



## MINUTES

### REGULAR CITY COMMISSION MEETING

WEDNESDAY, APRIL 29, 2020, 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 England called the meeting to order at 6:04 p.m.

Mayor explained the special requirements of this meeting which complies with Governor DeSantis Executive Order 20-69.

#### II. PLEDGE OF ALLEGIANCE

Mayor England asked Samora to lead the Pledge of Allegiance.

#### III. ROLL CALL

Present: Mayor Margaret England, Vice Mayor Maggie Kostka, Commissioner Undine George (Virtually), Commissioner Donald Samora, and Commissioner Dylan Rumrell (Virtually).

Also Present: City Manager Max Royle, Building Official Brian Law, Public Works Director Bill Tredik, Police Chief Robert Hardwick, City Attorney Charles Douglas, City Attorney Associate Lex Taylor and Deputy City Clerk Dariana Fitzgerald.

#### IV. APPROVAL OF MINUTES OF THE SPECIAL COMMISSION MEETING AND THE REGULAR COMMISSION MEETING ON MARCH 2, 2020 AND THE EMERGENCY COMMISSION MEETING ON MARCH 20, 2020

**Motion:** To approve the minutes as written. **Moved by:** Commissioner Samora, **Seconded by:** Mayor England. Roll call vote as follows:

Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes
Commissioner Samora:	Yes
Commissioner Rumrell:	Yes

Motion passed unanimously.

#### ADDED ITEM – REPRESENTATIVE JOHN RUTHERFORD, FLORIDA’S CONGRESSIONAL DISTRICT 4

Mayor England introduced Representative John Rutherford, Florida’s Congressional District 4, who gave information on the CARES Act and advised that most of the loans have gone to small businesses for \$100,000 or less. He also advised that Florida would be receiving \$8 billion. Three billion dollars will be distributed to cities with 500,000 populations and \$5 billion will be disbursed by the State of Florida. He advised that that Congress is asking FEMA to delete the 25% match for disasters.

Mayor England and Commissioners had no questions and thanked Representative Rutherford giving them an update and all his hard work.

Mayor England advised Representative Rutherford that the need for money to be distributed to smaller cities is so great and explained that our City is still trying to recoup from the last storms and decrease in sales taxes and power franchise fees with the City's reserves. Mayor England asked for the Congress to give guidelines to the State of Florida on how this money should be distributed to the smaller cities.

Representative Rutherford agreed and he advised that the Congress will be looking for funding to go out to counties and cities but doesn't want it to be used to bail out counties or cities who have not been fiscally responsible.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions of the agenda.

Vice Mayor Kostka asked whether the meeting should continue, since the agenda was posted on the website under April 6<sup>th</sup> and not April 29.

Attorneys Douglas and Taylor stated that it was posted online and could be found by the public, so it meets requirements.

Commission agreed to proceed and added an additional item of Discussion of Communications Media Technology for Meetings

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Discussion of Communications Media Technology for Meetings was moved to before Presentations.

ADDED ITEM - DISCUSSION OF COMMUNICATIONS MEDIA TECHNOLOGY FOR MEETINGS

Mayor England asked IT Manager Johns to the podium.

IT Manager Johns spoke on his memo of March 29, 2020 from the agenda book. He suggested the phone's "park" system to manage calls and have a staff member answer calls outside the room.

Mayor England suggested staying close to St. Johns County and the City of St. Augustine virtual meeting system.

Vice Mayor Kostka noted that the County has more than ten people at their meetings. She wanted clarification on that limit and distancing requirements and asked if the City could use St. Johns County's meeting room during this emergency.

Mayor England asked staff to research the pros and cons on having the meetings at St. Johns County meeting room.

Commissioner Samora questioned this topic when Emergency Order expires soon.

Mayor England stated the Executive Order could be extended and there could be concerns on how to conduct the meetings.

Commissioner George agreed with Commissioner Samora that what they're doing now seems to be working, but other options could be explored.

Commissioner Rumrell had no comment.

Mayor England noted that there were few members outside and asked if there was a need for public comment by phone.

Vice Mayor Kostka would like to explore how many people are allowed inside the room at one time because St. Johns County has more, and she does not like that public have to sit outside. She did not want to give the impression of exclusion.

Commissioner Samora agreed with looking at inside seating with proper distancing. He explained that the phone call ins will be hard to manage.

Commissioner George asked how many requests were received by phone.

City Manager Royle advised that he would check with City Clerk Raddatz about email requests. And Deputy City Clerk Fitzgerald noted that she had not yet received any requests by phone for this or May 4<sup>th</sup> meeting.

Commissioner George explained that she believes that the room should be set up to protect the citizens, Commission and staff.

Commissioner Rumrell suggested a hybrid solution with indoor and phone solutions. He advised more transparency at this time is more important than ever.

Mayor England suggested the City Attorneys meet with staff to see if a few chairs or public call system could be implemented for May 4<sup>th</sup>.

IT Manager Johns noted that his department has been trying to provide avenues for comment. He suggested the public meeting room could be used for seating and wired for sound, but not video without a new TV in that room.

Mayor England asked what the television costs would be.

IT Manager Johns said a couple hundred dollars with mount.

## VII. PRESENTATIONS

- A. Appointments to Code Enforcement Board: Mr. Ernesto Torres as Regular Member and Mr. Patrick Wilson as Alternate

Mayor England introduced Item VII.A. and asked for Mr. Torres to be connected by phone

Mr. Torres stated that he is prepared to continue serving on the Code Enforcement Board if not elected Commissioner.

Commissioner Samora noted the legal issue was resolved.

Mayor England asked for a motion.

**Motion:** to re-appoint Mr. Torres to the Code Enforcement Board. **Moved by:** Commissioner Samora **Seconded by:** Vice Mayor Kostka.

Roll call vote as follows:

Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes

Commissioner Samora: Yes  
Commissioner Rumrell: Yes

Motion passed unanimously.

Mayor England asked Mr. Wilson to be connected by video.

Mr. Wilson was connected by video and then described his qualifications as a general contractor who has lived in the City for five to six years.

Mayor England clarified the duties of the Code Enforcement Board members and asked if Commission discussion.

Vice Mayor Kostka asked why Mr. White's application says he was applying to the Comprehensive Planning and Zoning Board instead of the Code Enforcement Board.

Building Official Law advised that he wanted to serve on the Comprehensive Planning and Zoning Board but was unable to attend the meeting to be appointed so he then requested to be on the Code Enforcement Board.

Commissioner Samora asked if he could make meetings.

Mr. White advised after clarification that he would be able to attend the meetings.

Commissioner George asked if he knew to withdraw from any potential conflicts of interest, since he is a contractor.

Mr. White agreed.

Commissioner Rumrell thanked Mr. White for wanting to serve.

Mayor England asked for a motion.

**Motion:** to appoint Mr. Wilson to Code Enforcement Board as an Alternate. **Moved by:** Commissioner George, **Seconded by:** Commissioner Samora.

Roll call vote as follows:

Mayor England: Yes  
Vice Mayor Kostka: Yes  
Commissioner George: Yes  
Commissioner Samora: Yes  
Commissioner Rumrell: Yes

Motion passed unanimously.

B. Proclamations:

1. To Declare April 2020 as Sexual Assault Awareness Month
2. To Declare April 2020 as Water Conservation Month

Mayor England announced the proclamations and then for a motion.

**Motion:** to approve April as Sexual Assault Awareness Month and Water Conservation Month.  
**Moved by:** Commissioner Samora, **Seconded by:** Vice Mayor Kostka.

Mayor England: Yes

Vice Mayor Kostka: Yes  
Commissioner George: Yes  
Commissioner Samora: Yes  
Commissioner Rumrell: Yes

Motion passed unanimously.

#### VIII. PUBLIC COMMENTS

Mayor England advised that several emails were received and are part of the record and then opened the Public Comments section. The following addressed the Commission:

Nicolas Bender, 232 Big Magnolia Court, St. Augustine Beach, FL, spoke on copies of reports for meetings; public comment by phone; Civic Association lease of old garage; suggested table showing increases in solid waste valorem and non-ad valorem for various home values.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, stated that Commissioners needed to lobby for money for cities; need ordinance to stop drinking in public; suggested knocking down Jack's BBQ and make a parking lot; ordinance to stop trash being left on streets all weekend; and officials have no class.

Mayor England noted that Code Enforcement did speak with restaurants about Governor's Orders.

Vice Mayor Kostka noted that Commissioners cannot direct City staff.

Commissioner George noted that part of Jack's BBQ parking is a City parking lot and City should direct people to leave.

Mayor England closed the Public Comments section and moved on to Commissioner Comments.

#### IX. COMMISSIONER COMMENTS

Mayor England asked Vice Mayor Kostka for comments.

Vice Mayor Kostka thanked the community for its cooperation during this crisis and for helping St. Johns County totals remain below national average. She explained that she has attended all St. Johns County Emergency meetings. She advised that St. Johns County has 4% positive tests, national average 9%, there is a 14-day downward trend, which positions the City and St. Johns County well to phase in and reopen the economy. Unemployment claims in Florida increased over 1000% and offered advice on filing on State of Florida's website. St. Johns County is starting their own small business loan program with CDBG funds, which should start May 15th. She is serving on St. Johns County Economic Recovery Taskforce and explained all they can do for those in the community and businesses. Noted a food drive-through for donations at the St. Augustine Amphitheatre on May 9<sup>th</sup>. She stated that Governor DeSantis will start the next phase on Monday.

Commissioner Samora thanked community, staff, and law enforcement. He asked the public as the City moves into Phase 1 to do it responsibly.

Commissioner George wanted an update on what the maintenance plan are for City parks. Has received complaints on overgrowth at Lakeside Park and some parkettes. She then thanked the citizens dealing with COVID-19.

Public Works Director Tredik stated that there is a cycle and plan, but last month was focused on

essential services, mostly solid waste, to help keep staff separated and reduce risk of infection. He advised they are moving back towards the normal cycle and they have not had any infections of COVID-19, but some people ill for other reasons.

Commissioner Rumrell thanked Vice Mayor Kostka for her detailed information and thanked Public Works Director Tredik for applying for a grant for the weir repair, which looks like it was awarded for \$600,000 from the State of Florida. He mentioned that St. Augustine City Manager John Regan has purchased masks and is willing to share some with our City businesses.

Public Works Director Tredik added that the grant was \$632,000 and the rest would come from FEMA, so there would be no money due from the City. He hopes to send out bids in the summer and begin construction in October.

Mayor England also spoke with City Manager John Regan and he also has a project with KINSA, internet connected thermometers, to monitor health of residents. She noted an article about residents making washable cloth masks and that some went to Police and City Hall. She suggested working with those residents to help make masks for residents with the City's assistance at no cost to City.

Commissioner George concerned about liability with City collecting or distributing the masks, since the City is not testing or guaranteeing masks.

Commissioner Rumrell thinks it is great and shows community involvement. He agreed with Commissioner George on clarifying liability issues.

Vice Mayor Kostka suggested a link on website with information to keep it out of City hands.

Police Chief Hardwick noted the Governor's new Order would be non-essential surgeries will be allowed, 25% occupancies for restaurants as well as outdoor seating is allowed. He did not approve opening bars, beauty salons, or gyms for Phase 1. He stated that Building Official Law has stepped up to clarify to City businesses the Governor's Orders. He explained that there has been an increased in violent crimes. Considering opening beaches on Monday, sunrise to sunset and noted that the community has brought many meals to Police Department and Fire Department during this time and thanked them.

Building Official Law stated that flood program results came back with no deficiencies. Bill Ward has retired, and Jennifer Thompson, who has completed her Florida Association Code Enforcement test, is now the City's Code Enforcement Officer and is the first female Code Enforcement Officer in the City.

Mayor England moved on to Item 1.

## X. PUBLIC HEARINGS

1. Conditional Use Permit for Outside Serving / Consumption of Food and Beverages at the Terra & Acqua Restaurant, 124 Sea Grove Main Street (Presenter: Brian Law, Building Official)

Mayor England introduced Item 1 and asked Building Official Law for his staff report.

Building Official Law described the renewal. He suggested that in the future conditional use permits could be made indefinite provided no complaints after an initial trial period.

Vice Mayor Kostka advised she had no comments since everything seems to be in order.

Commissioner Samora asked about going to indefinite orders and whether the codes should

be changed.

Building Official Law stated that it would help businesses and reduce City expenses in legal ads.

Commissioner George asked City Attorney Douglas if there is a higher standard for proof of testimony for revocation of conditional use permits than for granting of a renewal.

City Attorney Douglas stated that revocation would depend on actions of the applicant and to whom the original conditional use permit was issued. He noted that conditions around businesses change and conditional use permit may no longer be appropriate years down the line. Issues may better be addressed in an ordinance than with indefinite conditional use permit.

Commissioner Rumrell stated that if it was taking staff time and City funds, that should be addressed, but residents' needs should be addressed. He also stated that if someone buys a property next to a business, they should be aware of the surrounding properties, like buying a house by an airport and complaining about noise.

City Attorney Douglas noted that zoning changes may be better than conditional use permits in some cases.

Mayor England was not in favor of an indefinite conditional use permit.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked Commission to vote yes, since this was private property and that is where alcohol belonged.

Mayor England closed the Public Comments section and asked for a motion.

Commissioner George advised that she would make a motion to allow 15 years on this conditional use permit because of the location is surrounded by other commercial structures.

**Motion:** to extend the current conditional use permit for 15 years. **Moved by:** Commissioner George, **Seconded by:** Commissioner Samora.

Roll call vote as follows:

Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes
Commissioner Samora:	Yes
Commissioner Rumrell:	Yes

Motion passed unanimously.

2. Request for Modification to Final Development Orders for Sea Colony Subdivision Units I, II, III and IV for Amendment to Stipulated Regulations for Building Setbacks, Total Ground Coverage and Building Height (Presenter: Brian Law, Building Official)

Mayor England introduced Item 2 and asked Building Official Law for his report.

Building Official Law explained that Sea Colony was under the impression that it was a Planned

Unit Development (PUD) but is not. He stated that they have been operating for 20 years out of their HOA guidelines. He stated that if buildings are damaged, he cannot approve reconstruction under the HOA guidelines, for things like setbacks or 40-foot towers. He stated that this is not changing what Sea Colony has been doing but just allowing a way for them to maintain current construction conditions.

Mayor England confirmed that this is not changing setbacks, height limits, or anything else. She explained that she was a resident of Sea Colony and always thought it was a PUD.

Vice Mayor Kostka had no questions.

Commissioner Samora state he was very familiar with it and had no questions. He advised that he does live in Sea Colony and spoke with the City Attorneys and they advised that it would not be a conflict of interest to vote on this matter.

Commissioner George advised that she had no questions.

Commissioner Rumrell advised that he also lives at Sea Colony and spoke with the City Attorneys as well and Building Official Law on this subject.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and Building Official Law read the revised Final Development Order.

Discussion ensued regarding the changes from the first version of the Final Development Order in the Commission books verses the new version that the Commission received today.

Mayor England asked for a motion.

**Motion:** to approve the modification to the Sea Colony Final Development Order read by Brian Law as amended at this meeting. **Moved by:** Mayor England, **Seconded by:** Commissioner Kostka.

Roll call vote as follows:

Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes
Commissioner Samora:	Yes
Commissioner Rumrell:	Yes

Motion passed unanimously.

3. Ordinance 20-04, Second Public Hearing and Final Reading: to Amend the Land Development Regulations by Establishing Section 5.06.00 for Dune Protection (Presenter: Brian Law, Building Official)

Mayor England introduced Item 3 and asked Building Official Law for a staff report.

Building Official Law advised there were no changes from the first reading of this ordinance.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked Mr. Law to confirm that it was the ordinance to counteract what Dr. Grimes did; noted that Grimes offered to build a walkover for the City and City turned him down.



Mayor England closed the Public Comments section and asked for any further Commission discussion.

Commissioner George asked about the exceptions for dune walkovers, if that had to be specified government constructed dune walkovers.

Building Official Law stated that dune walkovers must still be permitted by Department of Environmental Protection (DEP). He noted that some walkovers DEP approves may violate local codes, so he would rather keep it out of the City's hands.

Mayor England suggested language to say, "approved dune walkovers". Being there was no other Commission discussion, she asked for a motion.

Building Official Law read the title of the Ordinance.

**Motion:** to approve Ordinance 20-04 inserting "permitted" before "dune walkovers". **Moved by:** Commissioner George, **Seconded by:** Commissioner Rumrell.

Roll call vote as follows:

Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes
Commissioner Samora:	Yes
Commissioner Rumrell:	Yes

Motion passed unanimously.

There was a clarification for the record that the motion was not to insert the word "approved" but to insert the word "permitted" instead.

Commission agreed.

4. Ordinance 20-06, Public Hearing and Second Reading: to Adopt Water Management District's Irrigation Regulations (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 4 and asked Public Works Director Tredik to give a report.

Public Works Director Tredik introduced the ordinance and addressed Commissioners concerns from the previous meeting, which were answered in his memo. He noted that the penalty section has changed to a flat fee.

Mayor England opened the Public Comments section. Being none, Mayor England asked City Attorney Douglas to read the ordinance title.

City Attorney Douglas read ordinance title.

Since no Commissioners had any questions, Mayor England asked for a motion.

**Motion:** to approve Ordinance 20-06. **Moved by:** Commissioner Samora, **Seconded by:** Mayor England.

Roll call vote as follows:

Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes

Commissioner Samora: Yes  
Commissioner Rumrell: Yes

Motion passed unanimously.

#### XI. CONSENT

5. Budget Resolution 20-02, to Transfer Money from the General Fund's Parks and Recreation Account to the Road / Bridge Fund to Clear Negative Fund Balance
6. Resolution 20-10, to Declare Items of City Property as Surplus and Authorize Their Disposal  
Mayor England asked for a motion.

**Motion:** to approve the Consent Agenda, Budget Resolution 20-02 and Resolution 20-10.  
**Moved by:** Samora, **Seconded by:** Rumrell.

Roll call vote as follows:

Mayor England: Yes  
Vice Mayor Kostka: Yes  
Commissioner George: Yes  
Commissioner Samora: Yes  
Commissioner Rumrell: Yes

Motion passed unanimously.

#### XII. OLD BUSINESS

7. Non-Ad Valorem Assessment for the Collection and Disposal of Solid Waste and Recyclables:  
Discussion of Setting Rate and Date for a Public Hearing (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 7 and asked Public Works Director Tredik for a report.

Public Works Director Tredik noted that he put this on the City's webpage and then showed his PowerPoint presentation to the Commission (Exhibit 8). He recapped the history of this subject to the Commission. He explained that the ranges will have to be set at a public hearing in June and then must approve an interlocal agreement by September with St. Johns County Tax Collector for the collection of the fees. He did a review of the FY19 costs of disposal rates to determine a range and advised that the estimate. He explained the cost differences in each category. He recommended \$68 - \$153 per year for commercial; \$89 - \$199 per year for residential; and \$0 - \$66 for recycling. He explained that he started at one-half of the cost the first year and then within five years it should cover the costs. He stated that this is the time to do it as a phased in approach so the City will be able to cover costs during an emergency situation.

Mayor England asked about commercial trash.

Public Works Director Tredik noted that there is a letter ready to go out to commercial customers this week with an effective date on October 1<sup>st</sup>. He stated that residential would not pay more than commercial. He explained that each year the costs would be reanalyzed the costs.

Vice Mayor Kostka asked on page 13 if average cost was based on residential total costs.

Public Works Director Tredik confirmed that as correct.

Commissioner Samora was impressed with the presentation. He noted that estimated \$460 came down to \$330 and thinks that may decrease for various reasons. He asked about recycling costs.

Public Works Director Tredik noted that Advanced Disposal's contract ends in April 2022 and the City doesn't know what will change or not at that point, services could increase or decrease, City could do in-house, etc.

Commissioner Rumrell asked if Public Works Director Tredik looked at taking disposal to other centers to help lower costs.

Public Works Director Tredik stated that they are researching other options, including the Bunnell transfer station and stated that there isn't much benefit on household waste disposal costs, but there was for recycling.

Commissioner Rumrell stated that it would be helpful for residents to know that the City is looking into reducing costs.

Commissioner George had no questions on the presentation and the numbers make sense.

Vice Mayor Kostka would like Public Works Director Tredik to look at a schedule based on mills and explained that she is opposed to a one size fits all approach. She noted that mills would include an annual increase due to rising property values.

Public Works Director Tredik advised that he would talk with Finance Director Douylliez about it.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, urged Commission to charge cost; users pays users costs; subsidizing from General Fund cheats over 1,000 condo owners; and anything less than charging actual cost is fiscally irresponsible.

Mayor England closed the Public Comments section and asked for further Commission discussion.

Commissioner George noted that a lot of time has been spent on this issue and it has been carefully considered, even though she has not agreed with every decision and asked City Manager Royle to give input on the issue.

City Manager Royle stated it was a step in the right direction and this was one revenue source under the Commission's control. Others are limited by outside agencies and the City can't depend on things like parking tickets. He highly recommends moving forward and recalled that when \$74 disposal fee was set, notices were sent to all residents and it was well received and there weren't too many opposed. He reminded Commission that this would be for FY 2022, not next year.

Commissioner George does not want to exceed St. Johns County's rates on the high end.

Public Works Director Tredik stated that ranges aren't what will be implemented, but that will

be within the range. Doesn't see us going higher than St. Johns County, but having the higher range protects the City in the event of inflation or unexpected future costs. He asked that the Commission set the range high and implement small.

Commissioner George advised that she has concerns about the elderly and the review would be worthwhile.

Mayor England asked Commission to focus on chart on page six, Item 7, in the agenda books.

Commissioner Rumrell suggested the top range be the actual cost of \$329.73, which is the cost of the solid waste collection.

Public Works Director Tredik noted that his suggested high end included potential inflation for seven years.

Commissioner Samora asked to clarify the process to change the range.

City Manager Royle stated that it is exactly what the Commission is going through now. Notices would have to be sent to every applicable home and would need to be approved over several meetings.

Commissioner Samora would like to set the range of a high range from \$330. This is a big change for the public and he wants to not go over \$330. The distinct ranges would be \$50 for the residential collection low range and disposal side to \$75 and leave \$0 for recycling, which would be \$125 total for the low range and on the high part of the range from \$150 for residential collection, \$200 for disposal and \$50 for recycling, which is a range of \$125 to \$400.

Commissioner George like the low range of \$125 but is hesitant to go to \$400. She explained that she knows these are projections for the future but feels that there should be some subsidy from the City. She explained that the City should not go up that quickly in a five-year timeframe.

Commissioner Rumrell agreed with Commissioner Samora's range of \$125 to \$400; however, he feels that there should be some number for recycling because \$0 would be unrealistic. He suggested taking some money off another category to place something in recycling.

Public Works Director Tredik noted that the reason it was \$0 was in case the Commission stops recycling, but if that is off the table, then a number should be implemented.

Vice Mayor Kostka asked what the implementation scheduled for anticipated St. Johns County fees were and what they are based on.

Public Works Director Tredik advised that St. Johns County's fees are \$230, and they increase it by CPI each year. He stated that he doesn't know what their maximum range is. He explained that he used the minimum inflationary costs to get to the \$250 in 2026.

Vice Mayor Kostka shared that she is concerned that the City residents would be paying more than the County residents for trash collection. She was concerned telling residents that it will cost more for the City residents than County residents.

Public Works Director Tredik advised that the City Public Works Department does more than the County does, and the City's standards and services are higher.

**Motion:** to extend the meeting to 10:00 p.m. **Moved by:** Commissioner Samora, **Seconded**

**by:** Vice Mayor Kostka.

Roll call vote as follows:

Commissioner Rumrell:	Yes
Mayor England:	Yes
Vice Mayor Kostka:	Yes
Commissioner George:	Yes
Commissioner Samora:	Yes

Motion passed unanimously.

Vice Mayor Kostka advised it is a time of uncertainty and the City will have research ways to cut costs. She agreed with the suggestion that Commissioner Samora made.

Commissioner Samora asked if these rates could be done by the CPI in the future.

Public Works Director Tredik advised that he was not sure if the County does it by ordinance but could get the details from the County. He explained that the City would be using this range, unless it was modified in the future.

Mayor England suggested \$125 to \$375 range for perception purposes. She advised that it would be less than \$400. She commented that staff will try to bring the costs down.

Commissioner George asked how long would this be good for and shouldn't all the amounts start at \$0 in case a future Commission decides to stop trash collection. She asked how it is revoked and no one knows who is going to be on the Commission in the future. She wants the structure to be based on the future and not on what the Commission believes now.

Commissioner Rumrell advised that he agrees with \$125 to \$375.

Commissioner Samora advised that he agrees with \$125 to \$375.

**Motion:** to set the ranges for residential solid waste non-ad valorem as follows: Collection, \$50-\$150; Disposal, \$75-\$175, Recycling, \$0-\$50; and to have staff set a public hearing in June. **Moved by:** Commissioner Samora, **Seconded by:** Mayor England.

Roll call vote as follows:

Commissioner Rumrell:	Yes
Mayor England:	Yes
Vice Mayor Kostka:	No
Commissioner George:	No
Commissioner Samora:	Yes

Motion passed 3-2.

Mayor England thanked everyone for input and participation.

### XIII. NEW BUSINESS

8. Transferring Money in the Annual Budget: Review of Advisory Recommendations and Request to Change Sections 2 –103 and 2-104 of the General City Code (Presenter: Max Royle, City Manager)

City Manager Royle described recommendation from the Auditors described in the memo.

He advised that there needs to be an ordinance to amend Sections 2-103 and 2-104 to set the amount higher.

Mayor George suggested \$15,000 and clarified that it is only for interdepartmental transfers.

City Manager Royle confirmed it would not change purchasing policies.

Vice Mayor Kostka suggested \$10,000 or \$15,000.

Commissioner Samora agreed with \$15,000.

**Motion:** to ask the City Attorney to prepare an ordinance that would allow the City Manager to transfer between funds within a department or between departments up to and including \$15,000. **Moved by:** Mayor England, **Seconded by:** Commissioner Samora.

Roll call vote as follows:

Vice Mayor Kostka:	Yes
Commissioner George:	Yes
Commissioner Samora:	Yes
Commissioner Rumrell:	Yes
Mayor England:	Yes

Motion passed unanimously.

XIV. STAFF COMMENTS

This was done under Commission Comments.

XV. ADJOURNMENT

Mayor England adjourned the meeting at 9:45 p.m.

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Margaret England, Mayor

ATTEST:

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Beverly Raddatz, City Clerk



## MINUTES

### REGULAR CITY COMMISSION MEETING

MONDAY, MAY 4, 2020 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 England called the meeting to order at 6:00 p.m.

#### II. PLEDGE OF ALLEGIANCE

Mayor England led the Pledge of Allegiance.

#### III. ROLL CALL

Mayor England asked City Clerk Raddatz for roll call.

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

Also present were: City Manager Royle, City Attorney Douglas, Assistant City Attorney Lex Taylor, Police Chief Hardwick, City Clerk Raddatz, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik (virtually).

#### IV. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions of the agenda.

City Manager Royle asked to add Resolution 20-11 to the agenda.

The Commission agreed and Mayor England added the item under New Business as Item 8.

Mayor England moved to Item VI, Changes to the Order of Topics on the Agenda.

#### V. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor England asked if there were any changes to the order of topics on the agenda. Being none, Mayor England moved on to Item VII, Presentations.

#### VI. PRESENTATIONS

- A. North Florida Transportation Planning Organization's Five-year Transportation Improvement Program (Presenter: Ms. Wanda Forrest, Transportation Planning Manager)

Mayor England introduced VI.A. There were some technical difficulties for Ms. Forrest's computer, so Mayor England decided to take public comments and come back to Ms. Forrest.

Mayor England came back to the item after Public Comments and asked Ms. Forrest to give her Power Point presentation (Exhibit 1).

Commissioner George advised she had no questions.

Commissioner Rumrell thanked Ms. Forrest for keeping the Commission up to date.

Vice Mayor Kostka advised she had no questions.

Commissioner Samora asked what the overall budget for the project that Ms. Forrest presented.

Ms. Forrest advised she was not sure of the budget from the Department of Transportation Work Plan in District 2 but could find out.

Commissioner Samora advised that this was the second presentation where the City of St. Augustine Beach does not have any improvements and requested that more projects be focused on this City.

Ms. Forrest advised that the City needs representation at their meetings to keep asking for improvement projects.

Mayor England asked what happened to the electric charging units.

Ms. Forrest advised that the City did not have a power source.

Discussion ensued regarding there was not a power source; having the engineer relook at Building C; and there was no communication from Northeast Planning Organization regarding this issue of no power source to the City.

Ms. Forrest advised that she would send a letter to explain what was needed as a power source and explain what needs to be done to move forward.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, opposed the improvements to CR 313 because it is an environmentally sensitive area; complained that the Department of Transportation does not give any public transportation and advised not to give them any money.

Mayor England closed the Public Comments section and moved on to Commissioner Comments.

## VII. PUBLIC COMMENTS

Mayor England opened the Public Comments section and advised that the Commission is accepting comments from the public at the meeting and virtual comments. The following addressed the Commission:



Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, explained that there were 790 condominium property owners in the City that are subsidizing trash pickup, which he disagrees with and advised that they are subsidizing the City \$262 per unit.

Ed Prickett, 1121 Overdale Road, St. Augustine Beach, FL, advised that the Police Department did a great job on the beach patrol and service calls.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, thanked first responders, medical responders, grocery store workers, and others for their efforts; complained about City Manager Royle not attending meetings at the Emergency Operations Center and not doing his job; instruct attorneys to do the public records requests when asked from their firm and comply with Florida Statutes 119; requested to fly the rainbow flag this year; and place on the agenda in a future meeting the St. Augustine National Historical Park and National Seashore and a civil rights museum at Pier Park.

Mayor England closed the Public Comments section and then went to Presentations.

#### VIII. COMMISSIONER COMMENTS

Mayor England asked Commissioner Rumrell.

Commissioner Rumrell advised that he had no comments.

Commissioner George advised that she had no comments.

Vice Mayor Kostka thanked Public Works Director Tredik and his team for responding so quickly to the City's parkettes which needed attention. She advised that Lakeside Park needs more attention. She reminded the citizens to complete the census when they receive it. She thanked Police Chief Hardwick and his staff for continued diligence through this COVID-19 mitigation and especially for opening the beaches during Phase 1. She mentioned that there would be a food-drive next week at the Amphitheater.

Commissioner Samora thanked the Police Department and the Public Works Department for the seamless reopening of Phase 1.

Mayor England thanked staff as well and advised that washable cloth masks are available at Ace Hardware.

Mayor England moved on to Item 1.

#### IX. PUBLIC HEARINGS

None

#### X. CONSENT

None

#### XI. OLD BUSINESS

1. Emotional Support Animals: Review of Recommendation to Allow by Conditional Use Permit (Presenter: Brian Law, Building Official)

Mayor England introduced Item 1 and then asked Building Official Law to give a staff report.

Building Official Law advised that the Commission stopped code enforcement action for 120 days on this item; however, next month the 120 days will be over and he needs an answer on how to move forward.

City Attorney Douglas advised that his analysis began with Anderson vs. Blue Ash court case which states that municipalities must follow the Fair Housing Amendments Act. He explained that the burden for the modification or reasonableness would have to be weighed against the benefits that would be accrued for the plaintiff. He submitted that the Code Enforcement Board would be the proper venue. The Code Enforcement Board could take direct testimony from the Code Enforcement Inspector and the violator, which would give finding of facts based on the evidence and shall then give an order based on those facts. If the violator does not agree with the decision of the Code Enforcement Board, they could appeal to the circuit court.

Building Official Law advised that he would send this to the Code Enforcement Board and have it on the agenda for their next meeting.

Commissioner George advised that City Attorney Douglas gave a very thorough presentation and thanked him for his work on this issue.

Commissioner Rumrell advised that City Attorney Douglas did a good presentation and has no other questions.

Vice Mayor Kostka had no questions.

Commissioner Samora recapped that there will be no process for a variance accommodation, so a resident who has a violation would go in front of the Code Enforcement Board for a hearing and they will follow the Fair Housing Act guidelines and then appeal in the circuit court if they disagreed with the Code Enforcement Board's order.

City Attorney Douglas advised that was correct. He explained that the case would go to the Code Enforcement Board who will decide on any or no accommodations according to federal guidelines and an order would be written. It would then be up to the person whether to appeal the decision of the Code Enforcement Board if they do not agree to the circuit courts.

Building Official Law explained the Code Enforcement Board process. He explained that fees are not charged to the violator for the case to come to the Code Enforcement Board; however, the Code Enforcement Board can charge fees for being out of compliance with the City's codes.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with City Attorney, but suggested the Commission consider an amendment to the codes on the process regarding this issue.

Mayor England closed the Public Comments section and then moved on to Item 2.

2. 2020 New Year's Eve Fireworks Show: Review of Update Report (Presenter: Max Royle, City Manager, and Patricia Douylliez, Finance Director)

Mayor England introduced Item 2 and then asked City Manager Royle to give a staff report.

City Manager Royle advised that the previous Communications and Events Coordinator gave her report on what went well and what needs improvement. She gave credit to law enforcement for their work as well as the Public Works Department and the volunteers. She asked for more buses and better fireworks music. He explained that Finance Director Douylliez will go over the revenues and expenses and advised that the proceeds were \$4,972.

Finance Director Douylliez advised that the event went well overall. She explained that she will be going over some problems that happened with the vendors, such as collecting the funds ahead of time. She explained that the Tourist Development Council (TDC) has advised that the City will be getting the money for the fireworks and promotional grant assistance this year. She explained that other assistance from them is not approved yet due to COVID-19. She remarked that staff is on hold on asking for sponsorships due to a lot of the businesses being closed during this time. She commented that staff has discussed whether to scale the event back due to social distancing of COVID-19.

Commissioner George commented that the City would have to wait and see what happens in the future. She asked that staff research with other cities to see what they are doing at this time.

Commissioner Rumrell remarked that it is hard to ask for money at this time. He explained that social distancing would have to continue but suggested maybe only having the fireworks display this year instead of having vendors.

Vice Mayor Kostka agreed with Commissioners George and Rumrell. She explained that the City is on hold at this time.

Commissioner Samora congratulated everyone involved for having a fantastic event and agreed with the other Commissioners.

Mayor England asked staff to start meetings for Beach Blast Off by July and advise the Commission what the event would be. She requested that this item be put back on the Commission's agenda in August.

City Manager Royle advised that he has already asked the Communications and Events Coordinator to schedule a meeting next week to discuss this issue. He advised that the event might have to be reduced to meet reductions in revenues.

Mayor England suggested to go out to different types of sponsors who have not been so affected by the COVID-19 situation.

City Manager Royle advised that the City of St. Augustine's July 4<sup>th</sup> fireworks show, and City Manager John Regan advised that they were waiting to see about the social distancing as well, so they are not sure if they would have the event.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that the event should be cancelled due to COVID-19 and the social distancing requirements.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to cancel Beach Blast Off due to social distancing and suggested asking the Florida League of Cities what they are doing.

Merrill Roland, 6281 Old Dixie Drive, St. Augustine, FL, explained that the St. Augustine Beach Civic Association owes \$4,250 for the VIP tent that they used at previous Beach Blast Off events.

Mayor England closed the Public Comments section and advised that this will be discussed by staff and staff will be getting input from lots of agencies before a final decision is made. She then moved on to Item 3.

## XII. NEW BUSINESS

3. Property and Workers' Compensation Insurance: Review of Information re: Bids and Request to Award Bid to Florida Municipal Insurance Trust (Presenter: Beverly Raddatz, City Clerk)

Mayor England introduced Item 3 and then asked City Clerk Raddatz to give a staff report.

City Clerk Raddatz advised the Request for Proposal was put out to bid on March 19, 2020 and that ten agencies were interested. Out of the ten agencies three agencies gave a proposal. The three agencies were: Florida Municipal Insurance Trust (FMIT), Preferred Risk Insurance Association, (PRIA) and Public Risk Management of Florida (PRM). She explained that there was an evaluation team which consisted of herself, City Manager Royle, and Finance Director Douylliez. She explained that a spreadsheet was done on the pertinent information. She recommended Florida Municipal Insurance Trust because of their coverage, their prices, and their stability.

Commissioner Rumrell advised that he spoke with City Clerk Raddatz today and got some of the numbers and has no future questions. He explained that two of the agencies, Florida Municipal Insurance Trust and Public Risk Management of Florida have coverage for the weir pumps. He agreed with City Clerk Raddatz's recommendation.

Commissioner George explained that she was a real advocate to get quotes from other insurance companies and thanked staff on their excellent analysis. She asked if FMIT would cover the weir totally or just the pumps.

City Clerk Raddatz advised that at this point the pumps are there and they will be covered; however, the concrete structure for the weir has not been done yet so they cannot cover it as of now. She advised that Tom Conley from FMIT was on the phone to explain the coverage of the weir once built. She explained that PRM has a quote of \$500,000, which would be the full weir once completed.

Commissioner George advised that she agrees with the \$2 million coverage and agrees with the recommendations from the Evaluation Committee. She thanked them for their hard work.

Vice Mayor Kostka thanked City Clerk Raddatz for all her hard work. She explained that she requested the asset listing today and it was on the list for coverage. She commented that the only thing the City has for the weir were the pumps and that was on the asset listing. She explained that the total reconstruction costs and the adjusted FMIT value was a difference of \$413,000 and asked if the full cost would be covered by FMIT.

City Clerk Raddatz asked Tom Conley to answer Vice Mayor Kostka's and Commissioner George's questions.

Commissioner Samora asked if the rates were for a two-year term.

City Clerk Raddatz advised that they are annual rates. She explained that staff did ask for two-year terms and didn't know if the insurance agencies were able to do that. She suggested that the Commission should get the \$2 million coverage because of the weir and advised that \$5 million coverage is being overly insured for the City.

Commissioner Samora asked where the pricing is now.

City Clerk Raddatz advised that the costs have come down and FMIT also gives back a percentage of what they don't spend every year. Last year FMIT gave the City \$40,000 in grants.

Discussion ensued regarding the rates; grants that FMIT has given in the past; and whether FMIT would be able to give the grants in the future.

Tom Conley, FMIT representative, thanked the Commission for being a long-time FMIT member. He explained that the weir will be covered as it gets built; however, for now the pumps are covered. He explained that the difference between the reconstruction costs and the survey difference means nothing to the City. The City has a 90% co-insurance policy for full replacement value so if the costs are covered at 90% FMIT will pay full costs.

Commissioner Rumrell asked if the return of premium would be given this year to bring down the cost for the \$2 million coverage.

Tom Conley advised that FMIT has been giving a return on premium every year; however, it does depend on what insurance issues come up in the year. He advised if there were hurricanes, then you may not get a return on premium for that year.

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

Ed Slavin, P.O. Box 3084, St. Augustine, FL, thanked the Commission for rebidding the insurance because it has not been done in 22 years and then complained why the City Manager did not make sure the weir was covered and suggested firing him. He suggested working with the City of St. Augustine to unify purchasing to get better prices.

Mayor England closed the Public Comments section and then asked for a motion.

**Motion:** to accept staff's recommendation of \$2 million coverage with FMIT. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka.

Roll Call was as followed:

Mayor England	Yes
Vice Mayor Kostka	Yes
Commissioner George	Yes
Commissioner Rumrell	Yes
Commissioner Samora	Yes

Motion passed unanimously.

Mayor England thanks the agencies who gave the City proposals and then moved on to Item 4.

4. Former Police Department Garage at Former City Hall: Request by Civic Association to Renew Lease (Presenter: Mr. Bill Jones, Civic Association President)

Mayor England introduced Item 1 and then asked City Manager Royle for a staff report.

Mr. Merrill Roland asked for a copy of what was being handed out, Exhibit 2.

Mayor England advised staff to give a copy to the public.

City Manager Royle advised that the Police Department moved to the new police station in 1999, then the Civic Association asked for a year to year lease for the garage after the police moved. He said that the Civic Association wanted to use it for the farmers market and other events. In 2006 the lease changed from a garage to office use. Every five-years the lease has been renewed at a cost of \$1 per year. The lease expires in August 2020. He advised that on February 19, 2020, Mr. Jones, President of the Civic Association, asked to renew the lease via email and then gave a formal request with what the building would be used for.

After an interruption from the public regarding Exhibit 3 not being given to the virtual Commissioners, Mayor England asked the Commission to not look at Exhibit 3 until Mr. Jones speaks.

Mr. Bill Jones, President of Civic Association, advised that Exhibit 3 is a script of what he is saying to the Commission, but appreciated Mr. Roland's concern for transparency of the meeting. He explained that the Civic Association rented the garage and painted a beach mural on the outside of the building to enhance Pier Park. He commented that the Civic Association has allowed other non-profits in the community use the facility as well. He explained that the Civic Association does not have the farmers market anymore due to St. Johns County bidding it out. He commented that the Civic Association operates the Music by the Sea concerts, City's Christmas Tree event, gives free WiFi for Pier Park, and always promotes the City. He commented that the Police Department has a need for housing their four-wheel vehicles in the garage and explained that the Civic Association would be willing to change the layout of the garage to fit the Police Department needs and could do so immediately. He commented that St. Johns County expressed an interest in the garage as well for rescue vehicles to be on the beach and suggested that St. Johns County could use the Mosquito Control property, which is less than a mile away. The Civic Association recommended forming a think tank consisting of citizens and interested parties to develop the whole property and to find funding. He requested to renew the lease for five-years at a \$1 per year with an escape clause if a need arises from the City.

Mayor England noted that the emails have been received from the members of the Civic Association to the Commission. She then asked if the Commission had any questions at this time. Being none, Mayor England asked Commander Ashlock to give his presentation.

Commander Ashlock advised that the City's Police Department and St. Johns County would like to use the garage for rescue vehicles, to shelter the vehicles from the elements, and to save time coming from the Police Department to the beach. He explained two different options and showed a presentation, (Exhibit 4).

Mayor England asked Commander Ashlock if the Police Department wants to take over the garage or if the Police Department wants to share the space with the Civic Association.

Commander Ashlock advised that the Police Department would need more space than the Civic Association has suggested. He commented that the Police Department would like the entire building because the space is not conducive to put multi vehicles in the space suggested by the Civic Association.

Police Chief Hardwick advised that he does not want air conditioning or office space and is looking for a place to store at least two ATV's in the summertime. He explained that St. Johns County rescue vehicles are bigger because they carry patients. He commented that all the local agencies around us do not have storage either and explained that the Police Department's ATV's were in the elements under the parking garage at Embassy Suites for two to three years. He explained that he has three ATV's that need protection, which are stored at Embassy Suites and the Police Department. One of the ATV's was unserviceable and is now at Public Works.

Discussion ensued regarding storing the vehicles closer to the beach and service calls at night are handled by police officers.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, wanted the garage to be a police substation and not just for storage. He asked the Commission not to renew the lease.

Merrill Roland, 6281 Old Dixie Drive, St. Augustine, FL, advised that the Civic Association has a sponsor that owns a storage facility; the Civic Association did not get a permit or inspections for their construction in 2006; Civic Association has been subletting and is against the contract; Civic Association came in last place in the bidding process for the farmers market; the Civic Association does not provide WiFi; and is not a good security risk to take.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that the insurance rates will not be the same with the Police Department and the Civic Association sharing the same building; and Police Department needs to be on the beach because of the COVID-19. He requested that the Police Department take over the building.

Mayor England closed the Public Comments section and asked for any further Commission discussion.

Vice Mayor Kostka explained that at the time the lease was made, there was no need for the garage. She advised that the City needs to take care of their resources and it takes time for the Police Department to go to calls on the beach because they have no storage at the beach, which could make a difference to someone's life. She agrees with sharing the space with St. Johns County and believes that the Police Department does have a need and should take the garage over. She explained that City should rent facilities at fair market value and advised that her storage unit 10 x 25 feet is \$125 a month.

Commissioner Samora advised that the garage is sought after and agreed with Vice Mayor Kostka that times have changed and there is a need for the Police Department. He commented that we need to take care of the City's needs first, St. Johns County needs second and if something can be worked out with the Civic Association that would be fine. He advised that it could be for the Police Department only if they need it, but if they want to share with St. Johns County it's fine.

Commissioner George commended the Civic Association for their community involvement and their teamwork on problem solving this issue. She agreed with the other Commissioners and advised that public safety is the City's number one priority, especially now and preservation of City assets are important as well. She pointed out that the City's Land Use Regulations do not allow storage facilities or office spaces and because the Civic Association

does not have the farmers market, it might be illegal to allow them to lease the property. She agreed with public safety first but thanked the Civic Association for all they do in the community.

Commissioner Rumrell agreed with all the Commissioners regarding public safety. He thought that it was great that St. Johns County could utilize the space as well and would like to build bridges with them. He commented that if the City and St. Johns County does not need all the space, then a discussion could be done with the Civic Association.

Mayor England explained that the City needs should come first; however, the Civic Association has worked and has been a benefit to the City for years and so if the City takes back the garage, the City should help them out month to month if they are going to share space. She didn't agree with not renewing the lease and not working with the Civic Association.

Vice Mayor Kostka disagreed with Mayor England. She advised that the City is not able to put stipulations on what the Police Department should use the space for. She explained that the lease does not expire until August 2020 and for 15 years they have had the building for free. She commented that the Commission must put the City's needs first. She suggested giving the building to the Police Department and letting the lease expire.

Commissioner Samora said that the City's needs come first, County second and the Civic Association third. He commented that there are three months for the them to work it out, which is enough time. He said if the Civic Association needs more time, the Commission could discuss it then.

Commissioner George advised that the Police Department and Civic Association have time to work out the details. She commented that safety must come first and the concerts and other events that the Civic Association put on are not essential. She agreed with the lease being terminated.

Commissioner Rumrell agreed with Commissioners Samora and George, which is a good compromise for everyone. He asked if the Police Department takes the lease over, do they have sole discretion of who they allow to use the building.

Vice Mayor Kostka advised that the Police Department does not need a lease but wanted that confirmed by the City Attorney.

Assistant City Attorney Douglas advised that it would not be a lease to the Police Department because it was an asset of the City.

Police Chief Hardwick asked the Commission to allow the Police Department and St. Johns County lay out the footprint of the building and see if there is any space left over. He explained that he does not want to sublease the building.

Mayor England asked for a motion.

**Motion:** to allow the lease between the Civic Association and the City of St. Augustine Beach to expire at the end of the term and turn the use and control of the building over to the Police Department to prioritize shared use with County Fire and Rescue, Marine Rescue, the Public Works Department, and Beach Services. **Moved by** Vice Mayor Kostka.

Commissioner George advised that she would second the motion if Vice Mayor Kostka would amend the motion to allow the lease to expire. She asked for clarification if the use must be determined.



City Attorney Douglas advised that the motion does not have to include the use.

Vice Mayor Kostka agreed and amended her motion.

**Motion:** to allow the lease to expire between the Civic Association and the City of St. Augustine Beach. **Moved by** Vice Mayor Kostka, **Seconded by** Commissioner George.

Roll call as follows:

Mayor England	YES
Vice Mayor Kostka	YES
Commissioner George	YES
Commissioner Rumrell	YES
Commissioner Samora	YES

Motion passed unanimously.

Mayor England moved on to Item 5.

5. Budget Matters: Review to Date of Effect of the Pandemic on the Fiscal Year 20 Budget and Discussion of Preliminary Preparation for the FY 21 Budget (Presenter: Patty Douylliez, Finance Director)

Mayor England introduced Item 1 and then asked Finance Director Douylliez to give a staff report.

Finance Director Douylliez gave a quick update on the current budget. She explained that through March expenditures are 49.5%, which is on track; however, COVID-19 could cause the revenues that were expected not to come in for this year. She commented that none of the Finance Directors in the other cities know how to project the decrease in revenues because revenues come in two months behind. She remarked that she cannot give the Commission an update until the revenue checks come in from Florida Power and Light and the State of Florida in June. The Office of Economic and Demographic Research is being watched because that is where the revenue numbers are given to the Finance Directors. She remarked that there is a spending freeze within the City currently and changes have been made, such as having the Police Department get their gas from Public Works instead of fuel cards. She explained that the FY21 budget has been started; however, the State of Florida is expecting a delay in revenues. She explained that the City needs to reach out to the State of Florida for some of the relief monies given to the state in order to make the City whole going forward. She advised that she will update the Commission monthly on the revenue numbers and where the City is at. She explained that 11.9% comes from state revenues, 10.3% comes from Florida Power and Light franchise fees and electric tax, and the bulk of taxes come from ad valorem taxes. She advised that 59% of the revenues comes from outside of the City as ad valorem taxes. She noted that the solid waste franchise fees are coming in which helps.

Mayor England advised that the City is going to lose sales tax.

Financial Director Douylliez advised that there was an increase of sales tax in March because of bulk purchasing. She explained that Florida Power and Light taxes could be a loss of \$20,000 a month if there are no commercial revenues; however, there might be an increase in residential taxes because more people are at home.

Commissioner George thanked Financial Douylliez for doing all she can and for the update.

Commissioner Rumrell suggested to go to the federal and state representatives to see if the City could get some of the relief funds. He asked Police Chief Hardwick to schedule a meeting with Congressman Waltz and Congressman Rutherford, who he knows very well. He offered to speak with those he knows as well to try to get the relief funding as soon as possible. He also suggested to have the City of St. Augustine and St. Johns County ask as a group for the funding.

Commissioner Samora agreed with Commissioner Rumrell and asked staff to act when the federal assistance is available and support any way the Commissioners can individually. He explained that Finance Director Douylliez did a great job in identifying the sources of revenues that are expected to decrease but wants to have more scenarios to be presented to the Commission. He asked for 30%, 50%, 60% best and worse guess scenarios.

Finance Director Douylliez advised that she will do the scenarios, but asked that the Commission not to hold her to the numbers.

Vice Mayor Kostka thanked Finance Director Douylliez and advised that she was disappointed in the City Manager for not standing with her because it falls under his job description. She explained that the Investments Fund pay for part of the City's bills during the year and then when the property ad valorem taxes come in it is paid back. She explained that the General Fund and the Investment Fund are considered the General Fund. She advised that April 2020 was the third best month for the stock market since World War II and she hoped that there will be an improvement in the investments. She explained that the federal recovery money is going from the federal level to the state level, so the representatives for the State of Florida should be contacted to help our City. She advised that our City is based on tourism and 50% of people have cancelled their summer vacations already. She commended staff on all the steps that were taken already and advised that the auditor said that there needs to be a healthier emergency fund before COVID-19 hit. She advised that this should be kept in mind as the City moves forward in the next budget year.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that the City does not have a large reserve because of waste disposal subsidies.

Mayor England closed the Public Comments section and asked for any further Commission discussion. Being none, Mayor England moved on to Item 6.

6. Increasing Building Department Fees: Request to Approve Resolution 20-09 (Presenter: Brian Law, Building Official)

Mayor England introduced Item 1 and then asked Building Official Law to give a staff report.

Building Official Law recapped the proposed changes in fees which were in the Commission's packages in red.

Commissioner Samora asked if the fees can start in 90 days instead of immediately.

After a discussion, the Commission agreed to the effect date to go into effect August 1, 2020.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and asked for a motion.

**Motion:** to approve Resolution 20-09 with the effective date of August 1, 2020. **Moved by** Mayor England, **Seconded by** Commissioner Samora. Motion passed unanimously.

Mayor England	YES
Vice Mayor Kostka	YES
Commissioner George	YES
Commissioner Rumrell	YES
Commissioner Samora	YES

Mayor England moved on to Item 7.

7. St. Johns County Local Mitigation Strategy Plan: Approval of Resolution 20-10 to Adopt (Presenter: Brian Law, Building Official)

Mayor England introduced Item 7 and asked Building Official Law for his report.

Building Official Law advised that this would allow the City to apply for the Hazard Mitigation Grant which has funded 100% of the weir. He explained that this is for natural hazards.

Vice Mayor Kostka agreed to move forward with Resolution 20-10.

Mayor England advised that the City relies on St. Johns County for lost mitigation on everything.

Commissioner George had no comments.

Commissioner Rumrell had no comments.

Commissioner Samora had no comments.

Vice Mayor Kostka asked to let the Commission know if they would consider COVID-19 in their local mitigation strategy.

Building Official Law advised that he would let the Commission know.

**Motion:** to approve Resolution 20-10. **Moved by** Commissioner Samora, **Seconded by** Commissioner George.

Mayor England	YES
Vice Mayor Kostka	YES
Commissioner George	YES
Commissioner Rumrell	YES
Commissioner Samora	YES

Motion passed unanimously.

8. ADDED ITEM - Temporary Outdoor Seating Resolution 20-11

Mayor England introduced the Item 8 and asked Building Official Law for his staff report.

Building Official Law advised that the City Attorney wrote the resolution and he added certain conditions to the resolution to allow temporary outdoor seating for the City's restaurants. He recommended that he would have the authority to approve temporary outdoor seating, make sure handicap parking, fire extinguishers, maximum size of tents, etc. He explained that it would sunset when Governor DeSantis gives restaurants 50% seating capacity or to the end of the year.

Vice Mayor Kostka thanked Building Official Law for doing this.

Mayor England asked if it could be limited to 30-days.

Building Official Law advised that it be limited to what the Commission wants.

Commissioner Samora asked to not exceed the seating capacity of the restaurant. He was concerned over the capacity of the sewers.

Building Official Law advised that he would add a clause not to extend the restaurant's seating capacity.

Commissioner George advised that this is good government.

Commissioner Rumrell agreed with Commissioner George.

**Motion:** to approve Resolution 20-11. **Moved by** Mayor England, **Seconded by** Commissioner George.

Mayor England	YES
Vice Mayor Kostka	YES
Commissioner George	YES
Commissioner Rumrell	YES
Commissioner Samora	YES

Motion passed unanimously.

Commissioner George requested that Resolution 20-11 would be given to all the businesses.

Building Official Law advised that he spoke with a lot of the business owners already and they support Resolution 20-11 and he would be going to all the businesses tomorrow and explaining Resolution 20-11 to them.

Commissioner Samora advised that he would drop it to the Florida Restaurant and Lodging Association.

Mayor England moved on to Item XIV.

#### XIV. STAFF COMMENTS

Mayor England asked Police Chief Hardwick for comments.

Police Chief Hardwick advised that driving on the beach is under discussion and he will inform the Commission when or if it changes. He wants to get through Mother's Day first before it is decided.

Discussion ensued regarding whether Police Chief Hardwick has spoken to other jurisdictions on when they are releasing restrictions on their beaches; keeping St. Johns Sheriff Department and Putnam County Sheriff's involved in the discussions; limiting the driving on the beach; and youth being destructive.

City Manager Royle explained that after the meeting on April 29<sup>th</sup> the Commission decided to hold a public hearing on the non-ad valorem solid waste collection and asked when the Commission would be available. He explained that he needs the date to advertise and send letters to every homeowner who would be subject to the non-ad valorem assessment.

After discussion the Commission agreed to June 15, 2020 at 6:00 p.m.

City Clerk Raddatz apologized for being out on April 29<sup>th</sup> due to emergency surgery. She also asked the Commission if they still want to go out to bid for the medical insurance due to the COVID-19 situation. She explained that she did check with several agencies that want to bid on the insurance and most of them said they are not sure what will happen to the insurance rates in the next year.

The Commission agreed to move forward on the Request for Proposal for Medical Insurance.

Public Works Director Tredik advised that the beach is open, and the Public Works staff is back to their normal schedules. He mentioned that the crosswalk flags are out, and landscaping is now being done.

XV. ADJOURNMENT

Mayor England asked for a motion to adjourn.

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

Mayor George adjourned the meeting at 9:27 p.m.

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Margaret England, Mayor

ATTEST:

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Beverly Raddatz, City Clerk