

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
MARCH 26, 2013
9:00 A.M.**

Proceedings of a special/workshop meeting of the Board of County Commissioners of St. Johns County, Florida, held in the County Auditorium, at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Proof of publication of the notice of a special meeting/workshop, on transportation concurrency in St. Johns County was received, having been published in *The St. Augustine Record* on March 15, 2013.

Present: John H. Morris, District 4, Chair
 William A. McClure, District 3, Vice Chair
 Cyndi Stevenson, District 1
 Ron Sanchez, District 2
 Rachael Bennett, District 5
 Michael Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Lenora Newsome, Deputy Clerk

(03/26/13 - 1 - 9:04 a.m.)
CALL TO ORDER

Morris called the meeting to order.

(03/26/13 - 1 - 9:04 a.m.)
ROLL CALL

All commissioners were present.

(03/26/13 - 1 - 9:04 a.m.)

1. WORKSHOP ON TRANSPORTATION CONCURRENCY IN ST. JOHNS COUNTY - THE PURPOSE OF THE WORKSHOP WILL BE TO REVIEW AND DISCUSS RECENT AMENDMENTS TO THE FLORIDA STATUTES PERTAINING TO TRANSPORTATION CONCURRENCY. A POWERPOINT PRESENTATION WILL BE PROVIDED AT THE UPCOMING WORKSHOP

Bennett said that holding a workshop on the issue of concurrency was suggested to her by the development community, who wanted clarity on the concurrency. She asked Wanchick to be the moderator.

(9:06 a.m.) Wanchick gave the presentation. He said he was going to present information, as they understood it, from the County's prospective. He stated the presentation was broken into three parts; St. Johns County concurrency history, 2011 amendments to Florida Statutes (HB 7207), and potential concurrency options. He reviewed St. Johns County's concurrency history; concurrency as defined in Florida Statue 163.3180, established in 1985, implemented by St. Johns County in 1990, and the adopted amendments in 2009 and 2010. He addressed the fundamental concurrency question: Was capacity available on arterial and collector roads to serve new growth? He said if the answer was yes, a certificate of concurrency was issued and development was allowed to proceed. If the answer was no, a proportionate share agreement would be adopted, mitigating the projects impacts. He reviewed the 2011 amendments to the Florida Statutes, with key changes to transportation planning, a Department of

Community Affairs (DCA) memo pertaining to amendments, a Florida Department of Transportation (FDOT) Proportionate Share Report, the quick assessment of concurrency survey results from 26 counties within Florida, 2013 relevant pending legislation, and the 2011 changes to Florida Statutes. He continued with the potential concurrency options; retain, modify or rescind/replace. He summarized that any changes in the County concurrency program would take place against the backdrop of evolving State laws, differing interpretations of legislation, the need for existing and future transportation improvements, and a potential shift of transportation funding responsibility. He said until the legislature adjourned, and until there was additional clarification from the courts, staff felt comfortable with its current position, and would recommend to the commission that they maintain the status quo for the foreseeable future. (9:20 a.m.) Discussion ensued on ghost trips, the amount allocated in capital reserves for roadway improvements, retaining current concurrency, always being proportionate share, and being in legal compliance with State law. (9:28 a.m.) McCormack stated the County's position. Morris asked who determined the proportionate share amount, Locklear responded that it was determined by the local government.

(9:33 a.m.) John Metcalf, 1104 Millcreek Drive, said it wasn't his intent to debate the interpretation of the statute. He spoke about Florida Statute 163.3180, subsection 5(d), subsection 5(h), C2a, regarding proportionate share and applying concurrency to roads. He said the formula had not changed in years and the concurrency system was not the answer to the problem. He said the counties were not meeting the level of service, that concurrency charges determined where one would go, and there would be the problem of some people paying more than others. (9:48 a.m.) Stevenson said the community did not always want to build a road, they liked things the way they were. Metcalf said the concurrency solution would be when roads became congested enough, and people were willing to pay to have them improved. Discussion ensued on impact fees, collecting enough money to maintain roads, using a tolling system, the concurrency system with no impact fees being the worst alternative, and not restricting the County's rate of growth. Metcalf spoke about DRIs.

(10:07 a.m.) Beth Breeding, 10175 Fortune Parkway, Jacksonville, addressed the Board as if they were small business owners coming to the County. She spoke about ITE trip codes used when submitting for traffic concurrency, and said inconsistency was an issue to her. She spoke on developer's spending money, getting money back on impact fees, and asked for things to be more even. Discussion ensued on traffic trips, and urban, rural, and transitional roads.

(10:29 a.m.) George McClure, 81 King Street, spoke on the concept of concurrency, density, fair proportionate share, and figuring out the cost of the trip.

(10:45 a.m.) Tom Ingram, 2223 Oak Street, Jacksonville, spoke about impact fee credits.

(10:49 a.m.) Bernard O'Connor, Prosser Hallock, 13901 Sutton Park Drive South, Suite 200, Jacksonville, mentioned directing staff to be compliant with Florida Statutes, and interpretation of the language that was in the statutes, in terms of fair share calculations.

(10:51 a.m.) Jeff Buckholz, Buckholz Traffic, 3585 Kori Road, Jacksonville, said that St. Johns County and St. Augustine needed to decide if they wanted to be a roadway community, or a multimodal walking, biking, livable community. He said the first decision that needed to be made was what kind of land use character they wanted to have in St. Johns County, and then have the concurrency system follow that. Stevenson said the way concurrency was figured, was on peak hour trips, 5 p.m. to 7 p.m.

(10:59 a.m.) Wanchick said staff remained opened to those types of discussions. He said staff would be thrown into the middle of it, and told to make it work. He said it was about who would bear the cost of paying for the facilities. He said they were not opposed to development in the community, that growth was essential for a healthy community, and staff was open to any and all dialogue to make the system better. He said the best thing to do would be to continue to work together. Discussion ensued regarding two main points; concurrency regulations that the County controlled that made it unfair or disproportionate to small businesses or a developer, and that it might push development into a different area of the county, which made the transportation problem much larger in nature. Wanchick explained how developers paid their proportionate share. McClure asked where the money had gone that had been collected. Wanchick responded that they invested the money back into the road network. Morris thanked the six members of the audience who spoke. Wanchick said the discussion did not have to end today, and invited the public to talk to them.

With there being no further business to come before the Board, the meeting adjourned at 11:15 a.m.

Approved _____ April 16 _____, 2013



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____

[Handwritten Signature]
John H. Morris, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____

[Handwritten Signature]
Deputy Clerk