.

(10:58 a.m.) James Whitehouse, Assistant County Attorney, said that some language could be added in the text to address some of the concerns regarding traffic and stacking lanes. He said installing a light would have to be done through the State, which would require a warrant study. He said the County could not require a light to be placed there.

(11:00 a.m.) George McClure, 81 King St. Suite A, said he represented Harry Waldron and his family regarding the application. He thanked staff, Legal, Engineering, Traffic and Planning. He said they had all worked long and hard on the item and they had worked closely with his team. He also expressed appreciation to the neighbors who had worked with them and had been open to reasonable debate. He said they had worked very hard to work on the areas of controversy. He stated that they had terminated the contract with a large developer after many years, and that Waldron had taken control of the project, and had worked hard within the limits of their resources. He added that they were trying to resolve some litigation, and an affirmative vote would make the pending litigation go away. He reviewed some of the proposed changes. He said they eliminated access from the commercial and residential component onto Lightsey Road. He added that they had eliminated passive and active recreation area at the rear of the property in order to enhance the privacy to the adjoining property. He said they had taken the height of their buildings down to two stories, also to enhance privacy for the neighbors. He said they also had agreed to no package stores, or bars in the area, the only service of alcohol would be in a restaurant, but beer and wine could be sold at stores like Walgreens, for off premises consumption. He said there was a design for a stacking lane for south/west bound traffic. He said the only people who would stack up would be people who were visiting. He said SR 207 was an SIS road, and the level of service was established by the FDOT and would require a permit. McClure said the State would make them wait awhile in order to get major changes to the road. He added that Waldron would be happy to provide a sidewalk back to Century Boulevard on Lightsey Road. He added that they would also commit to a provision that the only access for delivery vehicles would be off SR 207. He said the traffic light at Lightsey Road would provide a gap for traffic to leave the development and turn to the left as most of the traffic exiting Lightsey Road would turn left towards St. Augustine. He noted many changes had occurred in that area, they would build market rate apartments, and there was a great demand in that area.

(11:12 a.m.) Harry Waldron, 118 Colon Avenue, St. Augustine, said the project had been going on for a long time. He added that everyone with the County had been great in working with them and he hoped to get it solved that day. He stated that his family had been in business in St. Augustine since 1963. He said any requested changes to the project would be done right. He said they had made many changes to it already and thanked them for their help.

(11:15 a.m.) Bryan asked about the exit lane and if it would help to make it a right turn only. McClure said the DOT would have to address that.

(11:16 a.m.) Wanchick said the State would control those maneuvers and they should leave it to the traffic engineers.

(11:16 a.m.) Stevenson said if DOT thought it was dangerous, they would make it a right turn.

(11:17 a.m.) Carlos Mendoza, 2408 Kalie Lane, stated that they had discovered a lot of information they had not heard before regarding contractual requirements with the developer. He said there was a lot of concern of the neighbors as Lightsey Road was the only way in and out of the neighborhood. He said the neighbors were now relieved that Mr. Waldron had listened to their concerns about limiting the access onto Lightsey Road. He said their primary concern was the access from the apartments onto Lightsey Road, but things were now acceptable. He said they were not thrilled with the development, but they could live with it. He thanked Mr. Waldron for the mitigation his team had offered.

(11:20 a.m.) McCormack said the applicant was entitled to make a rebuttal. McCormack said they did not have a rebuttal.

(11:20 a.m.) Stevenson asked if they were committing to build a sidewalk to Century Boulevard. McCormack said they would agree to that. Whitehouse said they needed to add that language to the motion.

(11:23 a.m.) Motion by Stevenson, seconded by Sanchez, carried 4/1 with Quinn opposing, to approve Ordinance No. 2010-22, known as PUD 2005-30, with additional conditions that a sidewalk to Century Blvd. will be added at the time of commercial construction, and delivery vehicle access will be limited to SR 207, adopting findings of fact one through seven to support the motion.

ORDINANCE NO. 2010-22

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

(06/01/10 - 13 - 11:26 a.m.)

7. **CONSIDER FOUR APPOINTMENTS TO THE HEALTH AND HUMAN SERVICES ADVISORY COUNCIL**

Melissa Lundquist, BCC Office Manager, gave the presentation.

(11:26 a.m.) Motion by Mays, seconded by Bryan, carried 5/0, to (re) appoint Stan Gustetic to the Health & Human Services Advisory Council for a full four-year term scheduled to expire June 2, 2014.

(11:27 a.m.) Motion by Bryan, seconded by Mays, carried 5/0, to appoint Mary McCarthy to the Health & Human Services Advisory Council for a full four-year term scheduled to expire June 2, 2014.

(06/01/10 - 14 - 11:27 a.m.)

8. CONSIDER TWO APPOINTMENTS TO THE HOUSING FINANCE AUTHORITY

Melissa Lundquist, BCC Office Manager, gave the presentation.

(11:29 a.m.) **1a. Motion by Bryan, seconded by Sanchez, carried 5/0, to re-appoint Linda Peeples to the Housing Finance Authority for a full four-year term scheduled to expire June 2, 2014. (prior seat of Melinda Peeples)**

(11:29 a.m.) **2a. Motion by Quinn, seconded by Sanchez, carried 5/0, to suspend BCC Rule 2.203 to allow re-appointment of a member to a third (or fourth) term.**

(11:30 a.m.) **2b. Motion by Quinn, seconded by Mays, carried 5/0, to (re)appoint Carol Alford to the Housing Finance Authority for a partial term scheduled to expire March 20, 2011.**

(11:30 a.m.) **2c. Motion by Sanchez, seconded by Mays, carried 5/0, to reinstate BCC Rule 2.203.**

(06/01/10 - 14 - 11:30 a.m.)

9. CONSIDER ONE APPOINTMENT TO THE CONTRACTORS REVIEW BOARD

Melissa Lundquist, BCC Office Manager, gave the presentation.

(11:31 a.m.) **Motion by Mays, seconded by Sanchez, carried 5/0, to re-appoint Kevin Weir to the Contractors Review Board for a full four-year term scheduled to expire June 1, 2014.**

(06/01/10 - 14 - 11:32 a.m.)

COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson made an observation on the Financial Plan and requested that comments addressed to the Board should be included in the initial report so that the Board could see the comments prior to the meeting. She commented on Goals and Objectives and suggested they review them to see if they still reflected the obtainable goals and objectives. She stated that communications with the citizens had been a priority of Administration and of the Board. She said the staff had done a lot of hard work to improve access, including the Bill of Rights and going out to the community to educate the community on the financial aspects of the government. She said she had attended a graduation ceremony for firefighters and also for some firefighters who were present, who had achieved a higher level of training. She said it was a very interesting ceremony.

(11:36 a.m.) Commissioner Mays:

No comments.

(11:36 a.m.) Commissioner Bryan:

He said they had a good Commission and had worked well together. He thanked Wanchick for the work he had been doing and especially regarding the Town Hall meetings. He thanked him for the common sense atmosphere that he had brought to

the County. He said they had a spirit of leadership and civility on the Board. He added that they needed to stay on track and to stay focused.

(11:38 a.m.) Commissioner Quinn:

Quinn thanked Bryan for his remarks. He said he had attended the Employee Town Hall meetings and said they were very worthwhile. He encouraged all citizens to attend the Town Hall meetings that were coming up. He mentioned that yesterday was Memorial Day and they had a great service in St. Augustine. He thanked the Veterans and their families for attending.

(11:39 a.m.) Commissioner Sanchez:

Sanchez said they were asked to appoint a Commissioner to the Supervisor of Elections Canvassing Board. He asked for consensus of the Board to appoint Commissioner Quinn. *There was Board consensus.*

(06/01/10 - 15 - 11:41 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick asked about the convenience of using two notebooks. Everyone agreed that it was fine.

(06/01/10 - 15 - 11:41 a.m.)

COUNTY ATTORNEY'S REPORT

McCormack said the Board would reconvene at 5:01 p.m. to hear the second reading on the LDC changes. He said the Home Owners' Association (HOA) provisions under Section 5.03.02 H would have some minor revisions, which would be reviewed. He commented on the Supervisor of Elections and said that if the Board was thinking of putting any referendum language up for the primary election, it was due by June 18. He said the Board was aware that the County had revised their Purchasing Manual, and there would be another round of refinements to that manual, and he wanted to give them a heads up on that. He said review of contracts, approval of purchasing by staff and department head levels, and the County Administrator contract would also be reviewed. He asked if there was an allowance to do that, which would be in conjunction with revision to the Purchasing Manual. He clarified it would be the County Administrator Ordinance.

(06/01/10 - 15 - 11:45 a.m.)

CLERK OF COURT'S REPORT

No report.

The meeting was recessed at 11:45 a.m. and reconvened at 5:01 p.m. Commissioner Mays was not present.

(06/01/10 - 15 - 5:01 p.m.)

10. PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS FOR ARTICLE II, III, V, VI, VII, IX, X, XII AND APPENDIX B. THIS IS THE FINAL PUBLIC HEARING TO CONSIDER MODIFICATIONS TO THE LAND DEVELOPMENT CODE. THE PLANNING & ZONING AGENCY WAS SCHEDULED TO HEAR THIS ITEM MAY 20, 2010

Proof of publication of the Notice of Public hearing regarding proposed changes on the Establishment of Ordinance/Regulations Affection on the Use of Land was received, having been published in *The St. Augustine Record* on April 23, and May 26, 2010.

Lindsay Haga, Development Review Director, gave an overhead presentation (*Exhibit A*). She said it was the final hearing for the Track 7 changes for the Ordinance. She said the PZA recommended approval by a unanimous vote. She said there were no changes or deletions to the packet except for the changes proposed by the County Attorney.

(5:02 p.m.) Stevenson questioned the clarity of the wording under Section 4, page 2. She asked if it was the appropriate terminology for both classifications for special uses and for zoning. Haga said it was intended for both, if there was a suggested use that was closely matched to a use allowed by right, then it could be permitted under that mechanism, also if it was a use closely matched to a special use, it would follow that path. She said if it wasn't clear, they could clarify it. Stevenson noted that under special use it would have to go to the PZA for approval and she wanted it to be clear. She said the second one was similar, on Page 10, under the Issuance of Architectural Permit Absent Architectural Approval, under 10A, clarification was missing, but was defined later under Subsection C. She said if it was not an actual person, it needed to be a bona fide representative. Haga said that was the HOA section and McCormack would have to address that. Stevenson said it appeared there were some missing words there.

(5:05 p.m.) McCormack presented revisions made since the first public hearing to Section 5.03.02 H. (*Exhibit B*) which were within the Track 7 changes. He said they were clarifications and improvements. He said he had met with staff and Barry Ansbacher to address those changes, and thanked Ansbacher for the assistance he had provided. McCormack said there were a number of places where the term Growth Management Services was used and he had been informed that Growth Management was the correct usage and they would need to remove the word Services for their motion.

He said the Board was aware of the rationale for the changes to that section. He said it would give the Homeowners' Association (HOA) communities an option to be registered communities so they would get notice of proposed building permits and other development permits and activities, so they could react to those, in lieu of approval or disapproval authority. He said they had found it challenging to meet all the requirements of the Sunshine Law and Public Records Act, they were primarily volunteers, and had found it difficult to meet the official requirements. He said the notice would allow them to use their HOA assets to determine whether or not the permits were proper or needed HOA approval. He said they could then use their own counsel to contact the property owners. He said there was also an option that the HOAs could choose for approval or disapproval authority, but in so doing they would have to meet all the requirements of the Sunshine law.

He said that HOA, through their declarations, covenants, and restrictions, for HOA approval of certain construction and other activities on properties, according to the previous language, either had the authority or they didn't. He said in reality, it went by subdivision, and all were different. He said one size did not fit all, and the outlined changes reflected that. He reviewed each of the changes proposed.

He said that in the adopting ordinance in Section 8, there needed to be a transition period to go into the new regimen, as it might take the HOAs several months to become a Registered Community. He recommended that in the adopting ordinance, currently Section 8, he would rename the present section as Section 8A and add Section 8B, which would read "The homeowner's association for any PUD that was described by section 5.03.02 H, prior to this amendment, shall have the same rights and responsibilities

under that section, prior to this amendment for 180 days from the adoption of this ordinance or registration as a registered community, whichever occurs first.” He said it would provide a transition period so that no one would be caught unaware.

(5:20 p.m.) Bryan said any association that wanted to participate in the process would have to register and any association that did not want to participate would not have any recourse if someone slipped through the cracks. McCormack said that was correct, and at the end of 180 days they would know who wanted to participate. He explained that there was never an official list of who the HOAs were, and this process would clarify which associations were participating. Bryan asked if a registered association experienced an incident where something fell through the cracks, if there be liability issues for the County. McCormack said anyone could make a claim for anything. He said the proposed language would provide notification to the communities, and if an applicant came in and did not have approval of the HOA, they would have to sign a hold harmless agreement saying that there might be an issue involving HOA approval.

(5:23 p.m.) Stevenson said the problem was that they did not know who had requirements and required notice. She said this would establish a registration process for either notice communities or approval communities, and they would have a directory of defined responsibilities. She asked if it could be sent out under the Neighborhood Bill of Rights to make people aware of it. Locklear said they could do it either way. Stevenson asked if they could also let them know that they also had the option to sign up for the Neighborhood Bill of Rights and for the Administrator’s newsletter.

(5:25 p.m.) Quinn asked for clarification as to whether those changes McCormack had proposed had been reviewed by the PZA. McCormack said the PZA was very favorable to the general concept, but the final changes had been made subsequent to the last PZA meeting. He said it was his opinion that they would see it as an improvement to what was previously maintained, and it would be appropriate for Board approval.

(5:27 p.m.) Doug Burnett, 509 Anastasia Blvd., St. Johns Law Group, said he was there on behalf of RaceTrac Petroleum regarding the sign issue. He asked them not to hold up anything on Article XII regarding changeable message signs because it was important to the RaceTrac project on SR 207, and they needed to get their signage ordered.

(5:30 p.m.) Haga said that language was suggested to answer Stevenson’s question and read: “Some uses may be allowed by right.” She said that should address her point in the difference allowed by special use permit. And on line 6 they would introduce the clause “by special use permit.”

(5:32 p.m.) Motion by Stevenson, seconded by Bryan, carried 4/0 with Mays absent, to approve Ordinance No. 2010-23, amending Articles II, III, V, VI, VII, IX, X, XII and Appendix B, including revisions to Section 4 on page 2, the clarification under Architectural Permit which is on page 10, the changes to the draft that were presented by the County Attorney that are highlighted in red, and with the provisions of a Section 8A and 8B to allow a transition period. Additionally, in all places *Growth Management Services* should be referred to as *Growth Management*.

ORDINANCE NO. 2010-23

AN ORDINANCE OF ST. JOHNS COUNTY, A
POLITICAL SUBDIVISION OF THE STATE OF
FLORIDA, AMENDING AND SUPPLEMENTING,

ADDING AND REPEALING SECTIONS OF ARTICLE II - ZONING DISTRICTS AND SPECIAL USES; ARTICLE III - SPECIAL DISTRICTS; ARTICLE V - DEVELOPMENT OPTIONS; ARTICLE VI - DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS; ARTICLE VII - SIGNS; ARTICLE IX - ADMINISTRATION; ARTICLE X - INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT; ARTICLE XII - DEFINITIONS AND APPENDIX B CHARACTERISTICS OF, FINDINGS OF FACT, AND DECLARATION OF POLICY FOR SCENIC HIGHWAYS; OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES SPECIFICALLY PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS SPECIFICALLY PART 3.06.00 PONTE VEDRA/PALM VALLEY COASTAL CORRIDOR OVERLAY DISTRICT; AMENDING ARTICLE V DEVELOPMENT OPTIONS SPECIFICALLY PART 5.03.00 PLANNED UNIT DEVELOPMENT (PUD) DISTRICTS, AND PART 5.06.00 COMMUNITY DEVELOPMENT DISTRICTS; AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS SPECIFICALLY PART 6.04.00 ROADWAYS, DRAINAGE & UTILITIES STANDARDS; PART 6.05.00 PARKING AND LOADING; PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS; AND PART 6.08.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES; AMENDING ARTICLE VII SIGNS SPECIFICALLY PART 7.00.00 GENERALLY, PART 7.03.00 SPECIAL USE SIGNS, PART 7.04.00 POLITICAL CAMPAIGN SIGNS AND PART 7.07.00 SCENIC HIGHWAY SIGNS AND ANTENNAS; AMENDING ARTICLE IX ADMINISTRATION SPECIFICALLY PART 9.00.00 GENERALLY; AMENDING ARTICLE X INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT SPECIFICALLY PART 10.03.00 NONCONFORMING LOTS, USES AND STRUCTURES; AMENDING ARTICLE XII DEFINITIONS; AMENDING APPENDIX B CHARACTERISTICS OF, FINDINGS OF FACT, AND DECLARATION OF POLICY FOR SCENIC HIGHWAYS AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

(5:35 p.m.) Stevenson acknowledged all the hard work done by staff on that item and thanked them for their many months of effort to bring about the necessary changes.

(5:36 p.m.) McCormack said the section he had presented had a lot of controversy associated with it. He said there would be some lessons learned over the next 180 days, and that there would probably be some further tweaks. He said it was the right time to make the change, but there would probably be improvements down the road.

With there being no further business to come before the Board, the meeting adjourned at 5:37 p.m.

REPORTS:

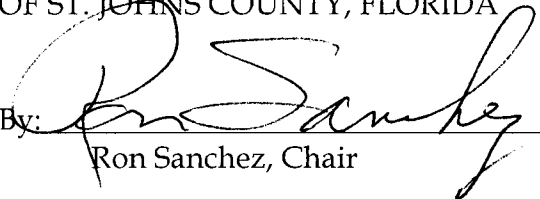
1. St. Johns County Board of County Commissioners Check Register, Check Nos. 456317 through 456568, totaling \$1,278,477.44 (05/11/10)
2. St. Johns County Board of County Commissioners Voucher Range 2277 through 2323, totaling \$494,798.84 (05/11/10)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 456569 through 456743, totaling \$1,179,608.58 (05/18/10)
4. St. Johns County Board of County Commissioners Voucher Range 2324 through 2373, totaling \$1,050,554.78 (05/18/10)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 456744 through 456776, totaling \$65,069.44 (05/19/10)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 456777 through 456787, totaling \$176,856.74 (05/21/10)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 456788 through 457111, totaling \$1,400,597.70 (05/25/10)
8. St. Johns County Board of County Commissioners Voucher Range 2374 through 2496, totaling \$961,539.78 (05/25/10)

CORRESPONDENCE:

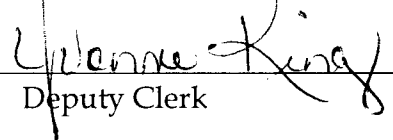
1. Letter to Cheryl Strickland, Clerk of Circuit Court, regarding receipt of the replacement copy for St. Johns County Ordinance No. 2010-15, filed May 6, 2010, (05/06/10)
2. Letter to Liz Cloud, Bureau of Administrative Code, Program Administrator, filing Ordinances Number 2010-16 through 2010-18 (05/21/10)
3. Letter to Liz Cloud, Bureau of Administrative Code, Program Administrator, filing Ordinances Number 2010-12 and 2010-13 (05/24/10) Letter to Rick Mauldin, Right-of-Way Utility Permitting Manager, St. Johns County Department of Public Works, regarding the Formal Application to Access the Public Way for the Provision of Telecommunications Services (04/26/10)

Approved June 15, 2010

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Ron Sanchez, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

