

## **PENDING ACTIVITIES AND PROJECTS**

Revised March 26, 2020

PLEASE NOTE: Some parts of this report have been shortened by the removal of outdated information.

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** The reviews were discussed by the Commission at its January 14, 2020, continuation meeting. The Commission directed that that it be reminded in October 2020 to begin the reviews for the calendar year, with the reviews to be discussed at the Commission's December 7, 2020 meeting.
2. **LAND DEVELOPMENT REGULATIONS.** At this time, there is an ordinance for dune protection. It had its first public hearing and second reading at the March 2<sup>nd</sup> Commission meeting. The ordinance is now scheduled for a second public hearing and final reading at the Commission's April 6<sup>th</sup> meeting. In addition, the Building Official's proposal to allow by conditional use permit certain types of animals, such as chickens, as comfort animals, was discussed by the Commission at its March 2<sup>nd</sup> meeting. Such animals are now prohibited in the City. The outcome of the discussion was for the Building Official and the new City Attorney to work on revisions to the proposal and to bring it back to the Commission in the future.
3. **COUNTY PIER PARK.** The pier itself is still undergoing renovation.
4. **UPDATING STRATEGIC PLAN.** As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. At later meetings in 2019, the Planning Board and the Sustainability and Environmental Planning Advisory Committee provided suggestions for the plan. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. The City Manager has prepared a Mission Statement, a Vision Statement, a Values Statement and a list of goals and the tasks each. The Commission reviewed the plan and provided comments at its January 14, 2020, continuation meeting. The City Manager will revise the plan it back to the Commission at a future meeting.
5. **PARKING PLAN.** The City Commission has changed the focus of the parking plan from paid parking to improvements for parking on City-owned plazas and streets. The staff will draft a five-year plan and the Police Department is to determine the most effective parking regulations for the streets west of A1A Beach Boulevard. The parking plan will be provided to the Commission at a future meeting.
6. **JOINT MEETINGS:**
  - a. With the County Commission. No date has yet been proposed by either Commission for a joint meeting.
  - b. On February 10, 2020, the City Commission and Planning Board held a joint meeting. The topics discussed included communications, training for Board members, hiring a planner and providing more information to the Board. It was agreed to have a joint meeting every six months. At its March 2<sup>nd</sup> meeting, the Commission asked that the Code Enforcement Board and the Sustainability and Environmental Planning Advisory Committee be asked for dates for a workshop meeting with the Commission.

7. **STATE-MANDATED COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT.** At its January 6, 2018, Commission meeting, the City Manager explained the report that is mandated for cities and counties every seven years, and whether it can be done by a consultant or a staff planner. The Commission agreed to have a request for proposals prepared for planning services with a provision in it requiring full disclosure of any actual or potential conflicts of interest or any appearance thereof. The City advertised for proposals. One was received, but the amount of money requested was so far above what the City could afford that the City Manager sought proposals from other sources. Two firms replied. At its May 7<sup>th</sup> meeting, the Commission approved the hiring of Fleet and Associates to do the report. The consultant held a public meeting on the Comprehensive Plan on Tuesday, June 26, 2018, at 6 p.m. Three citizens and one Commissioner attended. The consultant met with the Comprehensive Planning and Zoning Board at its July 17<sup>th</sup> meeting, and provided the results of the two meetings to the City Commission at its August 6<sup>th</sup> meeting. The Commission met with the planning consultants, Fleet and Associates, plus members of the Planning and Tree Boards at a workshop on October 17<sup>th</sup> to review Ms. Fleet's changes to the policies in the current Comprehensive Plan. At its November 13<sup>th</sup> meeting, the Commission decided not to hold a special meeting in late November to review the draft of the plan. At its December 17<sup>th</sup> special meeting, the Commission decided to hold a special meeting on January 8, 2019, to review with the planning consultant the proposed changes to the Comprehensive Plan. On January 8<sup>th</sup>, Ms. Fleet went through the proposed changes with the Commission. Public comment was provided as well. The Planning Board reviewed the proposed changes at its February 19<sup>th</sup> meeting and decided to continue a review of the changes at the Board's March 19<sup>th</sup> meeting. However, at the request of the Board's Chair, Mrs. Jane West, and the planning consultant, Ms. Janis Fleet, the Board's review of the changes has been postponed to its April 16<sup>th</sup> meeting. At that meeting, the Planning Board approved the submission to the Commission of the changes proposed by its members. The Commission reviewed those changes at its June 10<sup>th</sup> meeting and continued the review for a special meeting on Tuesday, July 2<sup>nd</sup>. At that meeting, the Commission made some changes to the Plan and approved the consultant submitting it to the Florida Department of Economic Opportunity and other agencies for review. In early August, the DOE informed Ms. Fleet by letter that the Department had received the City's submission package and that the package was complete. The Department did its review of the City's proposed amendments and sent a report to the City in early October. The Department's one objection concerned the City's need to adopt updated policies concerning sea level rise and coastal flooding. Ms. Fleet met with City staff members in October to discuss proposed policies. She presented an ordinance to the City Commission at its December 2, 2019, meeting. After discussing the Department's objection, the Commission passed the ordinance on first reading. Its second public hearing was at the Commission's January 6<sup>th</sup> meeting, when the ordinance was approved on final reading. The ordinance and supporting information were sent to the Florida Department of Economic Opportunity for a final review. In late January, the DEO notified the City that the Comprehensive Plan was in compliance. This section will no longer be included in this Report.
8. **UPDATING PERSONNEL MANUAL.** At the City Commission's February 3, 2020, meeting, the City Clerk proposed two amendments to the Manual: to designate Christmas Eve and Good Friday as holidays for the City employees; and policies for to provide compensation to the employees during

emergencies. The Commission approved the additional holidays but asked the City Clerk to provide revised policies for compensation for the employees during declared emergencies. The revisions will be presented at a future meeting.

The Commission at its March 2<sup>nd</sup> meeting approved amendments to the Manual prohibiting fraternization between supervisory and non-supervisory employees and prohibiting animals other than American with Disabilities Act-recognized animals in city buildings.

9. **NEW REVENUE SOURCES: A. NON-AD VALOREM ASSESSMENT FOR COLLECTION OF HOUSEHOLD WASTE, RECYCLING AND YARD TRASH.** For several years, the City has levied a yearly assessment of \$74 per residence that is on the property tax bill residents receive each November. The \$74 pays the costs to disposal of household wastes, etc. The proposed additional assessment will pay the costs to collect the wastes. The Commission at its June 17<sup>th</sup> meeting discussed the proposal and asked for more information. At its August 5<sup>th</sup> meeting, the City Commission postponed the topic to the September 9<sup>th</sup> meeting. By majority vote it authorized the City Manager to do the next step in the process, which is to contact the Tax Collector for the date or dates when the public hearing must be held on a resolution to adopt the assessment. At its October 7<sup>th</sup> meeting, the Commission approved continuing the steps to implement the non-ad valorem assessment in 2020 and agreed to continue the discussion to its November 4<sup>th</sup> meeting of changes to the commercial solid waste service fees. The Commission had length discussion at that meeting as well as the continuation meeting on November 6<sup>th</sup> without any decisions being reached. At its December 3<sup>rd</sup> continuation meeting, the Commission by a 3-2 vote approved a resolution to inform the Tax Collector of the City's intent to levy the non-ad valorem assessment for the collection of solid waste later in 2020. The signed resolution was sent to the Tax Collector, the Property Appraiser, and the Florida Department of Revenue.

At its January 6<sup>th</sup> meeting, the Commission reviewed and approved a proposal for increased fees for businesses and transient rentals from the Public Works Director. A resolution to adopt the fees was approved by the Commission at its March 2<sup>nd</sup> meeting.

At its April 6<sup>th</sup> meeting, the Commission will discuss levying the non-ad valorem assessment for residential property in the City.

10. **STREETLIGHTS ALONG STATE ROAD A1A.** The City's Public Works Director, Bill Tredik, has taken the lead on this project. He is working with Florida and Light and the Florida Department of Transportation to have lights put at seven locations between the city hall and Madrid Street, opposite the entrance to the Marsh Creek subdivision. DOT has approved the lights. At its January 13<sup>th</sup> continuation meeting, the Commission approved the agreement with FPL to have 19 new lights erected.
11. **STREETLIGHT FOR ENTRANCE TO BEACH ACCESS WALKWAY.** A resident has requested that a light be put at the entrance on A1A Beach Boulevard. On January 29<sup>th</sup>, City personnel met with representatives from Florida Power and Light. The company will change the lighting as part of the conversion of the Boulevard streetlighting to LED lights.
12. **LED STREETLIGHTS.** FPL representatives presented a proposal to the Commission at its June 10<sup>th</sup> meeting to change the lights throughout the City to LED lights. The Commission decided it needed more information from FPL. Chief Hardwick has worked with FPL on a complete review of the lighting

along the Boulevard. As its January 13<sup>th</sup> continuation meeting, the Commission approved the agreement for lighting changes subject to the following conditions: 1) to verify that the City must pay for the additional lights along the Boulevard; 2) that the City Attorney review the interlocal agreement with the County and the state; 3) that the Public Works Director and Police Chief review FP&L's recommendations and be judicious about the number of lights along the Boulevard and hold off on changing any lights that might be converted to LEDs soon. The agreement with FP&L for the conversion will be on the agenda for a future Commission meeting.

13. CITIZEN SURVEY. The results of the survey were due by March 25, 2020. The Communications Coordinator is checking whether the former Coordinator left any information about what the survey was about.
14. CITY ATTORNEY SEARCH. City Attorney James Wilson announced his intention to resign at the Commission's April 1, 2019, meeting. At its April 29<sup>th</sup> special meeting, the Commission reviewed a draft of a Request for Proposals, made some changes to it, and provided suggestions to the City staff where to advertise the RFP. Deadline for responses to the RFP was Friday, May 31, 2019, at 4 p.m. The City received two applications, one from Cape Coral on Florida's southwest coast, the other from Gainesville. At its June 17<sup>th</sup> special meeting, the Commission discussed the proposals but selected neither one. Mr. James Wilson of the Coquina Law Group provided a proposal for the Commission to review at its July 1<sup>st</sup> meeting. The Commission agreed to have the Coquina Law Group continue to provide legal services for two to three months and increase the monthly retainer from \$3,000 to \$6,000. In October, the City staff prepared a Request for Proposals and advertised the Request.

As of the November 8<sup>th</sup> deadline, 10 firms had submitted a proposal. At its December 3<sup>rd</sup> continuation meeting, the Commission modified the standards in the Request for Proposals, setting the maximum monthly retainer at \$6,000, and the fee for extra-legal work at \$175 an hour, and that the City wouldn't pay the costs for travel, copying, postage and paralegal legal services. The City Manager was directed to send the new standards to the 10 firms. The deadline for their responses was Friday, December 20, 2019. As of that date, five firms submitted a response, which were reviewed by the Commission at its January 6, 2020, meeting. The Commission interviewed the five firms at a special meeting on Monday, January 13<sup>th</sup> and at its continuation meeting on January 14<sup>th</sup> selected the firm of Paul, Elkind, Branz & Paul of DeLand. The current City Attorney, James Wilson, has drafted a contract, to which the law firm has made several proposed changes. The Commission reviewed the contract at its February 3<sup>rd</sup> meeting, deleted wording that provide payment of \$175 an hour for any regular work done in excess of 35 hours a month, and asked the City Attorney to discuss this change the Paul, Elkind, Branz & Paul.

At a special meeting on February 10<sup>th</sup>, the Commission agreed that Mr. Wilson would send a draft contract to the four firms that had been interviewed previously and to another one, Marks Gray, that had expressed interest in being considered. The responses from the firms were due on February 21<sup>st</sup>. At its March 2<sup>nd</sup> meeting, the Commission reviewed the three proposals received and interviewed the representatives from the firm of Naples and Spence of St. Augustine. The Commission chose the Douglas Law Firm of St. Augustine. This topic will no longer be included in this Report.

15. GRANTS. The Public Works Director has prepared and or will prepare applications for grants from the following agencies:

- a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match would be \$35,500. Total project cost: \$142,000
- b. Coastal Partnership Initiative: \$25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be \$25,000. Total project cost: \$50,000
- c. Florida Resilient Coastlines Programs: to do a Vulnerability Assessment and Adaptability Plan. Total amount requested \$72,000. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities and recommending options for inclusion in a future Public Works Capital Improvements Plan.
- d. Land and Water Conversation Fund: Application was submitted January 31, 2020, for improvements to Ocean Hammock Park. Requested amount is \$200,000 with a 50% match from the City required.
- e. St. Johns River Water Management District Cost Share Program: Grant applied for in February to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested is \$600,000. On February 10<sup>th</sup>, the Public Works Director met with District staffers at their Palatka office to review the City's application. The application was submitted a week later.

16. REQUEST TO COUNTY LEGISLATION DELEGATION TO SUPPORT REQUEST FOR AN APPROPRIATION.

There was a possibility of the City obtaining an appropriation in the state's Fiscal Year 2121 budget for a project. The County's Legislative Delegation met on November 22<sup>nd</sup>. As that meeting, the City's Public Works Director requested an appropriation from the state of \$505,000, which would pay the City's share of the cost to build the new weir. During January, Commissioner Rumrell obtained an application form from Senator Travis Hutson's office. The Public Works Director filled out the form quickly and submitted it to the Senator's staff. However, in late January, Commissioner Rumrell was informed that the City's requested had not been included in the Florida House and Senate's respective budgets for Fiscal Year 2021.

17. REQUEST TO ST. AUGUSTINE PORT, WATERWAY AND BEACH COMMISSION FOR FUNDING FOR PROJECTS. The Public Works Director presented a list of projects to the Commission at its November 19<sup>th</sup> meeting. The Commission said one, the 5<sup>th</sup> Street dune walkover, might be eligible with the City paying part of the costs. The Director will present a funding request to the Port Commission at one of its future meetings for walkovers at 4<sup>th</sup> and 5<sup>th</sup> Streets.

18. REQUEST FOR FUNDING FROM TOURIST DEVELOPMENT COUNCIL FOR BEACH-RELATED PROJECTS. The Public Works Director prepared a proposal to the TDC for funding for improvements to the rights-of-way of certain City-owned streets for beach visitor parking. He and the City Manager presented it to the TDC at its March 16<sup>th</sup> meeting for money to provide parking at 16<sup>th</sup> Street and the Boulevard

and 4<sup>th</sup> Street and the Boulevard. TDC members said that it was unlikely the City would receive money because of the decline in revenue from the bed tax due to the coronavirus pandemic

19. VIDEOING PORT COMMISSION MEETINGS. At its November 19<sup>th</sup> meeting, the Port Commission approved paying the City to video the Port Commission's monthly meetings. The City's IT staff updated the cost estimate it provided earlier this year and presented it to the Port Commission at its December 17<sup>th</sup> meeting. The Port Commission held off deciding whether to accept the proposal until the City Commission reviewed it. At the Commission's January 13<sup>th</sup> continuation meeting, Mr. Anthony Johns, the City's IT Manager provided a report about the difficulties of the City doing the videoing. The Commission directed that the IT Manager and the City Manager inform the Port Commission that it would need to meet and sign the management control agreement with the Police Department, and would have to be aware that the staff doing the videoing might have to cease doing such if the staff were called to an emergency at the Police Department. Also, the Port Commission would have to pay for City staff time and overtime. The City Commission suggested the Port Commission schedule its monthly meeting at a different time and date. The Port Commission usually meets the third Tuesday of each month at 3:00 p.m. The Port Commission has not yet responded to the City's proposal. This topic will no longer be included in this Report.
20. NON-CONFORMING BUSINESS SIGNS. The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.