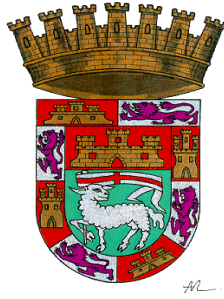


ST. JOHNS COUNTY

ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 – Cyndi Stevenson, Chair
District 2 – Ron Sanchez, Vice-Chair
District 3 – Mark P. Miner
District 5 – Ken Bryan



REGULAR MEETING AGENDA

County Auditorium
500 San Sebastian View

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

TUESDAY, JANUARY 6, 2009 –9:00 A.M.

❖Please be sure all cellular devices are turned off for the duration of the County Commission Meeting❖

REGULAR MEETING

- ❖ Call to Order by Chair
- ❖ Roll Call
- ❖ Invocation – Commissioner Mark P. Miner
- ❖ Pledge of Allegiance – Commissioner Ken Bryan
- ❖ *Special Presentation by County Administrator Michael D. Wanchick of the Florida Planning and Zoning Association awards given to St. Johns County for the St. Johns County Administration Building and I-95/C.R. 210 Interchange Improvements*
- ❖ Deletions to Consent Agenda
- ❖ Approval of Consent Agenda
- ❖ Public Comment
- ❖ Additions/Deletions to Regular Agenda
- ❖ Approval of Regular Agenda

Presenter – Joe Burch, Purchasing Director

1. Consider motion to authorize the County Administrator, or his designee, to award a contract to the low bidder, Beach Construction Company, Inc. for the Base Bid amount of \$1,523,700.00 plus Alternate #1- \$12,000.00 plus Alternate #2- \$167,000.00 for a Total Contract Amount of \$1,702,700.00 for Bid # 09-18 Sawgrass WWTP Headworks Odor Control Improvements.

Presenter – Mary Ann Blount, Land Management Director

(District 3)

2. Consider motion to adopt a Resolution approving the terms and authorizing the County Administrator to execute the Purchase and Sale Agreement for property located on Holmes Blvd. and Northwood Drive to be used for multiple purposes including right-of-way for SR 313 a drainage easement into the Fox Creek Regional Pond, and a stock pile area for Road and Bridge.

Presenter – Doug Timms, Management & Budget Director

3. Consider motion to adopt a Resolution establishing the terms of a one-time Voluntary Separation Incentive Program and authorizing the County Administrator to implement the Program on behalf of St. Johns County.

Presenter – Press Tompkins, P.E. County Engineer & Paras Desai, Assistant County

Attorney

(District 1)

4. **Public Hearing – Proposed Ordinance implementing provisions for the operation of Golf Carts on County Roads and County Right of Ways** - The PARC Group Inc., developer of the Nocatee Development of Regional Impact has requested that Staff review and update County Ordinance 1998-48. Staff in consultation with the County Attorney's Office has reviewed and re-drafted the provisions for Golf Cart operations on County Roads and County Right of Ways, pursuant to Section 316.212, Florida Statutes. Section 316.212, Florida Statutes, permits counties to allow Golf Carts to be operated on County Roads provided the county first determines that they may travel on or cross such public roads or streets upon considering the speed, volume, and character of motor vehicle traffic using those roads or streets. This Ordinance repeals County Ordinance 1998-48, and implements provisions and procedures for operation of Golf Carts on Designated County Roads; subject to the County Engineer's determination that Golf Carts may travel upon said roads and right of ways of the County.
5. Consider motion to adopt a Resolution providing the Developer of Nocatee reasonable assurances that they may use Golf Carts within the Nocatee Development of Regional Impact, subject to County Engineer review and approval consistent with the County Ordinance requested prior to this item.

Presenter – Betty Sue Stepp, AICP, Project Liaison

6. **Public Hearing - Land Development Code Amendments** - This is the second of two required public hearings to consider modifications to the Land Development Code. A description of the modifications and a copy of the proposed Ordinance in redline/overstrike format is attached for review.

Presenter – Lindsay Haga, AICP, Chief Planner & David Harrell, Planner I

(District 5)

7. **Public Hearing - PNZVAR 2008-04 Colony Reef Club** - This application is a Planning Non-Zoning Variance to Section 3.08.05.E, Mid Anastasia Overlay District, to allow an accessory structure (guard shack) closer to S.R. A1A than main buildings on-site. The Planning Division finds the request for a Planning Non-Zoning Variance to Section 3.08.05.E substantially meets the requirements of the Comprehensive Plan and the Land Development Code, specifically Section 10.04.03.B. This finding is based upon the following information: the application materials (including the statement of facts) as submitted by the applicant and other relevant information available to staff. This finding may be subject to any other competent substantial evidence that may be received at the quasi-judicial public hearing. The Mid Anastasia Design Review Board recommended approval at its November 13th, 2008 by a unanimous vote (4-0).

(District 5)

8. **Public Hearing - PNZVAR 2008-03 Bank of St. Augustine/Century 21** - This application is a Planning Non-Zoning Variance to Section 3.08.07.B.1, Mid Anastasia Overlay District, to allow a sign to be a maximum 15.2 feet in height instead of the code maximum of 12 feet in height. The Planning Division finds the request for a Planning Non-Zoning Variance to Section 3.08.07.B.1 substantially meets the requirements of the Comprehensive Plan and the Land Development Code, specifically Section 10.04.03.B. This finding is based upon the following information: the application materials (including the statement of facts) as submitted by the applicant and other relevant information available to staff. This finding may be subject to any other competent substantial evidence that may be received at the quasi-judicial public hearing. The Mid Anastasia Design Review Board recommended approval by a unanimous vote (4-0) at its October 9th, 2008 regular meeting.

Presenter – Lindsay Haga, AICP, Chief Planner

(District 4)

- 9. Public Hearing - ARC APPEAL 2007-04 Winn Dixie #5** - This is an appeal of a decision by the Ponte Vedra Architectural Review Committee (PVARC) regarding an application for wall signage (ARC CC 2007-21) for the Winn Dixie grocery store located at 190 Solana Road, Ponte Vedra. In October 2002, the Board of County Commissioners granted a Planning Non Zoning Variance to waive Section 3.06.09.C.2 of the Land Development Code allowing a total four wall signs along the east elevation of the existing grocery store. The applicant subsequently received ARC approval of the wall signage, specifically allowing Winn-Dixie in the color red (PVARC CC 2002-16). The applicant filed a modification to the approved signage in 2007 to remove certain lettering and replace the dash mark with the check symbol within the lettering 'Winn Dixie'. This request was denied by the PVARC and is the subject of the appeal. The applicant alleges the Ponte Vedra Architectural Review Committee (ARC) erred in finding the signage modification inconsistent with Section 3.06.09 and Policy A.1.3.7 as it relates to square footage and building compatibility. The applicant states the error conflicts with the Order approving a non zoning variance (Attachment 3 PNZVAR 2002-14 Order) to Section 3.06.09.E regarding total signage and square footage. In addition, the error conflicts with previous ARC approval of wall signage regarding color, size and material type (PVARC CC 2002-16). Refer to Attachment 2 Alleged Error. Refer to Attachment 4 PVARC staff report and denial order. Pursuant to Section 9.07.04 of the Land Development Code, any decision of an Architectural Review Committee may be appealed to the Board of County Commissioners.

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

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CONSENT AGENDA

District 1 – Cyndi Stevenson, Chair
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County Auditorium
500 San Sebastian View

Michael D. Wanchick, County Administrator
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TUESDAY, JANUARY 6, 2009

CONSENT AGENDA

1. **Approval of the Cash Requirement Report.** *For information, contact Linda Payne, Assistant County Finance Director at 819-3694 and a copy of this report is available in the BCC office.*
2. Motion to adopt a Resolution accepting a **Grant of Sidewalk Easement for a public sidewalk along the entrance of the Lofts at Sebastian Cove.** *For further information, please contact Mary Ann Blount, Land Management Director, at 209-0762.*
3. Motion to adopt a Resolution approving the terms and conditions of a **Land Exchange Agreement for an exchange of real property in connection with the abandonment of existing well sites and construction of two new wells located off Water Plant Road.** *For further information, please contact Mary Ann Blount, Land Management Director, at 209-0762.*
4. Motion to adopt a Resolution **implementing new and/or revised fees for services provided by the St. Johns County Library Services.** *For further information, please contact Joy Andrews, Budget Analyst, at 209-0569*
5. Motion to adopt a Resolution approving the terms, conditions, provisions, and requirements of a **Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation District Two, and St. Johns County, Florida for partial funding of certain required control and discharge measures,** and authorizing the County Administrator to execute the Supplemental Joint Participation Agreement on behalf of the County. *For further information, please contact Press Tompkins, County Engineer, at 209-0113.*
6. Motion to adopt a Resolution approving the terms, conditions, provisions, and requirements of a **Railroad Reimbursement Agreement between the State of Florida Department of Transportation, and St. Johns County, Florida, for the crossing at Kings Estate Road** and authorizing the County Administrator, or designee, to execute the Agreement on behalf of the County. *For further information, please contact Joe Stephenson, Public Works Director, at 209-0266.*

7. Motion to authorize the County Administrator, or his designee, to **award a contract to the second low bidder, Florida Highway Products, Inc., for the Bid amount of \$154,100.00 for Bid # 09-32 Kirchherr Avenue Widening.** *For further information, please contact Joe Burch, Purchasing Director, at 209-0152.*
8. Motion to authorize the County Administrator, or his designee, to **award a contract to the low bidder, V. J. Usina Contracting, Inc. for the Total Bid amount of \$163,245.00 for Bid # 09-16 Lewis Speedway Milling, Resurfacing & Widening.** *For further information, please contact Joe Burch, Purchasing Director, at 209-0152.*
9. Motion to authorize the **transfer of \$8,000 from NW Tower Capital Outlay Reserves (1200-59927) to Northwest Tower Aid to Private Organization (1200-58200) for the purchase of equipment at Rivertown Park.** *For further information, please contact Troy Blevins, Recreation & Parks Director, at 209-0326.*
10. Motion to adopt a Resolution approving the **Final Plat for Valley Ridge Boulevard.** *For further information, please contact Kathy Nielsen, Applications review Manager, at 209-0698.*
11. Motion to adopt a Resolution approving the **Final Plat for Watson Woods II.** *For further information, please contact Kathy Nielsen, Applications review Manager, at 209-0698.*
12. Motion to adopt a Resolution authorizing certain **modifications to St. Johns County's Fannie Mae housing program in connection with the Housing Finance Authority of St. Johns County's CWHIP program.** *For further information, please contact Tom Crawford, Housing & Community Services Director, at 827-6891.*
13. **Proofs:**
 - a. Proof, Notice to Bidders, Bid No. 09-27.
 - b. Proof, Notice to Bidders, RFQ No. 09-17.
 - c. Proof, Notice of Workshop, Board of County Commissioners, Training Workshop, Thursday, October 23, 2008 at 9:30am.
 - d. Proof, Notice to Bidders, Bid No. 09-04.
 - e. Proof, Notice of Meeting, Board of County Commissioners, Tuesday, October 28, 2008 at 10:00am.
 - f. Proof, Notice to Bidders, Bid No. 09-26.
 - g. Proof, Notice to Bidders, Bid No. 09-40.
 - h. Proof, Notice to Bidders, Bid no. 09-31.
 - i. Proof, Notice to Bidders, Bid No. 09-29.
 - j. Proof, Notice to Bidders, Bid No. 09-16.
 - k. Proof, Notice to Bidders, Bid No. 09-35.
 - l. Proof, Notice to Bidders, Bid No. 09-34.
 - m. Proof, Notice to Bidders, Bid No. 09-36.
 - n. Proof, Notice to Bidders, Bid No. 09-33.
 - o. Proof, Notice of Meeting, Board of County Commissioners and Community Redevelopment Agency, Tuesday, December 2, 2008 at 9:00am.
 - p. Proof, Revised Notice, Tax Impact of Value Adjustment Board of St. Johns County.
 - q. Proof, Notice to Bidders, Bid No. 09-30.
 - r. Proof, Notice to Bidders, Bid No. 09-18.
 - s. Proof, Notice of Meetings, Board of County Commissioners, Canceled – November 11, 2008, November 25, 2008 and December 9, 2008 and Rescheduled December 2, 2008 and December 16, 2008.
 - t. Proof, Notice of Meetings, St. Johns County Water & Sewer Authority, Canceled Meetings, Monday, November 3, 2008 and Monday, December 1, 2008.

- u. Proof, Notice of Workshop, Board of County Commissioners, Educational Workshop, Tuesday, November 18, 2008 at 1:30pm.
- v. Proof, Notice to Bidders, Bid no. 09-32.
- w. Proof, Notice of Hearing, Board of County Commissioners, Ordinance relating to Water and Sewer Regulations in the Unincorporated Areas for St. Johns County, Tuesday, December 2, 2008 at 9:00am.
- x. Proof, Notice of Meeting, Board of County Commissioners, Public/Private Meeting, Tuesday, November 18, 2008 at 10:30am.
- y. Proof, Notice of Meeting, Board of County Commissioners, Special Meeting, Swearing-in ceremony for newly elected Commissioners, Tuesday, November 18, 2008 at 9:00am.
- z. Proof, Notice to Bidders, Bid No. 09-28.
- aa. Proof, Notice to Bidders, Bid No. 09-44.
- bb. Proof, Notice of Hearing, Board of County Commissioners, Vacating a portion of Riviera Boulevard, December 16, 2008 at 9:00am.
- cc. Proof, Notice to Bidders, Bid No. 09-41.
- dd. Proof, Notice to Bidders, Bid No. 09-43.
- ee. Proof, Certificate of Liability Insurance, North Florida Landscape Co. RLH Enterprises, Inc DBA Hartwig & Associates.