

ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 – Cyndi Stevenson, Vice- Chair
District 2 – Ron Sanchez
District 3 – Ben Rich
District 4 – Thomas G. Manuel, Chair
District 5 – James E. Bryant



REGULAR MEETING AGENDA

County Auditorium
4020 Lewis Speedway

Michael D. Wanchick, County Administrator
Patrick F. McCormack, County Attorney

TUESDAY, JANUARY 8, 2008 - 9:00 A.M.

REGULAR MEETING

- Call to Order by Chair
- Roll Call
- Invocation – Commissioner Cyndi Stevenson
- Pledge of Allegiance – Commissioner Tom Manuel
- Proclamation designating January 14-18, 2008 as Arbor Week
- Acceptance of Proclamation
- Deletions to Consent Agenda
- Approval of Consent Agenda
- Public Comment
- Additions/Deletions to Regular Agenda
- Approval of Regular Agenda

Please note for planning purposes that Item # 5 is time certain for 1:30PM

Presenter – Neil Armingeon, St. Johns Riverkeeper

1. Update on the St. Johns River.

Presenter – Jan P. Brewer, Environmental Manager

2. Consider motion to adopt a Resolution expressing opposition of additional water withdrawals from the St. Johns and Ocklawaha Rivers and expressing support of the studies needed to understand the biological, ecological and economical impacts of such additional withdrawals and expressing support in the establishment of water conservation programs for receiving counties prior to additional water withdrawals.

Presenter – Karen Johnson, Intergovernmental Relations Specialist

3. Consider motion to adopt a Resolution in support of Source Refrigeration & HVAC, Inc. for the Qualified Target Industry Tax Refund Program.

Presenter – Press Tompkins, County Engineer

4. Consider contract/agreement amendment for South Ponte Vedra Beach Shore Stabilization Feasibility Study and Emergency Dune Construction between the County and the Florida Department of Environmental Protection Beach Management Funding Assistance Program.

(Item #5 is time certain for 1:30pm)

Presenter – Jerry Cameron, Assistant County Administrator

5. Emergency Operations Center Considerations.

Presenter – Doug Timms, Management & Budget Director

6. **Public Hearing - Establishment of an Irrevocable OPEB Trust Fund** - On September 11, 2007 strategies related to GASB 45 – Other Post-Employment Benefits (OPEB) were discussed with the Board. As discussed, a preliminary actuarial report for the County had estimated an annual OPEB liability of over \$10 million. Creation of an irrevocable OPEB Trust Fund was identified as one of the best proactive steps that could be taken by the Board to reduce this annual liability and maximize any related financing decisions. Working directly with the County’s contracted Financial Advisor, Public Financial Management, Inc. (PFM), County staff has taken the necessary steps toward the creation of such an OPEB Trust Fund. Accordingly, the Board will first need to adopt a new ordinance of permitted investments that will include the OPEB Trust Fund. The Board will also need to adopt a resolution approving the establishment of the irrevocable OPEB Trust Fund. The Board will need to also approve the Trust Agreement itself as well as the OPEB Trust Investment Policy that will be incorporated as part of the Agreement. County staff has recommended that funds be advance funded to the OPEB Trust Fund from the General Fund Capital Outlay Reserve that has a current balance of \$13,430,318.

Presenter – Jan P. Brewer, Environmental Manager

7. **Public Hearing - Waiver to bald eagle requirements for Powers Property** - The Applicant seeks a waiver to Sections 4.01.10.B, C and D of the Land Development Code, pertaining to Habitat Management for the Bald Eagle for property located within the 1500 foot Secondary Zone of the Plantation bald eagle nest. The waiver is requested in order to construct a single family home and all customary accessory activities that are or will be associated with a single family property as provided for in the Land Development Code during the nesting season which is from October 1st to May 15th.
8. **Public Hearing - Waiver to bald eagle requirements for Cottave Property** - The Applicant seeks a waiver to Sections 4.01.10.B, C and D of the Land Development Code, pertaining to Habitat Management for the Bald Eagle for property located within the 1500 foot Secondary Zone of the Paines Branch bald eagle nest. The waiver is requested in order to construct a single family home and all customary accessory activities that are or will be associated with a single family property as provided for in the Land Development Code during the nesting season which is from October 1st to May 15th.

Presenter – John Burnham, Development Review Chief Engineer

- 9. *Public Hearing - VACROA 07-003 Request to Vacate Portions of CR 210 ROW*** - The applicant, SONOC Company LLC, requests the vacation of three segments of CR-210 (Palm Valley Road) right-of-way. The construction of the roadway system within the Nocatee DRI has resulted in portions of the right-of-way being no longer needed. The three segments are as shown within the application, and are identified as Parcels 1, 2, and 3. Coastal Ridge Boulevard and Nocatee Parkway will provide the new connection between US-1 and CR-210 east of the Nocatee development. Applicant has certified that the proposed vacations will not impact traffic flows through the area, and that no property or person will be unreasonably affected or inconvenienced by the vacations.

Presenter – Lindsay Haga, AICP, Chief Planner

- 10. *Public Hearing - REZ 2007-17 207 Commercial Center*** - This is a request to rezone 2.5 acres from OR to CI for 10,700 square feet of specialty retail center. The property currently has single-family homes on the site. The parcel is located Roughly a quarter (.25) mile SW of the intersection of SR 207 and Wildwood Drive on the North side of SR 207 and is located within the Mixed Use Land Use as depicted on the 2015 Future Land Use Map. Water and sewer will be provided by St. Johns County Utilities. The current zoning is Open Rural (OR) with the following surrounding zoning: Open Rural (OR) to the East, Open Rural (OR), Commercial Intensive (CI), and Planned Unit Development (PUD) with Single Family Residential to the South, Open Rural (OR) to the North and West. Commercial Intensive (CI) between both parcels proposing to be rezoned.

- 11. *Public Hearing – REZ 2005-64 AEA Network*** - This is a request to rezone 4.8 acres from Open Rural to Commercial General. The subject property is located in the northwest corner of the intersection of Watson Road and US 1 South. The property is located within the Mixed Use District corridor along US 1. The site abuts an existing single family residential neighborhood to the east. Immediate adjacent zoning designations include Open Rural to the north, RS-2 (Ord 1988-39) to the west, Open Rural and PSD (1999-52) south of Watson Road. The Planned Special District (1999-52) is a commercial PSD developed as an auto repair facility. The site will be served by central water and sewer provided by St. Johns County Utilities. A Final Certificate of Concurrency has been granted for 20,000 square feet of general office space. Commercial General zoning district allows Neighborhood Business, General Business, Cultural/Institutional and Office/Professional Use categories. The maximum height of structures is 40 feet with an additional 20 feet allowed through the application of additional setbacks.

EVENING SESSION – 5:30 P.M.

Presenter – Teresa Bishop, AICP, Growth Management Services Director

- 12. *Public Hearing – REZ 2005-50 Venetian Blvd. Professional Office Rezoning*** - This is a request to rezone approximately one acre of land from Open Rural (OR) to Office Professional (OP). The subject property is located at 150 Venetian Boulevard and designated as Mixed Use on the Future Land Use Map. The surrounding zoning is RS-3 to the east, PSD (English Pub) to the north and west, and OR to the south. The subject property will be accessed on Venetian Boulevard; US 1 provides access to the existing commercial and industrial uses in the general area. The project has concurrency for 7,720 square feet of medical office that may be modified to accommodate general office. PZA Action: Recommendation (Motion by Laidlaw/2nd by Williams) to deny the proposed rezoning citing increased traffic into a residential area since Venetian Boulevard is the

only access to the subject property and incompatibility with the existing neighborhood. PZA discussion continued about compatibility based on the size, scale and intensity of 7,720 square feet. The motion failed 3-3, resulting in a recommendation of denial. A second motion was made (Motion by Wheeler/2nd by Williams) to recommend approval of the proposed rezoning citing the intensity of the project was the least intrusive and there was no new testimony presented different from past testimony. The motion failed 3-3 resulting in a recommendation of denial.

Presenter – Betty Sue Stepp, Growth Management Services Project Liaison

13. Public Hearing – Amendments to the LDC - Florida Statutes Chapter 365.172, the Florida E911 Statute for Wireless Site Development, was adopted by the State and provides strict regulation to the powers and actions of County Government in placement of towers. This Statute provides direction for the County's action in regard to placement: (1) any setback distance may not exceed the minimum distance necessary to satisfy safety or aesthetic concerns, (2) the local government may exclude the placement only in a manner that does not constitute an actual or effective prohibition of service in the area. The proposed changes to Article II – Zoning Districts and Special Uses, Article VI Design Standards and Improvement Requirements, and Article XII Definitions will bring the Land Development Code into conformance with the guidelines of the Florida Statute. The proposed Ordinance and copies of the affected sections of the LDC are attached. The second public hearing to consider adoption of the proposed amendments is scheduled for February 5, 2008 at 9:00 a.m.

- Commissioners' Reports
- County Administrator's Report
- County Attorney's Report
- Clerk of Court's Report

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CONSENT AGENDA

County Auditorium
4020 Lewis Speedway

Michael D. Wanchick, County Administrator
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TUESDAY, JANUARY 8, 2008

CONSENT AGENDA

1. Approval of the Cash Requirement Report. *For information, contact Allen MacDonald, County Finance Director at 819-3669 and a copy of this report is available in the BCC office.*
2. Minutes:
 - 11/27/07 – BCC Regular Meeting
 - 11/27/07 – BCC Special Meeting
 - 12/11/07 – BCC Regular Meeting
 - 12/18/07 – BCC Special Meeting
3. Sheriff Office Bonds:

Approve: Joseph Ryan	James Baer	Kent Hill
Arlene Curtis	Dana Turkovich	Jamie Cobb
Doyle DuBois	Donna Godwin	Benjamin Gray
William Secure	Sandra Mobley	
4. Motion to approve the reclassification of the Public Relations Specialist to Exempt Status and to increase the position to a Pay Grade 124, and Motion to approve the transfer of \$3,091 from the General Fund Reserve to fund the Pay Grade change for the remainder of FY 2008. *For further information, please contact Bob Peters, Personnel Services Director, at 209-0638.*
5. Motion to approve the reclassification of the Trades Worker I-Painter in Facilities Maintenance Department to a Trades Worker II-Painter on the basis of their achieving the requisite licensing. *For further information, please contact gene Burns, Facilities Maintenance Manager, at 209-0402.*
6. Motion to approve position changes not included in the Board of County Commissioner's FY 08 Adopted County Budget for Community Based Care. *For further information, please contact Maria Colavito, Health & Human Services Director, at 209-6083.*

7. Motion to adopt a Resolution recognizing unanticipated revenue in the amount of \$10,000.00 and increasing the Transportation Trust Fund Insurance Proceeds (1111-36402) and increasing the expenditure budget of Fleet Fuel department Operating Supplies (1127-55200) in the same amount. *For further information, please contact Michael P. Grace, Fleet Maintenance Manager, at 209-0712.*
8. Motion to approve pool construction on the Dipatre Property as per Section 4.01.10.C of the Land Development Code based on the fact that bald eagle nest SJ-023 is confirmed as being unused for the 2007-2008 nesting season. *For further information, please contact Jan P. Brewer, Environmental Manager, at 209-0617.*
9. Motion to adopt a Resolution supporting H.R. 3646, The VETS Job Act of 2007. *For further information, please contact Joseph D. McDermott, Veterans Services Officer, at 209-6162.*
10. Motion for Chairman to execute contract modification number one in order to complete the scope of work for Department of Community Affairs Contract No. 07HM-32-04-65-03-003, Special Needs Generator at Pacetti Bay School. *For further information, please contact Ray Ashton, Emergency Management Director, at 824-5550.*
11. Motion to adopt a Resolution approving the terms of the contract between SJC and the Salvation Army for the local food bank program and authorizing the BCC Chair to execute the contract on behalf of St. Johns County. *For further information, please contact Maria Colavito, Health & Human Services Director, at 209-6083.*
12. Motion to adopt a Resolution approving the terms and authorizing the County Administrator to execute a Purchase and Sale Agreement for property needed for the Federal Point Road Bridge Replacement. *For further information, please contact Mary Ann Blount, Land Management Director, at 209-0762.*
13. Motion to adopt a Resolution approving conveyance of certain County owned property to the State of Florida Department of Transportation and accepting a Perpetual Easement from the State of Florida Department of Transportation in connection with the construction of a portion of State Road 9-B. *For further information, please contact Mary Ann Blount, Land Management Director, at 209-0762.*
14. Motion to adopt a Resolution approving the terms and authorizing the County Administrator to execute a certain Purchase and Sale Agreement of Easement for a 15-foot wide drainage easement between Hidden Creek Estates Home Owners' Association Incorporated and St. Johns County, and Accept a Drainage Easement. *For further information, please contact Mary Ann Blount, Land Management Director, at 209-0762.*
15. Motion to adopt a Resolution approving the Final Plat for Lot 5, Block 67, New Augustine, Replat. *For further information, please contact Kathy Nielsen, Applications Review Manager, at 209-0698.*

16. Motion to adopt a Resolution approving the Final Plat for Big Pine Village. *For further information, please contact Kathy Nielsen, Applications Review Manager, at 209-0698.*

17. Proofs:

- a. Proof, Notice of Public Hearing, St. Johns County Board of County Commissioners, Vacate Portions of Fruit Cove Road, Tuesday, December 18, 2007 at 1:30pm.
- b. Proof, Notice of Canceled Meeting, St. Johns Water & Sewer Authority, Monday, December 3, 2007 at 9:00am.
- c. Proof, Notice of Meetings, St. Johns County Board of County Commissioners, Bond Purchase Agreement, Thursday, December 6, 2007 at 10:00am and Friday, December 7, 2007 at 10:00am.
- d. Proof, Certificate of Liability Insurance, Seaboard Waste Systems, Inc.
- e. Proof, Certificate of Liability Insurance, Waste pro of South Carolina, Inc.
- f. Proof, Certificate of Liability Insurance, Russo & Sons, Inc dba RSI, Inc.
- g. Proof, Certificate of Liability Insurance, Sunshine Recycling, Inc.

End of Consent Agenda