



MINUTES  
SPECIAL CITY COMMISSION MEETING  
MONDAY, APRIL 29, 2019, AT 6:00 P.M.  
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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I. CALL TO ORDER

Mayor George called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor George asked Commissioner Rumrell to lead the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor George, Vice Mayor England, Commissioner Kostka, Commissioner Rumrell, and Commissioner Samora.

Also present: City Manager Royle, City Attorney Mulligan, Police Chief Hardwick, Chief Financial Officer Burns, and City Clerk Raddatz.

IV. TOPICS

**NOTE: BECAUSE THIS IS A SPECIAL MEETING, THERE IS NO SEPARATE SECTION FOR GENERAL PUBLIC COMMENTS. IN ACCORDANCE WITH CITY COMMISSION POLICY, PERSONS CAN HAVE TWO MINUTES TO COMMENT ON EACH TOPIC LISTED BELOW.**

1. Decorative Painting of Waste Receptacles: Request by the Tree Board / Beautification Advisory Committee for Commission Approval (Presenters: Representative from the Board/Committee)

Mayor George introduced Item 1 and asked Ann Palmquist, Tree Board / Beautification Advisory Committee member to the podium.

Ms. Palmquist introduced the representatives from Art Galleries of St. Augustine.

Laura McNeal, Vice President of Art Galleries of St. Augustine, commented that Art Galleries of St. Augustine distributes brochures that represents individual artists. She explained that the cans were Ms. Palmquist's idea and she contacted her because she represents several local artists. Ms. McNeal has been working with Tom Large in Public Works to complete the project. Six artists decorated the six cans with beach friendly, family orientated decorations. She explained that the six cans will be placed in the public and six more will be done with the Commission's approval.

Ann Palmquist, 213 10<sup>th</sup> Street, St. Augustine Beach, FL, advised that things happen for a reason and commented that the Commission wanted beautified garbage cans, so she thought of this. She thanked the group for their response and work on the project.

Mayor George thanked the artists too.

Commissioner Kostka asked how many cans the artists will do.

Ms. McNeal advised about 50. She left brochures for the public.

Vice Mayor England asked City Manager Royle for pictures of the cans and to have it posted on the City's Facebook account.

City Manager Royle advised that Communication and Event Coordinator Walker would work on that posting it on Facebook and the City's webpage.

Mayor George opened the Public Comments section. Being none, Mayor George moved on to Item 2.

2. **Recycling Service:** Consideration of Whether to Change from Bins to Wheeled Carts (Presenter: Max Royle, City Manager; Melissa Burns, Chief Financial Officer; and Representatives from Advanced Disposal)

Mayor George introduced Item 2 and asked for a staff report.

City Manager Royle advised that Greg Huntington representing Advance Disposal was here to answer any questions.

Mr. Greg Huntington, Municipal Marketing and Government Affairs Manager, 7580 Philips Highway, Jacksonville, FL, advised that recycling materials have gone down in value and Advance Disposal and the City is not making any profit margin. He explained that China is not accepting the recycling materials they used to. He commented that a lot of the recycling materials received are contaminated and that St. Johns County recyclables are showing a 22% contamination rate and advised that the smaller bins are less contaminated because people are more likely to be more discriminative on what they put in the smaller bins. He explained that the processing fees have gone up \$50 a ton and if the City decides to go with the larger bins, then the alleyways will be a problem with collection due to their narrow size.

Discussion ensued regarding the residents can use as many small bins as they want; having Advanced Disposal look into a cart that could stack the smaller bins for the residents; what the costs would be for the stackable carts at a wholesale price; whether the costs will continue to rise, and recyclables would stop being collected; the recycling plants puts the contaminated waste into the landfill; Advance Disposal working with the City's Communication and Events Coordinator on educating the public on what can and cannot be recycled; Advance Disposal handing out magnets to the residents on what can and cannot be recycled; Advance Disposal being bought by Waste Management, but not effecting the current contract with the City; glass items being deleted from the recyclable list; tipping fees would increase in the landfill if glass is not recycled; and whether the City should go out to bid or not.

Mayor George opened the Public Comments section. The following addressed the Commission:

Sonia Kudlik, 114 13<sup>th</sup> Street, St. Augustine Beach, FL, requested an educational program on what can and cannot be recycled.

Angel Kwokel-Folland, 931 Deer hammock Circle, St. Augustine Beach, FL, advised that she was in support of the stackable carts.

Denny Dean, 205 A Street, St. Augustine Beach, FL, asked for the bigger bins because they are more efficient and requested the Commission to investigate all the options.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, advised that it is hard to get people to recycle and asked Advance Disposal to charge the City the same price as St. Johns County.

Martha Buck, 117 Seagrove Main Street, St. Augustine Beach, FL, asked what the residents can do to stop contamination and how can the residents do a better job recycling.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, explained that he supports the bigger carts because they work for St. Johns County. He advised that all the solid waste companies are mobbed owned. He requested that the City have St. Johns County to pick up the recyclables.

Mayor George closed the Public Comments section and asked if there was any further Commission discussion.

Mr. Huntington explained what recyclables were of the most value. He explained that any food products on cardboard or oils are contaminated. He advised that if the City goes with St. Johns County, the City would have to do the solid waste through them as well and advised that St. Johns County's contract expires in 2024. He explained that Advanced Disposal was not mobbed owned and is on the New York Stock Exchange.

Commissioner Samora advised that he likes Vice Mayor England's suggestion of the stackable carts and suggested keeping with the current contract for now and revisit this issue in two years when the contract is expiring. He explained that the Commission could investigate a non-valorem fee at that time.

Commissioner Kostka agreed with Commissioner Samora and suggested looking into the option with piggybacking off the St. Johns County's contract at that time because we need to prioritize the City's money.

Commissioner Rumrell agreed with the stackable carts and suggested staying with the current Advanced Disposal contract.

Vice Mayor England agree with the other Commissioners to keep the contract as it is, but to see about the costs of the carts. She requested that staff to research the true costs of trash pickup, disposal fees and recyclables to the City versus a private firm. She would also like staff to find out the wholesale cost of the stackable bin carts.

Mayor George advised that she agreed with staying with the current contract due to the increases in costs for recyclables. She commented that the new Public Works Director should research all the options and come to the Commission with more information.

**Motion:** to maintain the existing contract terms and not amend the contract to change from bins to carts. **Moved by** Mayor George.

City Attorney Mulligan asked to amend the motion to not extend the option.

**Motion:** amended the motion to not exercise the option of the contract. **Moved by** Mayor George, **Seconded by** Kostka. Motion passed unanimously.

Mayor George moved on Item 3.

3. **Legal Services:** Review of Draft Request for Proposals for New City Attorney and Setting Date for Special Meeting to Interview Candidates (Presenter: Max Royle, City Manager)

Mayor George introduced Item 2 and asked for a staff report.

City Manager Royle explained that since City Attorney Wilson decided to leave the City, he composed a Request for Proposal (RPF) for legal services but needed to get the Commission's direction on the timeline, where the Commission wanted to advertise, and if there were any changes the Commission wanted on the RFP.

Mayor George asked whether to give a priority to the geographic location. She advised that it is important regarding the impact of the costs to the City but didn't want to limit the responses of those attorneys that have municipal experience.

Vice Mayor England advised that the statement regarding the main office location could be removed and agreed with Mayor George.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, commended the City on their process and thanked City Attorney Wilson for his service; advised that City Attorney Wilson commented that the parking issue was a waste of time; and asked for a full equal opportunity employment search with no geographical restrictions and the attorney knows fourth amendment law, not board certification.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, requested that the attorney hired know the public comment law and advised that City Attorney Wilson was not a good attorney.

Mayor George closed the Public Comments section and asked if there was any further Commission discussion.

Mayor George asked staff to advertise in Florida Board Journal, Government Municipal Law Newsletter and Florida Association for Women Lawyers.

City Manager Royle advised that he advertise in the Florida League of Cities.

Mayor George asked staff about the timeline.

City Manager Royle commented that he would like a Special Commission meeting in May so an attorney before the budget season begins.

After discussion, it was the consensus of the Commission to have a Special Commission meeting on June 17, 2019 at 5:30 p.m. to interview City Attorney candidates, to receive the auditors report and to discuss budget related matters.

Mayor George moved on Item 4.

4. **Televising and Streaming City Meetings:** Review of Options and Costs (Presenters: Max Royle, City Manager and Anthony Johns, Information Technology Manager)

Mayor George introduced Item 4 and asked for a staff report.

City Manager Royle advised that Comcast will charge \$408 a month to continue televising the Commission and the Comprehensive Planning and Zoning meetings, which would allow for 25 megabits per second (MBPS). The costs to have 50 MBPS would be \$531. He asked the Commission if they want to do the televising or not. He explained that Anthony Johns, IT Manager, would explained the City's streaming.

IT Manager Johns explained his memo to the Commission regarding streaming with closed captioning in order to be in compliance with ADA. He advised that the Commission and the Comprehensive Planning and Zoning Board have a little over 25 meetings per year. He explained that St. Johns County and the City of St. Augustine did a Request for Proposals for closed captioning televising firms, which the City could piggyback off their contract with Swagit Productions LLC or HGMI. He commented that some staff recommended discontinuing some meetings. He explained that to have the City own the equipment is approximately \$82,000, which includes the equipment and the third-party labor, and the other proposal was Swagit, which they would own the equipment and do the close captioning for \$25,000 upfront costs and for 23 meetings a year it would be \$23,000 a year. For 50 meetings it would be \$32,000 a year. He explained that the fee for 50 meetings a year was reduced because Swagit knows we stream approximately 30 meetings a year. He recommended not keeping the Comcast service because the City provides the content for Comcast and now Comcast wants the City to pay for the service.

Mayor George asked about the four-day delayed option.

IT Manager Johns advised that there is a four-day delay option, which would drop the price significantly. He explained that when he spoke with the vendor, they advised that it is usually one to two-day delay but meeting lasting over two hours are usually a four-day delay.

Discussion ensued regarding people call in when the live streaming goes out; residents who have Comcast are not watching as frequently as previously, most watch YouTube; staff has received complaints since live streaming has stopped; whether radio would be an option for the meetings; the differences in the live streaming equipment and the close captioning delay equipment; whether the City would own the live streaming equipment; the life of the captioning equipment would be approximately five years; to use the 50 meeting option, since 25 meetings would not meet the City's needs; whether the City should be there own Request for Proposals instead of piggybacking off St. Johns County or the City of St. Augustine; necessity to broadcast the meetings; Building Department funds cannot be used to pay for broadcasting the meetings; and whether to cap the broadcasting of meetings to 25 a year.

Commissioner Kostka requested that the City does their own Request for Proposals (RFP) because of the costs involved.

Mayor George advised that she wants broadcasting, so the public is informed and should have the most competitive bids.

Vice Mayor England advised that staff need guidelines for the RFP's.

IT Manager Johns asked for clarification on whether to continue with Comcast or streaming and whether staff would purchase equipment or have a company do the streaming source. He explained that it would take a lot of staff time to work with a third-party to install the equipment that would fit the City's equipment.

Mayor George advised that she like the provider to provide the service and equipment. She asked whether the RFP should have both options.

Vice Mayor England explained that she is concerned with the extra staff time this takes and would prefer a service provider instead of staff having to manage it because staff is maxed out.

Mayor George agreed with Vice Mayor England that having a service provider for everything would be ideal. She withdrew having the two options in the RFP and to eliminate Comcast.

It was the consensus of the Commission to eliminate Comcast and to do a RFP.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that an RFP is the right thing to do and mentioned that he likes Swagit because the viewer can find the topic they want without searching for it. He asked for the City Attorney to review the contract with Comcast to see if they are in breach of their contract and requested that the City Manager be let go.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, requested to stop broadcasting so the City can save the money. He suggested having the public come to the meetings.

Discussion ensued regarding the Comcast contract status.

Mayor George asked City Attorney Mulligan to review the Comcast contract.

Vice Mayor England confirmed that staff direction of the RFP would be to have a service provider with equipment, to be ADA compliant, to have close caption streaming, and to would cover the Comprehensive Planning and Zoning Board and all Commission meetings.

Mayor George asked in the RFP the costs of with or without delay of close captioning.

Commissioner Samora asked what the term of the contract would be.

Mayor George suggested no more than a one to three-year contract.

Mayor George moved on Item 5.

5. Parking Related Matters: Ordinance 19-08, First Reading, to Establish Resident Only Parking Permit System; Ordinance 19-09, First Reading, to Change Parking Regulations in Chapter 19 of the City Code; Discussion of Joining with County to Have a Uniform Parking Management System; and Review of Possibility of Leasing Property between 4<sup>th</sup> and 5<sup>th</sup> Streets, West of the Boulevard, as a Temporary Parking Lot (Presenter: Max Royle, City Manager)

Mayor George introduced Item 5 and asked City Manager Royle for a staff report.

City Manager Royle advised Ordinance 19-08 is to adopt a resident parking permit system, which can be enforced by the City's Parking Enforcement Specialist, when hired. He asked the Commission to decide whether they would want permits for visitors, which he does not recommend.

Discussion ensued regarding that the Commission agrees to have a residential parking permit system; to delete visitors permits in the ordinance; remove the word decal(s) in Ordinance 19-08; the definition of what a permit is on Page 2; on Page 5 new language, be included that permits must be forfeited or be invalidated when there is a change to residency; allowing residents one permit per vehicle; only two permits would be allowed per residency for parking in the right-of-way; to

redraft Ordinance 19-08 and to bring the ordinance back at the Regular Commission meeting in June; direct City Manager Royle to research whether beach renourishment or any other grants would be effected in any way; correct typo on Page 6; on Page 2 correcting the program year to the same year; and on Page 2, remove paragraph 2.

City Manager Royle advised that Ordinance 19-09 would be brought back to the Commission at the Regular Commission meeting on June 10<sup>th</sup> by City Attorney Mulligan. He then advised that Commissioner Samora, Chief Financial Officer Burns and himself had a meeting with Mr. Wanchick, County Administrator, to discuss a seamless paid parking management system at Pier Park as well as throughout the City. He explained that he answered questions for Mr. Dunn, Budget and Management Director for St. Johns County, and asked when this would be accomplished. Mr. Dunn advised that the plan for the County would not be done until March 2020. City Manager Royle advised that the County is considering Republic Parking. He explained that the County agreed to have the City be a part of the negotiations with Republic Parking. He advised that one of the key questions was what revenues the City would receive. He explained that Republic Parking is a turnkey system and Republic Parking would handle everything for the County and the City.

Mayor George advised that the County had a 3 to 2 vote and that the County wanted to negotiate with Republic Parking, but she asked if this would be a guarantee that the County would implement the paid parking.

City Manager Royle advised that he couldn't speculate on what the County will do.

Commissioner Samora advised that at the County meeting, the County wants a seamless plan so paid parking would not be confusing to residents and visitors. He explained that there are some drastic differences from the City's plan and the County's plan, so in order to work those difference out, there needs to be meetings to negotiate with Republic Parking and the County. He suggested meeting with the County before they negotiate with Republic Parking to work out the differences.

Mayor George asked if the City could negotiate directly with the vendor.

Commissioner Samora advised yes.

City Manager Royle advised that the Commission needs to give staff a timeline to follow.

Mayor George advised that she liked the turnkey service and the infrastructure for implementation. She suggested that once the City learns about the enforcement aspect, the City could take it over in the future. She commented that she was concerned about the delay of paid parking for the residents, but she was in favor of discussing the option with Republic Parking.

Commissioner Samora advised that he wants to move together with the County in unison.

Commissioner Kostka remarked that \$400,000 was budgeted as revenue in this budget, which decreases our revenues for spending. She asked if that issue has been solved or not.

Vice Mayor England advised that she was not as concerned about the delay as much as getting the parking system right. She commented that she was also concerned about losing grants or beach renourishment if paid parking goes is implemented. She suggested that at the Special Commission meeting on June 17<sup>th</sup> that we discuss the budget issues and to contact every stakeholder regarding the grants and the beach renourishment.

Commissioner Rumrell advised that his main concern is having residential parking system in effect before the paid parking system goes into effect. He asked if the \$2.50 per hour fee has changed and when negotiating with the County and Republic Parking it should be addressed. He suggested

marking the lots by colors or sea animals so visitors know where they parked. He agreed that there needs to be a revenue stream parking.

Commissioner Kostka asked if the "No Parking" signs worked on 14<sup>th</sup> Street.

Police Chief Hardwick advised that the residents say the signs are working but want to wait until the beach season happens to make sure that they really work. He advised that he get the Commissioners the data for 13<sup>th</sup> Street.

Mayor George advised that there was Commission consensus to wait for the County; however, in the mean time staff should do outreach with the County and find out if there are more detailed questions to ask. She also requested City Manager Royle to check with the grants and the beach renourishment project to see if they would be in jeopardy if paid parking is implemented.

Mayor George asked if the City would be opening up any liabilities by contracting Republic Parking since they did not submit a Request for Proposal when the City selected Passport.

City Attorney Mulligan advised that there could be a potential liability and make want to consider sending out another Request for Proposal, so Republic Parking could send a bid.

It was the consensus of the Commission to have staff engage with the County regarding the negotiations with Republic Parking.

Mayor George recognized two County Commissioners that were in the audience and then moved on to the lot that may be available to the City for parking.

City Manager Royle explained that he met with Mr. Bhoola who is the owner of the Marriott lot that the City would consider to be a parking lot. He advised that Mr. Bhoola may lease the lot south of the Marriot to the City for three to five years with the understanding that the City would pay the taxes of the property and pay rent for the lease. He went over his memo to the Commission and explained that the parking revenue estimate for the 92 parking spaces at \$5.00 per day would be \$50,239. He advised that if the City charges \$2.50 per hour, the City would receive \$226,205. He advised that the breakdown of the costs to build and maintain the lot over a five-year lease would be approximately \$28,381 per year. He explained that this is only a discussion at this time. He advised that this could be an option.

Discussion ensued regarding whether it would be possible for the City to borrow the lease and maintenance costs yearly.

Chief Financial Officer Burns advised that it was possible.

Vice Mayor England advised that there would be a lot of visitors, which could be a good thing for the restaurants and businesses along A1A Beach Boulevard, but we need to wait and see.

Mayor George explained that construction of the parking lot would only be on the commercial lots and it would be buffered from the residential properties.

Commissioner Kostka advised that the City's codes do not address overnight parking in the parking lots. She asked that this be addressed.

Mayor George advised that she like the no parking overnight code in Ordinance 19-09.

Commissioner Samora advised that this is a good example of how to solve the parking problems and thinks it is fantastic.



Vice Mayor England asked for funding options for the parking lot to be included in the backup materials for the budget for the June 17<sup>th</sup> Special Commission meeting.

Discussion ensued regarding whether the City has a no overnight parking ordinance.

Police Chief Hardwick advised that City Code Section 19-32 has extended parking and requested City Attorney Mulligan to investigate that code.

City Attorney Mulligan asked if staff could put "No Overnight Parking" signs in designated parking areas.

Commission agreed and asked City Manager Royle to discuss putting "No Overnight Parking" signs at Pier Park as well.

Mayor George opened the Public Comments section. The following addressed the Commission:

Gail Devries, 200 4<sup>th</sup> Street, St. Augustine Beach, FL, advised that her question was answered regarding only having the parking on the commercial lot and would like transient rental parking to be enforced.

Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL, asked the Commission to vote no on leasing the lot; signage for no overnight parking doesn't work; and asked to stop paid parking and just charge for the waste fee.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked the Commission to put paid parking on the ballot as a referendum; to have a joint meeting with the County; and the City Manager should be fired.

Laurel Dean, 205 A Street, St. Augustine Beach, FL, advised that the residents don't want paid parking on residential rights-of-way; advised that the Commission is stealing resident's parking rights; to find another way for revenue streams; and use SurveyMonkey to see what the residents want regarding parking or revenues.

Denny Dean, 205 A Street, St. Augustine Beach, FL, advised that the parking lot was a good idea; allowing the public to go to the beach changes the public's quality of life and he welcomes all the public in all life statuses.

Rick Maciejewski, 200 9<sup>th</sup> Street, St. Augustine Beach, FL, asked the Commission to only use one parking lot instead of the whole City and to put paid parking on a referendum to have the residents decide what they want to do.

Mayor George closed the Public Comments section and asked if there was any further Commission discussion.

Mayor George advised that Mr. Bhoola is interested in leasing the property for three to five years.

Commissioner Samora advised that Mayor George was the one who met with Mr. Bhoola, not him.

Mayor George advised that these ordinances would be brought back to the June 10, 2019 Regular Commission meeting.

Mayor George moved on Item 6.

6. Resolution 19-03, to Ban Certain Plastic Items, and Resolution 19-04, to State City's Opposition to Offshore Drilling (Presenter: Mayor George)

Mayor George introduced Item 6 and advised the City has been looking to implement an ordinance to ban plastic items; however, other cities have used resolutions to request the public, business owners, etc., give up straws, coffee stirrs, and plastic items voluntarily. She asked if the Commission would like to add styrofoam to these resolutions too.

Commissioner Kostka agreed that she would like to add styrofoam.

The Commission agreed to add styrofoam after drinking straws in the resolution.

Mayor George explained the resolution regarding offshore drilling.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, he supports the resolutions if the ordinances comes back to the Commission and asked items not to be combined so public comments could be heard on each item.

Mayor George closed the Public Comments section and asked if there was any further Commission discussion.

Mayor George asked for a motion.

**Motion:** to approve Resolution 19-03 with earlier stated amendment and to approve Resolution 19-04. **Moved by** Mayor George, **Seconded by** Commissioner Samora. Motion passed unanimously.

Mayor George moved on Item 7.

7. Discussion of Changing Order of Topics on Regular City Commission Agendas (Presenter: Mayor George)

Mayor George introduced Item 7 and advised it's the Commission's job to update the residents and wanted to bring this back to the Commission for discussion.

Commissioner Rumrell agreed with having Commissioner's Comments at the beginning of the meeting so that the residents know what the Commission is doing for them.

Commissioner Samora suggested putting Commissioner Comments prior to the Public Comments section.

Mayor George advised that if the Commission puts the Public Comments section before Commissioner Comments, then the Commission could address some of the resident's questions. She advised that the public could not speak during Commissioner Comments.

Vice Mayor England suggested putting the consent items before the Commissioner Comments section and does not care if the Commissioner Comments comes before or after the Public Comments.

Commissioner Kostka advised that she doesn't have a strong feeling either way on whether to have Public Comments before or after Commission Comments.

Mayor George opened the Public Comments section. The following addressed the Commission:

Nickolas Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, thanked the Commission for addressing his request from previous meeting and explained that he would like it in two parts, have Commission Comments on what the Commission has been doing first and at the end the meeting have Commission Comments and Staff Comments.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, explained that the public have a right to public comments and they want a dialogue in real time.

Mayor George closed the Public Comments section and suggested that the following order of the agenda:

Presentations  
Public Hearings  
Consent  
Public Comments  
Commissioner Comments  
Old Business  
New Business  
Staff Comments

The Commission agreed.

She explained that the Commission could comment at the end again under Staff Comments if they want to. Mayor George asked if this could be brought back to the Commission on June 10<sup>th</sup>.

City Clerk Raddatz advised yes.

Mayor George moved on Item V.

V. ADJOURNMENT

Mayor George asked for a motion to adjourn.

**Motion:** to adjourn. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Samora.  
Motion passed unanimously.

Mayor George adjourned the meeting at 8:50 p.m.

  
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Undine George, Mayor

ATTEST:   
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City Clerk