

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JULY 20, 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
 Lenora Newsome, Deputy Clerk

(07/20/10 - 1 - 8:57 a.m.)
CALL TO ORDER

Sanchez called the meeting to order.

(07/20/10 - 1 - 8:58 a.m.)
ROLL CALL

Sanchez announced that all commissioners were present except for Mays, who was on his way.

(07/20/10 - 1 - 8:58 a.m.)
Stevenson gave the Invocation and Quinn led the Pledge of Allegiance.

(9:00 a.m.) Mays entered the meeting.

(07/20/10 - 1 - 9:00 a.m.)
PROCLAMATION DESIGNATING JULY 18-24, 2010 AS PROBATION, PAROLE & COMMUNITY SUPERVISION WEEK

Quinn asked Sheryl Lewis and her officers to come forward to accept the proclamation. Sheryl Lewis was unable to make it so Nona Miller stood in her place. Karen Pan, Public Affairs Specialist, read the proclamation. Quinn presented the proclamation to them. John Richards spoke on their type of job and what they do.

(07/20/10 - 1 - 9:07 a.m.)
ACCEPTANCE OF PROCLAMATIONS

Motion by Stevenson, seconded by Bryan, carried 5/0, to approve the Proclamation.

(07/20/10 - 1 - 9:08 a.m.)
DELETIONS TO CONSENT AGENDA

There were none.

Motion by Mays, seconded by Bryan, carried 5/0, to approve the Consent Agenda as submitted.

1. Approval of the Cash Requirement Report
2. Sheriff Bonds:
 - Approve: Roger Bartlett
 - Approve: Cora Crompton
 - Approve: John Hagberg
 - Approve: Patriacia Hughes
 - Approve: William Lennon, Sr.
 - Approve: Manoucheka Lustin
 - Approve: Ronald Mathews
 - Approve: Thomas Owens
 - Approve: John Profit
 - Approve: Jason Shaw
 - Approve: Theresa Walton
 - Approve: Shantel Weems
 - Approve: Douglas Woodall
 - Cancel: Victoria Baker
 - Cancel: Ann Cassileth
 - Cancel: Marla Crews
 - Cancel: Ann Dorpema
 - Cancel: Martha Fischer
 - Cancel: Frank Gitto
 - Cancel: Francis McElroy
 - Cancel: Caitlin Stevens
 - Cancel: Albert Tesori, Jr.
 - Name Change: April Blount to April Perkins
 - Renee Rowe to Renee Macdowall
3. Minutes: Joint BCC/TDC Meeting 06/07/10
BCC Regular Meeting 06/15/10
4. Motion to accept the Recapitulation 2009 Balanced Tax Roll and Error & Insolvencies Report
5. Motion to adopt **Resolution No. 2010-135**, declaring a sixteen foot strip of certain County owned property as surplus and approving a private sale to the highest bidder pursuant to the provisions set forth in Section 125.35(2), Florida Statutes

RESOLUTION NO. 2010-135

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, DECLARING A SIXTEEN FOOT STRIP OF CERTAIN COUNTY OWNED PROPERTY AS SURPLUS AND APPROVING A PRIVATE SALE TO AN ADJOINING PROPERTY OWNER PURSUANT TO THE PROVISIONS SET FORTH IN SECTION 125.35(2), FLORIDA STATUTES

6. Motion to adopt **Resolution No. 2010-136**, approving the terms and ratifying the execution by the County Administrator of a 1st Amendment to Lease Agreement between St. Johns County and the State of Florida Department of Juvenile Justice for expansion of the St. Johns County Jail

RESOLUTION NO. 2010-136

A RESOLUTION APPROVING THE TERMS AND RATIFYING THE EXECUTION OF A 1ST AMENDMENT TO THE LEASE AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE STATE OF FLORIDA, DEPARTMENT OF JUVENILE JUSTICE FOR EXPANSION OF THE ST. JOHNS COUNTY JAIL

7. Motion to adopt **Resolution No. 2010-137**, authorizing the County Administrator, or designee, on behalf of the County Environmental Division, to submit a grant application to the Environmental Protection Agency Climate Showcase Communities Grant Program for up to \$500,000 to implement the greenhouse gas reductions program in St. Johns County

RESOLUTION NO. 2010-137

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO SUBMIT AN APPLICATION SEEKING FUNDING ASSISTANCE THROUGH THE ENVIRONMENTAL PROTECTION AGENCY, IN ORDER TO IMPLEMENT GREENHOUSE GAS REDUCTIONS WITHIN ST. JOHNS COUNTY

8. Motion to approve the St. Johns County Building Department Energy Efficiency Examiner position to fulfill the requirements of Grant Agreement No. ARE025
9. Motion to adopt **Resolution No. 2010-138**, authorizing the Chair of the Board, on behalf of the County, to endorse the expansion of the Planning Area Boundary of the North Florida Transportation Planning Organization

RESOLUTION NO. 2010-138

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE CHAIR OF THE BOARD, ON BEHALF OF THE COUNTY, ENDORSING EXPANSION OF THE PLANNING AREA BOUNDARY OF THE NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION

10. Motion to adopt **Resolution No. 2010-139**, approving the terms, provisions, conditions, and requirements of an amended Economic Development Agreement between St. Johns County and Graham & Company Southeast LLC, and authorizing the County Administrator, or designee, to execute the amended agreement on behalf of St. Johns County

RESOLUTION NO. 2010-139

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A FIRST AMENDED ECONOMIC DEVELOPMENT GRANT AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA (COUNTY) AND GRAHAM & COMPANY SOUTHEAST, LLC, (GRAHAM), AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE THE AMENDED GRANT AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

11. Motion to authorize the County Administrator, or his designee, to award a contract for Bid #10-34, Intracoastal Drainage Basin Improvements, to Masci Corporation, Inc., as the low responsive bidder for a Total Lump Sum Base Bid of \$531,345
12. Motion to authorize the County Administrator, or his designee, to award a contract for Bid #10-62, San Sebastian/Lewis Speedway Intersection Improvements and Reconstruction, to Jacksonville Eighteen Construction, Inc., as the lowest responsive bidder for a Lump Sum Bid of \$1,329,239.95 (County Portion Only)
13. Motion to authorize the County Administrator, or his designee, to award a contract for Bid #10-66, SR16 In-Line Reclaimed Water Booster Pump Station, to Ortega Industrial Contractors, Inc., as the lowest responsive bidder for a Total Lump Sum Bid of \$969,454 (Base Bid plus alternate 1)
14. Motion to authorize the County Administrator, or his designee, to purchase four (4) 2011 Standard Cutaway Buses (for St. Johns Council on Aging) from Transit Plus, Inc., through the Florida Department of Transportation Public Transit Office TRIPS Contract #FVPP-05-CA-1 in the amount of \$295,644. The St. Johns County Council on Aging is requesting to purchase four Standard Cutaway Type Vehicles (Buses) through St. Johns County Purchasing Department. Funding will be provided through the COA'S Federal Transit Administration Grant
15. Motion to authorize the County Administrator, or his designee, to award RFP 10-67, Building Rental for Concession, Bait and Tackle Store, at the Vilano Beach Boat Ramp, to Cast and Cruise Fishing Shack, the No 1 ranked firm and begin negotiations with and, if negotiations are successful, to enter into a long term agreement. If an agreement cannot be reached with the No 1 ranked firm, authorization is requested to enter into negotiations with the No 2 ranked firm and continue until an agreement is reached
16. Motion to authorize the County Administrator, or his designee, to declare a 28' X 52' 1991 Double Wide Modular Office Complex Title No. 64154022 and 64154023 as surplus and authorize sale to the highest bidder
17. Motion to adopt **Resolution No. 2010-140**, approving the terms, provisions, conditions, and requirements of an amended and restated Coquina Coast Memorandum of Agreement, and appropriate \$21,300 to fund "ex-officio" membership

RESOLUTION NO. 2010-140

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AMENDED AND RESTATED MEMORANDUM OF AGREEMENT AMONG THE ST. JOHNS RIVER MANAGEMENT DISTRICT, CITY OF DELAND, CITY OF LEESBURG, CITY OF PALM COAST, AND ST. JOHNS 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

18. Motion to approve a transfer in the amount of \$1,400 from the General Fund Reserves to Circuit Court - Professional Fees (0023-53100) to cover the cost of deaf interpreters for deaf and hard of hearing parties in civil matters to participate in their case as required under Florida Statute 29.008(4) for the remainder of FY 2010
19. Motion to approve one (1) full time Juvenile Drug Court Specialist position within Court Administration. The annual additional expenditure for salary is \$31,237.19 and benefits are \$15,352 for this position and the funding will be provided by the State of Florida through our current DCF contract
20. Motion to adopt **Resolution No. 2010-141**, recognizing \$1,764.34 of unanticipated revenue to the Mental Health Fund (1109-33471) State-Drug Allocation LOC (Line of Credit) and appropriating it to the Mental Health (1101-55707-1487-55707) Client Drugs LOC

RESOLUTION NO. 2010-141

A RESOLUTION OF 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

21. Motion to adopt **Resolution No. 2010-142**, approving the terms, conditions, and requirements of Amendment #4 to the Community Based Care Contract # NJ204 between St. Johns County, Florida and the State of Florida, Department of Children and Families, and authorizing the County Administrator, or designee, to execute Contract Amendment #4 on behalf of the County

RESOLUTION NO. 2010-142

A RESOLUTION OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO

SIGN THE FOURTH AMENDMENT TO THE CONTRACT NJ204 BETWEEN ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE DEPARTMENT OF CHILDREN AND FAMILIES

22. Motion to adopt **Resolution No. 2010-143**, approving the Business Associate/Confidentially Agreement between St. Johns County BCC and Patty Kake/Meddata and authorizing County Administrator or his designee to sign agreement on behalf of St. Johns County

RESOLUTION NO. 2010-143

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

23. Motion to adopt **Resolution No. 2010-144**, approving the Neighborhood Stabilization Program (NSP) Budget Modification #1 and authorizing the Chair to sign and submit to the Department of Community Affairs

RESOLUTION NO. 2010-144

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING NEIGHBORHOOD STABILIZATION PROGRAM (NSP) BUDGET MODIFICATION #1, AUTHORIZING THE CHAIRMAN TO SIGN AND SUBMIT TO THE DEPARTMENT OF COMMUNITY AFFAIRS

24. Motion to authorize \$3,600 from the Tree Bank Fund Reserves to be transferred to Tree Bank Fund Contractual Services 1231-53120 for reimbursement on 3 CWHIP homes to be completed this fiscal year
25. Motion to adopt **Resolution No. 2010-145**, approving the terms of a Boundary Line Agreement between St. Johns County and Robert W. Marvin and Sandra L. Marvin and authorizing the County Administrator, or designee, to execute the Boundary Line Agreement on behalf of the County

RESOLUTION NO. 2010-145

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, PROVISIONS, AND REQUIREMENTS OF A BOUNDARY LINE AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND ROBERT W. MARVIN AND SANDRA L. MARVIN AND AUTHORIZES THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE BOUNDARY LINE AGREEMENT ON BEHALF OF THE COUNTY

26. Motion to approve one (1) FTE for the State Attorney's Office to be funded 100% by the Court Technology Fund per Florida Statutes 28.24 and 29.008

27. Proofs:
 - a. Proof: Notice to Bidders, Bid #10-77, published May 4, 2010 in the Ponte Vedra Recorder
 - b. Proof: Notice of Fiscal Year 2011 Administrator's Budget Hearings on May 11 through May 13, 2010, published May 7, 2010 in the St. Augustine Record
 - c. Proof: Notice of Public Hearings of the Board of County Commissioners on April 6 and May 18, 2010 on establishment of Ordinance/Regulations affecting the Use of Land (Articles V and VI), published May 7, 2010 in the St. Augustine Record
 - d. Proof: Notice of Public Hearings of the Board of County Commissioners on April 6 and May 18, 2010 on establishment of Ordinance/Regulations affecting the Use of Land (Article XI and Appendix A), published May 7, 2010 in the St. Augustine Record
 - e. Proof: Notice to Bidders, Bid #10-70, published May 25 and June 1, 2010 in the St. Augustine Record
 - f. Proof: Notice to Bidders, Bid #10-71, published May 22 and May 29, 2010 in the St. Augustine Record
 - g. Proof: Notice of Public Hearings of the Board of County Commissioners on May 4 and June 1, 2010 on establishment of Ordinance/Regulations affecting the Use of Land (Article II, III, V, VI, VII, IX, X, XII, and Appendix B), published May 26, 2010 in the St. Augustine Record
 - h. Proof: Notice of Public Hearing of the Board of County Commissioners on June 1, 2010 regarding Irrigation Ordinance, published May 28, 2010 in the Ponte Vedra Recorder
 - i. Proof: Notice of Public Town Hall Meetings on June 3, June 7, June 10, June 14, June 17, June 22, and June 24, 2010 regarding FY2011 Budget, published May 28, 2010 in the Ponte Vedra Recorder
 - j. Proof: Notice of Special Meeting of the Board of County Commissioners on June 7, 2010 for a joint workshop with the Tourist Development Council, published May 28, 2010 in the Ponte Vedra Recorder
 - k. Proof: Notice to Bidders, Bid #10-70, published May 28, 2010 in the Ponte Vedra Recorder
 - l. Proof: Notice to Bidders, Bid #10-71, published May 28, 2010 in the Ponte Vedra Recorder
 - m. Proof: Notice to Bidders, Bid #10-74, published May 29, 2010 and June 5, 2010 in the St. Augustine Record
 - n. Proof: Notice of Special Meeting of the Board of County Commissioners on June 7, 2010 for a joint workshop with the Tourist Development Council, published June 1, 2010 in the St. Augustine Record
 - o. Proof: Notice of Public Hearing of the Board of County Commissioners on June 15, 2010 regarding Amendment of Ordinance #90-48, published June 1, 2010 in the St. Augustine Record
 - p. Proof: Notice of Public Hearing of the Board of County Commissioners on June 15, 2010 regarding 2010 Inventory List of County Land available for use as Affordable Housing, published June 1, 2010 in the St. Augustine Record
 - q. Proof: Notice to Bidders, Bid #10-76, published June 1 and June 8, 2010 in the St. Augustine Record
 - r. Proof: Notice to Bidders, Bid #10-77, published June 1 and June 8, 2010 in the St. Augustine Record

- s. Proof: Notice of Public Hearing of the Board of County Commissioners on June 15, 2010 regarding Amendment of Ordinance #90-48, published June 4, 2010 in the Ponte Vedra Recorder
- t. Proof: Notice to Bidders, Bid #10-76, published June 4, 2010 in the Ponte Vedra Recorder
- u. Proof: Notice to Bidders, Bid #10-33, published June 8 and June 15, 2010 in the St. Augustine Record
- v. Proof: Notice to Bidders, Bid #10-72, published June 10 and June 17, 2010 in the St. Augustine Record
- w. Proof: Notice to Bidders, Bid #10-33, published June 11, 2010 in the Ponte Vedra Recorder
- x. Proof: Notice to Bidders, Bid #10-72, published June 11, 2010 in the Ponte Vedra Recorder
- y. Proof: Notice to Bidders, Bid #10-73, published June 11, 2010 in the Ponte Vedra Recorder
- z. Proof: Notice to Bidders, Bid #10-83, published June 15 and June 22, 2010 in the St. Augustine Record
- aa. Proof: Request for Proposals, RFQ #10-64, for comprehensive Communications Tower Systems, published June 23 and June 30, 2010 in the St. Augustine Record
- bb. Proof: Notice of Cancellation of Regular Meeting of the Board of County Commissioners on July 6, 2010, published June 29, 2010 in the St. Augustine Record
- cc. Proof: Notice of Cancellation of Regular Meeting of the Board of County Commissioners on July 6, 2010, published July 2, 2010 in the Ponte Vedra Recorder
- dd. Proof: Request for Proposals, RFQ #10-81 for Winter Wonderland Sleigh Rides, published July 2, 2010 in the Ponte Vedra Recorder
- ee. Proof: Request for Proposals, RFQ #10-85 for Winter Wonderland Holiday Productions, published July 2, 2010 in the Ponte Vedra Recorder
- ff. Proof: Notice to Bidders, Bid #10-06R, published July 2, 2010 in the Ponte Vedra Recorder
- gg. Proof: Notice to Bidders, Bid #10-63R, published July 2, 2010 in the Ponte Vedra Recorder
- hh. Proof: Request for Proposals, RFQ #10-64, for comprehensive Communications Tower Systems, published July 2, 2010 in the Ponte Vedra Recorder

(07/20/10 - 8 - 9:09 a.m.)

PUBLIC COMMENT

Maureen Ortagus, 1445 Masters Drive, spoke on TDC and applicants on the Funding Panel.

(07/20/10 - 8 - 9:13 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to pull Item 8 to be rescheduled at a later date and Item 12 to be rescheduled to September 7, 2010. He also requested to add for discussion, adopting a resolution supporting the designation of Northeast Florida as an Economic Development District as Item 1A.

(07/20/10 - 9 - 9:15 a.m.)
APPROVAL OF REGULAR AGENDA

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

(07/20/10 - 9 - 9:16 a.m.)

1. UPDATE ON THE SMALL BUSINESS DEVELOPMENT CENTER IMPACT ON ST. JOHNS COUNTY AND AWARD PRESENTATION OF THE 2010 RESOURCE PARTNER OF THE YEAR TO THE ST. JOHNS COUNTY COMMISSION

Marge Cirillo, Florida Small Business Development Center, gave an update on the Small Business Development Center impact on St. Johns County.

(9:18 a.m.) Cathy Hagan, Area Director, Florida Small Business Development Center, spoke on one of the programs they launched; the small business resource network and being a part of a national network. She said they recognized St. Johns County Board of County Commissioners as their 2010 Resource Partner of the Year and presented them with a plaque.

(07/20/10 - 9 - 9:22 a.m.)

- 1A. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY RESOLUTION

Guy Parola, Northeast Florida Regional Council, spoke on supporting the designation of Northeast Florida as an Economic Development District.

(9:25 a.m.) *Darrell Locklear, Assistant County Administrator, stated that the motion would be to adopt the resolution supporting the designation of Northeast Florida as an Economic Development District.*

(9:26 a.m.) **Motion by Stevenson, seconded by Sanchez, carried 5/0, to adopt Resolution No. 2010-146, supporting the designation of Northeast Florida as an Economic Development District.**

RESOLUTION NO. 2010-146

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, SUPPORTING THE DESIGNATION OF NORTHEAST FLORIDA AS AN ECONOMIC DEVELOPMENT DISTRICT

(07/20/10 - 9 - 9:26 a.m.)

2. PRESENTATION OF THE FISCAL YEAR 2011 RECOMMENDED BUDGET AND ANNOUNCEMENT THE UPCOMING WORKSHOP FOR THE COUNTY COMMISSION BUDGET FY 2011 WILL BE HELD IN THE COUNTY AUDITORIUM ON TUESDAY, JULY 27, 2010

Stevenson mentioned that the St. Johns County Chamber of Commerce and volunteers from the Economic Development Council for St. Johns County, as well as others throughout the region, were involved in that plan. She spoke on the item going through the public process for some time.

(9:27 a.m.) Doug Timms, Director of Management and Budget, gave a presentation, *Exhibit A*. He reviewed the budget process, FY 2011 County Budget, recent financial impacts, examples of County savings already achieved, FY 2011 Board Budget Guidelines, and the total recommended County Budget. He continued with the total projected County Budget comparison, County reserves, maintaining a reserve above \$25,000, Board staffing changes, recommended capital improvement plan budget, recommended CIP larger projects, CIP and carry forward CIP funds, no overall millage increase, recommended property tax revenue, Solid Waste fund being in solid shape, pay down of solid waste bank loan, and the County Budget reflecting continued County efficiencies. He stated the next process would be the Board's workshop. Stevenson spoke on property taxes and bills. Sanchez said that they did a lot of things earlier in the process that had helped.

(07/20/10 - 10 - 9:45 a.m.)

3. CONSIDER APPROVAL OF THE 2010 PROGRAM OF PROJECTS AND SUBMITTAL OF THE FY 2010 FEDERAL TRANSIT ADMINISTRATION SECTION 5307 URBANIZED AREA GRANT APPROPRIATION IN THE AMOUNT OF \$651,794

Proof of publication of the notice of public hearing regarding submittal of Section 5307, Urbanized Area Grant for FY 2010 was received, having been published in *The St. Augustine Record* on July 5, 2010.

Gary Mackey, Transit Planner, spoke on approving the 2010 Program of projects and submittal of the 2010 Section 5307, Urbanized Area Grant. Stevenson asked Mackey to explain what the money supported. Mackey replied that it paid for all the operating costs, salaries for the drivers, fuel, and the capital part paid for buying those vehicles and any parts for the vehicles. Stevenson asked if this was funding that went primarily for the Sunshine Bus System. Mackey responded, yes it was.

(9:48 a.m.) Motion by Bryan, seconded by Mays, carried 5/0, to adopt Resolution No. 2010-147, approving the 2010 Program Projects and submittal of the FY 2010 Federal Transit Administration Section 5307, Urbanized Area Grant appropriation in the amount of \$651,794.

RESOLUTION NO. 2010-147

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE 2010 PROGRAM OF PROJECTS AND SUBMITTAL OF THE 2010 SECTION 5307, URBANIZED AREA GRANT

(07/20/10 - 10 - 9:49 a.m.)

4. PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT 2010. THE DEPARTMENT OF COMMUNITY AFFAIRS HAS ANNOUNCED THE ANTICIPATED FUNDING AVAILABILITY UNDER THE FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FUNDING OF ECONOMIC AND COMMUNITY DEVELOPMENT. THESE FUNDS ARE ACTUALLY FROM THE FEDERAL 2009 FUNDING CYCLE. RESOLUTION NO. 2010-115 AUTHORIZED ST. JOHNS COUNTY STAFF TO PREPARE AN APPLICATION FOR SUBMISSION TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAMS. STAFF HAS PREPARED THE APPLICATION FOR FUNDS TO BE USED IN THE

AREA OF REHABILITATION/REPLACEMENT FOR 10 OR MORE OWNER OCCUPIED HOUSING UNITS BY INDIVIDUALS AT OR BELOW 80% OF AREA MEDIAN INCOME WITHIN THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY

Proof of publication of the notice of public hearing regarding Community Development Block Grant 2010 was received, having been published in *The St. Augustine Record* on July 9, 2010.

Tom Crawford, Director Housing & Community Services, stated that Items 4, 5 and 6 all pertained to the submission of their application for Community Development funding. He said they would be submitting the application to the State on Thursday for \$750,000 to do rehabilitation to a minimum of ten houses. He said it would be nice if the Board would give a letter, stating that they would give them money to match the rehab portion on those houses. He said the two other components that went with that application, Items 5 and 6, were the housing assistance plan, which outlined how applicants would be selected and how they would administer the overall program. He stated that Item 6 was their Community Development Plan, which outlined the short term and long term objectives.

(9:53 a.m.) **Motion by Quinn, seconded by Bryan, carried 5/0, to adopt Resolution 2010-148, authorizing the Chairman to execute and the Staff to submit the completed Community Development Block Grant application for FY 2009 funding to the Department of Community Affairs.**

RESOLUTION NO. 2010-148

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE DEPARTMENT OF COMMUNITY AFFAIRS FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS ON BEHALF OF ST. JOHNS COUNTY AND TO PROCURE SERVICES FROM A QUALIFIED FIRM(S) OR INDIVIDUAL(S) TO ADMINISTER THE GRANT AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE APPLICATION ON BEHALF OF THE COUNTY

(07/20/10 - 11 - 9:54 a.m.)

5. CONSIDER A RESOLUTION APPROVING THE HOUSING ASSISTANCE PLAN (HAP) FOR THE ST. JOHNS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY 2009-2010 HOUSING REHABILITATION PROGRAM

Motion by Bryan, seconded by Mays, carried 5/0, to adopt Resolution No. 2010-149, approving the Housing Assistance Plan (HAP) for the St. Johns County Community Development Block Grant (CDBG) FY 2009-2010 Housing Rehabilitation Program.

RESOLUTION NO. 2010-149

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE HOUSING ASSISTANCE PLAN (HAP) FOR FY 2009-2010 DEPARTMENT OF

**COMMUNITY AFFAIRS SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT**

(07/20/10 - 12 - 9:55 a.m.)

6. MOTION TO ADOPT A RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE SHORT-TERM AND LONG-TERM REDEVELOPMENT OBJECTIVES FOR THE FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT ST. JOHNS COUNTY COMMUNITY DEVELOPMENT PLAN

Motion by Mays, seconded by Stevenson, carried 5/0, to adopt Resolution No. 2010-150, authorizing the implementation of the short-term and long-term redevelopment objectives for the Florida Small Cities Community Development Block Grant St. Johns County Community Development Plan.

RESOLUTION NO. 2010-150

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,
AUTHORIZING THE IMPLEMENTATION OF THE
LONG-TERM AND SHORT TERM OBJECTIVES OF THE
ST. JOHNS COUNTY COMMUNITY DEVELOPMENT
PLAN**

(07/20/10 - 12 - 9:55 a.m.)

7. REPORT ON RECOVERY ZONE FACILITY BONDS. THESE BONDS WERE CREATED BY THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 CREATED A NEW CATEGORY OF TAX-EXEMPT BONDS. THE BONDS ENABLE PRIVATE BUSINESSES TO TAKE ADVANTAGE OF TAX-EXEMPT FINANCING. ST. JOHNS COUNTY HAS AN ALLOCATION OF \$5,515,000 AVAILABLE. THIS PRESENTATION IS TO INCREASE PUBLIC AWARENESS OF THIS OPPORTUNITY

Tom Crawford, Director Housing & Community Services, gave a brief report pertaining to Recovery Zone Facility Bonds.

(9:59 a.m.) Dylan Rumrell, 800 West Monroe Street, Jacksonville, Consultant to IDA, stated that they were the only group that had done a bond like that. He said that his group was interested in meeting with the Commissioners and/or the County Administrator to try and put a plan together on how they could capitalize on the \$5.5 million dollars to help St. Johns County out. Crawford added that their organization was actually already working on one candidate that might be able to utilize that. Bryan asked if they had any applicants or anyone that was interested at that point. Crawford replied that there was at least one entity that was considering IDA bonds that could also utilize that as part of a financing package. Bryan mentioned that there was no obligation on the County's part regarding that. Stevenson said that it was particularly for the stressed area and asked if that was a subset of St. Johns County. Crawford stated that the entire County could be designated a recovery zone. Discussion followed on being in contact with Rumrell and his group regarding attracting businesses.

(07/20/10 - 12 - 9:13 a.m.)

District 2

8. PUBLIC HEARING - VACPLA 2009-02, DANCY TRACT PARTIAL PLAT VACATION. THE SUBJECT OF THIS RESOLUTION IS A PARTIAL PLAT VACATION OF DANCY TRACT. THE PROPERTY IS LOCATED NORTH OF CR 214 AND WEST OF RODRIGUEZ STREET, AND INCLUDES THE

EVERGREEN CEMETERY AND THE RESIDENTIAL PROPERTY OF MR. BUSTER ROBERSON. THE PURPOSE OF THIS VACATION REQUEST IS TO ELIMINATE LOTS AND RIGHTS OF WAY, AS DELINEATED ON THE OLD PLAT, PROVIDING THE CEMETERY MORE FLEXIBILITY FOR EXPANSION, AND PROVIDING MR. ROBERSON WITH ONE CONTIGUOUS TRACT OF LAND. ALL TECHNICAL COMMENTS HAVE BEEN ADDRESSED THROUGH THE DEVELOPMENT REVIEW PROCESS; THEREFORE, STAFF HAS NO OBJECTIONS. VACATION OF THIS PORTION OF THE PLAT, INCLUDING PORTIONS OF RIGHTS OF WAY, WILL NOT IMPACT ANY OF THE SURROUNDING PROPERTIES, NOR DOES IT HAVE ANY EFFECT ON FUTURE RIGHT OF WAY NEEDS. THE PZA RECOMMENDED APPROVAL 5/0 AT THE JUNE 3, 2010 MEETING

This item was pulled to be rescheduled at a later date.

(07/20/10 - 13 - 10:06 a.m.)

District 1

9. PUBLIC HEARING -ZNVZVAR 2009-02, TURNING POINT AT CALVARY ZONING NON-ZONING VARIANCE. THIS IS A REQUEST FOR A ZONING NON-ZONING VARIANCE TO SECTION 7.00.02.B.1 OF THE LAND DEVELOPMENT CODE TO ALLOW FOR THE INCREASE IN THE MAXIMUM SIGN SIZE ALLOWED IN AN OPEN RURAL (OR) ZONING DISTRICT FROM 32 SQUARE FEET OF AREA TO 52 SQUARE FEET, IN ORDER TO PROVIDE A MANUAL CHANGEABLE COPY ON AN EXISTING SIGN. A PREVIOUS ZONING NON-ZONING VARIANCE (ZNVZVAR 2007-02) WAS APPROVED ALLOWING MORE THAN ONE MONUMENT SIGN AT THE ENTRANCE TO THE CHURCH. THIS REQUEST WILL ADD AN ADDITIONAL 42" IN HEIGHT TO THE EXISTING SIGNS. THIS APPLICANT REQUESTS THIS APPROVAL TO REDUCE THE NEED FOR BANNERS AND FESTIVAL EVENT SIGNS APPLIED FOR YEARLY

Proof of publication of the notice of public hearing regarding Turning Point at Calvary, ZNVZVAR 2009-02, was received, having been published in *The St. Augustine Record* on July 5, 2010.

Marie Hobbs, Assistant Program Manager, stated that this item was a zoning non-zoning variance for Turning Point at Calvary Church to increase the maximum sign size in an open rural zoning district. Bryan asked if there was going to be ads on the sign just for the use of the church or for the use of the public. Hobbs responded for the use of the church for their up coming events.

(10:08 a.m.) Motion by Sanchez, seconded by Bryan, carried 5/0, to approve Zoning Non-Zoning Variance 2009-02, adopting findings of fact and/or conditions to support the motion.

(07/20/10 - 13 - 10:09 a.m.)

District 5

10. PUBLIC HEARING - VBTCNZV 2010-01, VILANO BEACH TOWN CENTER NON-ZONING VARIANCE. THIS IS A REQUEST FOR A SERIES OF NON-ZONING VARIANCES (VBTCNZV) TO PORTIONS OF SECTION 3.10 (VILANO BEACH TOWN CENTER OVERLAY DISTRICT) IN ORDER TO ALLOW FOR A PROPOSED DEVELOPMENT CONSISTING OF 37,960 SQUARE FEET OF RETAIL SPACE. THE PROJECT SITE IS LOCATED ROUGHLY BETWEEN COASTAL HIGHWAY, VILANO ROAD, AND POPLAR AVENUE. THE NORTH COASTAL DRB WILL BE MAKING A RECOMMENDATION ON THIS ITEM AT THEIR JULY 12, 2010 SPECIAL MEETING DATE

Proof of publication of the notice of public hearing regarding VBTCNZA 2010-01, known as Vilano Beach Town Center Non-Zoning Variance, was received, having been published in *The St. Augustine Record* on July 5, 2010.

Michael Blackford, Planning and Zoning Manager, stated this was a request for a series of deviations, twelve in all, from the Vilano Beach Town Center Overlay District of the Land Development Code. He stated there were changes to the site design: increase in parking, that the plan and development looked the same with fewer buildings, and spoke on out-parcels. He mentioned that the planning staff recommended approval on all the non-zoning variances. He stated there were three conditions; 1) non-zoning variances were tied to the anchor tenant; the grocery store, and the code was not conducive to a large big box type of retailer, 2) commencement would be within two years, and 3) any non substantive changes to the site plan could be done administratively with concurrence from the County Administrator. Sanchez disclosed ex parte communication with Karen Taylor and the applicant. Bryan disclosed ex parte communication with Taylor about the project. Stevenson disclosed ex parte communication, having discussions as well, being contacted by several people in the community wanting a grocery store, and had met with the applicant about changing the scale of the project. Quinn disclosed ex parte communication with Taylor and the applicant's representative and received several emails supporting the project, *Exhibit A*.

(10:14 a.m.) Irene Kaufman, 2537 South Ponte Vedra Blvd., reinforced the approval of that item.

(10:15 a.m.) Karen Taylor, 77 Saragossa Street, representing the applicants, put up the site plan, *Exhibit B*. She reviewed a few more changes; the retail had shrunk a little bit from the last time the Board saw it in January, added a public plaza, and stated that they needed a little flexibility for the site plan changes. Mays asked if Regency was still the partner that was supposed to develop Publix.

(10:18 a.m.) Bob Bentz, Vilano Town Center Partners, LLC., client, spoke on the development.

(10:20 a.m.) Vivian Browning, 115 Vilano Road, stated that had been a community process and the stores would be developed on all four sides.

(10:23 a.m.) Sacha Martin, 133 Coastal Hollow Circle, spoke on having a dream of their vision and seeing it come through.

(10:25 a.m.) Barbara Jeness, 314 Porpoise Point Drive, thanked everyone for making that happen.

(10:26 a.m.) Dylan Rumrell, 800 West Monroe Street, Jacksonville, stated that the Recovery Zone Bond might fit that project.

(10:28 a.m.) **Motion by Bryan, seconded by Sanchez, to approve non-zoning variance application, known as VBTCNZV 2010-01, adopting findings of fact one through to six support the motion.** (10:28 a.m.) *Whitehouse mentioned three conditions that should be part of the motion that were reflected in the staff report and the variances as presented in the staff report also. Bryan modified his motion to include the variances and the statement by the attorney, the second acknowledged it too, motion carried 5/0.*

The meeting recessed at 10:32 a.m. and reconvened at 10:44 a.m.

(07/20/10 - 15 - 10:44 a.m.)

District 3

11. PUBLIC HEARING - REZ 2010-01, OLD MOULTRIE ROAD MEDICAL REZONING. THIS IS A REQUEST TO REZONE 8.80 ACRES FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG) FOR THE DEVELOPMENT OF MEDICAL AND GENERAL OFFICE SPACE. SUBJECT PROPERTY IS LOCATED ON THE WEST SIDE OF OLD MOULTRIE ROAD, JUST SOUTH OF SR 312. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO CG SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS ITEM AT THEIR MAY 20TH MEETING BY A VOTE OF 6 TO 0. THE MOTION TO RECOMMEND APPROVAL INCLUDED A RECOMMENDATION THAT SIGNALIZATION OF OLD MOULTRIE ROAD AND SOUTH PARK BOULEVARD OCCUR PRIOR TO A CERTIFICATE OF OCCUPANCY BEING ISSUED FOR ANY COMMERCIAL DEVELOPMENT OF THE PROPERTY

Proof of publication of the notice of public hearing regarding REZ 2010-01, known as Old Moultrie Road Medical Rezoning, was received, having been published in *The St. Augustine Record* on July 5, 2010.

Michael Blackford, Planning and Zoning Manager, explained the rezoning request, reviewed the surrounding zoning uses, and the requested condition that the motion be made to require the signalization of the intersection of Old Moultrie Road and South Park Blvd., prior to a Certificate of Occupancy being issued for any of the commercial development. Stevenson questioned the signalization being secured in a later phase; to which, Blackford responded. Sanchez questioned the use of the roadway; to which, Blackford responded. Bryan questioned that parcel being used for the apartments, Blackford responded.

(10:51 a.m.) Doug Burnett, St. Johns Law Group, representing the applicant, Arnold DeLorenzo, further explained the zoning requested; reviewed the access to the property, *Exhibit A*, and the requested condition. Bryan spoke on being protected and having a condition requiring signalization. Burnett mentioned the specific issue of, when a signal was warranted. Mays spoke on traffic and signalization. Stevenson requested to have staff speak on signalization. Burnett stated that if it was warranted, they could do signalization. Bryan said that he wanted some provision included that would bring you back to the table for a dialogue and consideration, if necessary. Blackford spoke on the staff recommendation. Quinn gave a general comment and said that he could only support it, knowing it has been checked out. Burnett stated that the County Code already required it. Sanchez said the big difference was the timing of it. Stevenson mentioned that she had not heard anything about the pedestrian access. Bryan stated that he was comfortable with knowing that they had some flexibility, but wanted to make sure there was a provision included for adding a light if warranted. Burnett replied that it was one of the criteria in the warrant study. Locklear stated that the signal warrant study could be done by the County staff; they could require that to be done by the applicant, upon their request, and actually could be done whenever they wanted to do it. Mays mentioned making a motion stating that upon applying for a building permit, the applicant would also make the traffic study and pay for signalization if warranted. Burnett responded that would take care of the issue, but requested to make it vertical construction. He stated that the PUD already had sidewalks designed into it. He stated that the warrant study was to be done in connection with the building permit application, and if warranted, the signalization would be done at the time of the Certificate of Occupancy. Quinn stated that there had to be a study, and there was a perception that the signal was needed now not later. Bryan stated that the cost was always an issue and they needed to make it clear who

had to pay for it. Burnett stated that his client was also paying for \$2.3 million dollars of roadway improvements in connection with getting the concurrency for that entire project. Stevenson spoke on traffic stacking.

(11:18 a.m.) Perry Weiker, Administrator of the Ponce Therapy Care Center, 1999 Old Moultrie Road, spoke on a lot of traffic coming in and out of their facility and suggested having a flashing light in front of their driveway.

(11:20 a.m.) Burnett spoke on going through the process on the PUD. He said that signalizing the intersection at South Park actually would help the assisted living facility. Bryan asked if there had been a study done recently of that area. Locklear replied that he was not aware of one, but would check it out. Stevenson spoke on traffic lights, and if they were needed. Sanchez said that he was not interested in the County paying for anything.

(11:28 a.m.) *Motion by Mays, to enact Ordinance No. 2010-25, known as REZ 2010-01, adopting findings of fact one through four to support the motion to Commercial General with the following conditions; first that upon the applicant bringing in any type of permitting, whether it be vertical or horizontal, that a traffic study was done, and at the point of vertical construction, the commencement of vertical construction by the applicant, that the applicant meets the requirements of the traffic study as determined by the County and funds the improvements required.* Whitehouse suggested the language, *owner instead of applicant*, and if the applicant would say on the record that they agreed to those conditions, if they did. Stevenson stated that she was not going to support this motion. Burnett said that they fund the signal at the Certificate of Occupancy. Whitehouse repeated the conditions; 1) upon any application for permit for vertical construction the owner shall pay for a warrant study for the South Park Boulevard intersection and upon any application for Certificate of Occupancy, if warranted owner shall fund a signal at the South Park Boulevard intersection prior to issuance of the same. Whitehouse asked the owner if he agreed to those two conditions. Burnett replied yes he did. Stevenson asked, with these conditions, was the project's obligation different than it would had been without these conditions. Discussion followed on the conditions. Quinn asked for Mays to read the motion again and have the County Attorney read the two conditions and go for a vote.

(11:40 a.m.) *Whitehouse read the two conditions; 1) Upon any application for permit for vertical construction, the owner shall pay for a warrant study for the South Park Boulevard intersection; and 2) upon any application for Certificate of Occupancy for vertical construction, if warranted, owner shall fund a signal at the South Park Boulevard intersection and/or any other required improvements prior to issuance of the same.* Burnett stated that it was acceptable with the applicant, if he wanted to adopt those conditions and make a motion. (11:41 a.m.) **Mays restated the motion subject to the conditions that were just read by Whitehouse. The motion was seconded by Bryan.** Stevenson asked the Planning staff if the requirements would not ordinarily be required at the site plan level. Locklear replied that it was a matter of what happened first. Stevenson stated that for public safety purposes, an intersection needed to be addressed at the site plan level. Locklear responded. (11:43 a.m.) **The motion carried 4/1, with Sanchez dissenting.**

ORDINANCE NO. 2010-25

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 GENERAL (CG); MAKING FINDINGS

**OF FACT; REQUIRING RECORDATION; AND
PROVIDING AN EFFECTIVE DATE**

(07/20/10 - 17 - 9:13 a.m.)

District 4

12. PUBLIC HEARING - PUD 2008-09, PONTE VEDRA LAKES OFFICE PARK SOUTH PLANNED UNIT DEVELOPMENT. THIS IS A REQUEST TO REZONE APPROXIMATELY 1.43 ACRES FROM SINGLE FAMILY RESIDENTIAL (R-1-C) TO PLANNED UNIT DEVELOPMENT (PUD) IN ORDER TO DEVELOP UP TO 17,000 SQUARE FOOT DEVELOPMENT CONSISTING OF A BANK, PROFESSIONAL AND MEDICAL OFFICES. THIS AREA IS LOCATED ON THE WEST SIDE OF A1A, AND LOCATED WITHIN THE 200 BLOCK OF A1A N NEXT TO THE GATE GAS STATION. THE PLANNING DIVISION FINDS THE REQUEST TO REZONE TO PLANNED UNIT DEVELOPMENT (PUD) DOES SUBSTANTIALLY MEET THE REQUIREMENTS OF THE COMPREHENSIVE PLAN, PONTE VEDRA ZONING REGULATIONS, AND THE LAND DEVELOPMENT CODE. THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD (PVZAB) RECOMMENDED APPROVAL OF THIS ITEM BY A VOTE OF 6-0 AT THEIR MAY 10, 2010 MEETING

Proof of publication of the notice of public hearing regarding PUD 2008-09, known as Ponte Vedra lakes Office Park South Planned Unit Development, was received, having been published in *The St. Augustine Record* on July 5, 2010.

This item was pulled and continued to September 7, 2010.

(07/20/10 - 17 - 11:44 a.m.)

District 3

13. PUBLIC HEARING - PNZVAR 2010-01, MAY MANAGEMENT STORAGE BUILDING PLANNING NON-ZONING VARIANCE. THIS APPLICATION IS A PLANNING NON-ZONING VARIANCE TO ALLOW AN ACCESSORY BUILDING TALLER THAN 7 FEET (3.07.05.A.7). THE PROPOSAL SEEKS APPROVAL OF AN ACCESSORY BUILDING APPROXIMATELY 9.5 FEET IN HEIGHT. THE SOUTH ANASTASIA DESIGN REVIEW BOARD RECOMMENDED APPROVAL OF THE REQUEST DURING THE MAY 27, 2010 MEETING. THE PLANNING DIVISION FINDS THE REQUEST FOR A PLANNING NON-ZONING VARIANCE TO SECTION 3.07.05.A.7 SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE, SPECIFICALLY SECTION 10.04.03.B

Proof of publication of the notice of public hearing regarding PNZVAR 2010-01, known as May Management Storage Building Planning Non-Zoning Variance, was received, having been published in *The St. Augustine Record* on July 5, 2010.

Lindsay Haga, AICP, Development Review Director, said that the item was a planning non-zoning variance to one of their overlay standards, regarding accessory structures. She stated that, specifically, the request was to increase the height from the seven foot limitation written in the overlay standard to approximately 9.5 feet to allow for an accessory structure replacement. Bryan disclosed ex parte communication with David Usina's wife regarding height and construction of the material used in the building.

David Usina, 2171 SR 16, mentioned that if they put the building up at the seven foot height, they would end up with four foot tall doors, which didn't meet the building codes or the fire codes.

(11:46 a.m.) Motion by Bryan, seconded by Quinn, carried 5/0, to approve Planning Non Zoning Variance PNZVAR 2010-01, May Management Storage Building, adopting findings of fact to support the motion.

(07/20/10 - 18 - 11:46 a.m.)

District 1

14. PUBLIC HEARING - NINE MILE GANG COMPREHENSIVE PLANNING AMENDMENT DEVELOPMENT AGREEMENT (DEVAGREE 2009-03). THIS IS THE SECOND OF TWO REQUIRED PUBLIC HEARINGS FOR THE NINE MILE GANG DEVELOPMENT AGREEMENT. THE FIRST PUBLIC HEARING WAS HELD ON JUNE 15, 2010. THE PROPOSED AGREEMENT IS ASSOCIATED WITH THE NINE MILE GANG COMPREHENSIVE PLAN AMENDMENT (COMPAMD 2009-01) TO ADDRESS ADEQUATE TRANSPORTATION CAPACITY, AND THE PROVISION OF ADEQUATE WATER AND WASTEWATER CAPACITY FOR THE DEVELOPMENT OF 300 MULTI-FAMILY RESIDENTIAL UNITS, 97,500 SQUARE FEET OF OFFICE USES, AND 385,000 SQUARE FEET OF RETAIL USES IN THE PROPOSED CPA. ALL OUTSTANDING FDOT AND COUNTY STAFF COMMENTS HAVE BEEN ADDRESSED. A REDLINE VERSION IS ATTACHED SHOWING ALL CHANGES MADE SINCE THE 1ST HEARING ON JUNE 15, 2010. THE SUMMARY HAS BEEN UPDATED TO REFLECT THE FINAL DEVELOPER COMMITMENTS BASED ON THE REVISED DEVELOPMENT AGREEMENT DATED JUNE 24, 2010

Proof of publication of the notice of public hearing regarding DEVAGREE 2009-03, known as Nine Mile Gang Comprehensive Planning Amendment Development Agreement, was received, having been published in *The St. Augustine Record* on May 31, 2010.

Phong Nguyen, Transportation Planning Manager, stated that this was the second of the two required hearings for the Nine Mile Gang. He spoke on the improvements to the plan and stated that staff recommended approval. Bryan asked what time frame they were looking at for amending their capital improvements. Nguyen replied that they would look at the next available update of the capital improvement schedule to include those improvements. Bryan asked what kind of impact it would have on the County and their budget. Nguyen replied that it was fully funded by the developer, so there was no financial constraint imposed on the County. Bryan stated that he wanted to make sure that they were not on the hook for dollars they did not have. Nguyen said that they had a private funding source, so it would not have a constraint on the County. Sanchez asked if the developer was going to fund it, give the money to the County for them to include it in their projects. Nguyen responded that the applicant was committed to do the improvement for both phases. He said if it related to the interchange, more than likely they would receive the funding and transfer the dollars to the Florida Department of Transportation for the improvements. He stated that they would fund it prior to any issuance of building permits per each phase. Stevenson said that she would like to be sure, if there was work done on the IMR, that that work became a contribution attached to that parcel as part of their mitigation. And, she added, that the County was not faced with having to acquire the IMR improvements for cash or financial resources that they may not have at the time, in the event that this project did not move forward on a timely basis. She asked the County Attorney if that was addressed in this agreement. Whitehouse stated that as a Development Agreement, that was a contract between two parties and the language of the agreement had to state the intention of both sides. Stevenson stated that in the event the County wished to move forward on interchange improvements and the developer was not able to, that exchange of the work product would be made through a mediation agreement. Whitehouse said that as they move forward with the hearing, he would look at the

documents to see if there was a place that something like that could be fitted in, and they could readdress that when they got to it. Discussion followed on accepting contributions, recommending amending the capital improvement schedule without the improvement being fully funded, and providing future capacity to accommodate the development, if it fell out, then they could delete projects from the capital improvement schedule without any constraint.

(12:04 p.m.) George McClure, 81 King Street, on behalf of the Nine Mile Gang General Partnership, thanked his teammates. He spoke on the interchange, drainage systems, business and retail of St. Johns County, thanked County staff for their cooperation and help, the 210 situation, hurricane evacuation along 210, improvements in Phase 1 and 2, and the outer beltway.

(12:19 p.m.) Ellen Whitmer, 1178 Natures Hammock Road South, voiced her concerns and stated that she was neither in favor of the Development Agreement nor the Comprehensive Land Plan Amendment that was before them. She spoke in opposition to the conservation area. Bryan spoke on the four-lane and the canopy not being disturbed. McClure replied that the canopy area would not be disturbed and explained where the extra lanes were going. Bryan asked about the residential component. Nguyen said that the 300 residential units were the maximum amount they could develop. McClure stated that they could do no exchange ratio or anything to increase that number, and it could not be built in the first phase; it had to be at the tail end.

(12:25 p.m.) **Motion by Stevenson, to approve the Nine Mile Gang Development Agreement (DEVAGREE 2009-03) as amended.** *Whitehouse stated that it would be appropriately placed on page 6, at the top under (d) which talked about the IMR; For purposes of the report only, the Developer shall list St. Johns County as an assignee under the report and shall be obligated to assign and provide any and all documents, studies, plans, engineering, etc. to St. Johns County, at no cost to the County, upon written request. Stevenson stated as amended in regards to the IMR only, seconded by Sanchez. Whitehouse mentioned also to include the language as spoken by him. Stevenson agreed and the second agreed.* Bryan asked about the minimum of residential units. Nguyen replied that there was no requirement for a minimum of residential units. **The motion carried 4/1 with Bryan dissenting.**

(07/20/10 - 19 - 12:29 p.m.)

District 1

15. PUBLIC HEARING - COMPAMD 2009-01, NINE MILE GANG COMPREHENSIVE PLAN AMENDMENT. THIS REQUEST IS FOR THE ADOPTION OF A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE 2015 ST. JOHNS COUNTY FUTURE LAND USE MAP (FLUM) FROM RURAL SILVICULTURE TO MIXED USE DISTRICT FOR APPROXIMATELY 579.65 ACRES FOR LAND WITHIN ST. JOHNS COUNTY EAST OF INTERSTATE 95 AND NORTH OF INTERNATIONAL GOLF PARKWAY; AND, AN ACCOMPANYING TEXT AMENDMENT TO THE FUTURE LAND USE ELEMENT LIMITING DEVELOPMENT ON THIS SITE TO 300 MULTI-FAMILY UNITS, 385,000 SQ. FT. OF RETAIL SPACE, AND 97,500 SQ. FT. OF OFFICE SPACE. THE LONG RANGE PLANNING DIVISION FINDS THIS REQUEST TO ADOPT THE AMENDMENT TO THE 2015 ST. JOHNS COUNTY COMPREHENSIVE PLAN SUBSTANTIALLY MEETS THE REQUIREMENTS OF THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT CODE. THE COUNTY RECEIVED THE ORC REPORT ON APRIL 14, 2010. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF ADOPTION AT THEIR MAY 20TH MEETING BY UNANIMOUS VOTE

Proof of publication of the notice of public hearing regarding COMPAMD 2009-01, known as Nine Mile Gang Comprehensive Plan Amendment, was received, having been published in *The St. Augustine Record* on July 5, 2010.

Jason Cleghorn, Planner III, stated that this constituted the fourth public hearing in the life span of the project. He spoke on the conservation easements, water and sewer capacity, and that they recommended approval based on the compatibility with the adjacent land uses. Stevenson asked about the amount of residential units, with Cleghorn responding.

(12:35 p.m.) Motion by Stevenson, seconded by Sanchez , carried 4/1 with Bryan dissenting, to enact Ordinance No. 2010-26, approving COMPAMD 09-01, Nine Mile Gang, adopting findings of fact one through three to support the motion. (FLUM) **NOTE: A problem with the advertising notice for Ordinance No. 2010-26 was found after the meeting and adoption of the ordinance, therefore, the public hearing for the ordinance, will need to be re-noticed and brought back to the Board at the meeting on August 17, 2010. This ordinance will need to be rescinded and then another ordinance adopted.**

ORDINANCE NO. 2010-26

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE 2015 FUTURE LAND USE MAP FROM RURAL SILVICULTURE (R/S) TO MIXED USE DISTRICT (MD) FOR LANDS TOTALING APPROXIMATELY 579.65 ACRES FOR PROPERTY LOCATED EAST OF INTERSTATE 95 AND NORTH OF INTERNATIONAL GOLF PARKWAY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; AND SEVERABILITY; AND AN EFFECTIVE DATE

(12:36 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/1 with Bryan dissenting, to enact Ordinance No. 2010-27, approving COMPAMD 09-01, Nine Mile Gang, adopting findings of fact one through three to support the motion. (Site specific text amendment) **NOTE: A problem with the advertising notice for Ordinance No. 2010-27 was found after the meeting and adoption of the ordinance, therefore, the public hearing for the ordinance, will need to be re-noticed and brought back to the Board at the meeting on August 17, 2010. This ordinance will need to be rescinded and then another ordinance adopted.**

ORDINANCE NO. 2010-27

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE TEXT OF THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES, FUTURE LAND USE ELEMENT, TO ADD THE POLICY A.1.11 (H) (8) (F), AS PERTAINING TO THE

SITE-SPECIFIC LIMITATION ON DENISTY/INTENSITY FOR PROPERTY KNOWN AS NINE MILE GANG TRACT, LOCATED EASE OF INTERSTATE 95 AND NORTH OF INTERNATIONAL GOLF PARKWAY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; AND SEVERABILITY; AND AN EFFECTIVE DATE

(12:36 p.m.) Motion by Stevenson, seconded by Sanchez, carried 4/1 with Bryan dissenting, to enact Ordinance No. 2010-28, approving COMPAMD 09-01, Nine Mile Gang, adopting findings of fact one through three to support the motion. (CIS)

NOTE: A problem with the advertising notice for Ordinance No. 2010-28 was found after the meeting and adoption of the ordinance, therefore, the public hearing for the ordinance will need to be re-noticed and brought back to the Board at the meeting on August 17, 2010. This ordinance will need to be rescinded and then another ordinance adopted.

ORDINANCE NO. 2010-28

AN ORDINANCE OF THE COUNTY ADOPTING AN AMENDMENT TO THE ST. JOHNS COUNTY FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE, 2009-2014 OF THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 1563, PART II AND CHAPTER 125, FLORIDA STATUTES, AMENDING THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE TO ADD PUBLIC FACILITY IMPROVEMENTS; PROVIDING FOR FINDINGS OF FACT, FINDINGS OF CONSISTENCY, SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

(07/20/10 - 21 - 12:37 p.m.)
COMMISSIONERS' REPORTS

Commissioner Stevenson:

Stevenson thanked Quinn for attending the St. Johns River Alliance meeting in her stead and stated that the St. Johns River Summit will be taking place in Jacksonville on September 15th and 16th.

Stevenson mentioned attending the Bike and Pedestrian Council meeting. She said that FDOT was looking at the statistics about bike and pedestrian safety in the State of Florida.

Stevenson spoke on the group of public servants that were honored that morning.

(12:41 p.m.)

Commissioner Mays:

No report.

(12:42 p.m.)

Commissioner Bryan:

Bryan spoke on the West Augustine Juneteenth annual festival.

Bryan mentioned the Adult Drug Court monthly meeting graduation.

Bryan said that he and Quinn attended the St. Augustine Shores First Annual Walk of the Troops Parade and Festival honoring our troops. Sanchez stated that he was there also.

Bryan spoke on the Region Economic Development Forum last week in Orange Park.

Bryan said that he attended the City of St. Augustine Beach Commission Meeting and mentioned one of the issues that came up was the safety issue they were having on Pope Road and A1A regarding pedestrians almost being hit by cars.

Bryan spoke on contracting fleet maintenance service out to the NAPA Parts Department.

Bryan spoke on the TDC meeting held the day before regarding Category 2 and the RFP going out for an organization to actually manage the funds. Bryan spoke on the grant application process needing to be addressed, because it was broken, and stated that it had already been addressed. Discussion followed on equity, grants, and programs.

(12:53 p.m.)

Commissioner Quinn:

Quinn reminded everyone that he tried to learn as much as he could about the County operations by visiting all fifteen departments, and the five constitutional officers. He did a tour of the County jail and was truly impressed with that operation. The schools were closed for the week to save on their budget.

Quinn stated that work continued with the IDA and was very impressed with the volunteers with IDA.

Quinn stated that he was working with the Recreation Board and hoped to make some impact with them in the future.

(12:55 p.m.)

Commissioner Sanchez:

No report.

(07/20/10 - 22 - 12:55 p.m.)

COUNTY ADMINISTRATOR'S REPORT

Wanchick reminded the Commission that they had the budget workshop next Tuesday. He encouraged their viewers to really pay attention to what was playing out around them and throughout the State. He congratulated the Commission for their diligence. Sanchez said congratulations to them for working as hard as they had and for accomplishing all that they had.

(07/20/10 - 22 - 12:56 p.m.)

COUNTY ATTORNEY'S REPORT

No report.

No report.

With there being no further business to come before the Board, the meeting adjourned at 12:56 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 457320 through 457580 totaling \$1,253,964.57 (06/08/10)
2. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 2543 through 2600 totaling \$713,932.90 (06/08/10)
3. St. Johns County Board of County Commissioners Check Register, Check No. 457581 totaling \$646 (06/08/10)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 457582 through 457809 totaling \$1,098,046.88 (06/15/10)
5. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 2601 through 2654 totaling \$681,053.84 (06/15/10)
6. St. Johns County Board of County Commissioners Check Register, Check Nos. 457810 through 457842 totaling \$65,493.51 (06/15/10)
7. St. Johns County Board of County Commissioners Check Register, Check Nos. 458150 through 458160 totaling \$190,151.92 (06/18/10)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 457843 through 458148 totaling \$1,018,962.90 (06/22/10)
9. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 2655 through 2781 totaling \$1,343,513.25 (06/22/10)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 458149 totaling \$58 (06/23/10)
11. St. Johns County Board of County Commissioners Check Register, Check Nos. 458161 through 458162 totaling \$18,964.98 (06/25/10)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 458163 through 458392 totaling \$1,610,114.50 (06/29/10)
13. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 2782 through 2832 totaling \$1,328,125.50 (06/29/10)
14. St. Johns County Board of County Commissioners Check Register, Check Nos. 458393 through 458415 totaling \$37,528.59 (07/01/10)
15. St. Johns County Board of County Commissioners Check Register, Check Nos. 458416 through 458420 totaling \$176,731.31 (07/01/10)
16. St. Johns County Board of County Commissioners Check Register, Check Nos. 458421 through 458550 totaling \$391,206.65 (07/06/10)
17. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 2833 through 2865 totaling \$137,227.24 (07/06/10)
18. St. Johns County Board of County Commissioners Check Register, Check Nos. 458551 through 458552 totaling \$2,412.75 (07/07/10)
19. St. Johns County Board of County Commissioners Check Register, Check Nos. 458553 through 458730 totaling \$1,753,494.50 (07/13/10)
20. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 2866 through 2910 totaling \$1,698,108.09 (07/13/10)

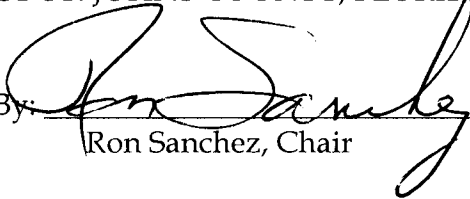
CORRESPONDENCE:

1. Letter to Cheryl Strickland, Secretary St. Johns County Board of County Commissioners acknowledging receipt of letter dated May 21, 2010 and certified copies for St. Johns County Ordinance Nos. 2010-16 through 2010-18 (05/25/10)

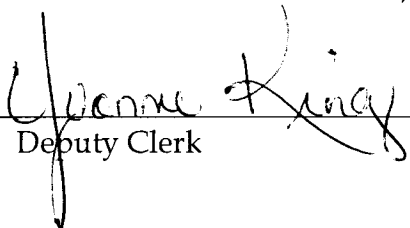
2. Letter to Cheryl Strickland, Secretary St. Johns County Board of County Commissioners acknowledging receipt of letter dated May 24, 2010 and corrected copies for St. Johns County Ordinance Nos. 2010-12 through 2010-13 (05/28/10)
3. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing Ordinance Nos. 2010-19 through 2010-23 (06/09/10)
4. Letter to Mark Shelton, Arcadis-BHR regarding a certified copy of Ordinance No. 2010-22, Lightsey Road Apartment PUD (07/25/10)
5. Letter to Liz Cloud, Program Administrator, Bureau of Administrative Code and Weekly, filing Ordinance No. 2010-24 (06/17/10)

Approved August 17, 2010

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Ron Sanchez, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: 
Deputy Clerk

