



MINUTES

REGULAR CITY COMMISSION MEETING

MONDAY, JULY 6, 2020 AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor England asked Commissioner Samora to lead 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 Taylor, Police Chief Hardwick, City Clerk Raddatz, Building Official Law, and Public Works Director Tredik.

IV. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETINGS OF JUNE 1, 2020, THE REGULAR CONTINUATION MEETING OF JUNE 2, 2020 AND EMERGENCY MEETING JUNE 9, 2020

Mayor England asked if there were any changes to the minutes. Being none, Mayor England asked for a motion.

Motion: to approve the Regular Commission minutes of June 1, 2020, Regular Commission continuation meeting of June 2, 2020 and Emergency meeting of June 9, 2020. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Samora.

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 moved on to Item V.

V. ADDITIONS OR DELETIONS OF THE AGENDA

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

Mayor England asked if there were any additions or deletions of the agenda or changes to the order of topics.

City Attorney Douglas advised the Commission asked for the first reading of the ordinance for facemasks, which he has disbursed to the Commission.

Mayor England advised that she would assign this new topic as Item 6 under Old Business.

Vice Mayor Kostka request a Special Commission meeting for Item 10 instead of discussing this at this meeting.

The Commission agreed to have a Special Commission meeting regarding Item 10, which is shown on the current agenda.

City Manager Royle requested to remove Item 2 and reschedule the item for the August Regular Commission 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 VIII, Public Comments.

VII. PRESENTATIONS

None

VIII. PUBLIC COMMENTS

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, said Mayor England was not civil to Vice Mayor Kostka at the last meeting, but wants civility from the public; requested police officers to have body and dashboard cameras; wants a letter from the Commission to stop the Republican National Convention in Jacksonville; asked for lighted crosswalks to be done; and advised that he will be making complaints against Mayor England and Commissioner George at St. Johns County meeting tomorrow.

Rafael Saler, 27 Lee Drive, St. Augustine Beach, FL, complained about drainage ditch on Mickler Boulevard being covered because it floods Ocean Walk's neighborhood.

Christopher Allen, 4 Lee Drive, St. Augustine Beach, FL, complained that the ditch on Mickler Boulevard does not move or receive water, which causes flooding in Ocean Walk neighborhood.

Clint Stoeber, 43 Lee Drive, St. Augustine Beach, FL, complained Mickler Boulevard ditch causes flooding.

Robert Vignato, 8 Lee Drive, St. Augustine Beach, FL, showed pictures of the flooding and standing water during rain events and advised that water is not going into the inlets and is affecting wildlife (Exhibit 1).

Sorrell Mercoglan, 113 Serenity Bay Blvd., St. Augustine Beach, FL, wants to defund police for mental health patients in the community; requested police officers wear body cameras; wants

accountability for police officers; stated there was a lack of trust between black residents and the police.

Rowan Maris, 111 13th Street, St. Augustine Beach, FL, requested accountability for police officers; requested to defund the police for social programs, education and invest in the communities; advised that St. Augustine Beach has lower crime rates by 28% than the national average and proves that the City's limited budget is spending too much for the Police Department; requested the Commission to justify the disproportionate use of funds being spent by the Police Department; explained that communities across the nation have already pledged to defund Police Departments; advised that in St. Johns County a petition has been started that all police officers wear body cameras and request that the City do the same; explained that the community was disappointed in not flying the rainbow flag this year; wants all minorities to feel included in the City; and address the inclusivity in the City.

Karen Kempler, 30 Lee Drive, St. Augustine Beach, FL, complained about the drainage problem at Ocean Walk and explained that the drains are too high, which causes flooding in the neighborhood.

Hester Longstreet, 11 13th Street, St. Augustine Beach, FL, advocated for police body cameras because young adults or teens have problems with the City's police officers and gave two examples.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, had a concern about the non-ad valorem tax costs for this year and future years and asked to consider those with small homes or only one person in the home.

Adam Morley, 1205 E State Road 206, St. Augustine, FL, requested to use a portion of the space at the beach garage for the Friends of A1A, St. Augustine Civic Association, Art Studio, and A1A Scenic & Historic Coastal Byway.

Mayor England closed the Public Comments section and asked Public Works Director Tredik to address the Lee Drive complaints.

Public Works Director Tredik advised that the issue is being addressed and wants to solve the neighborhood problem and he is trying to resolve the issue by starting the design work in the next budget.

Mayor England advised that the Police Chief Hardwick will address the public concerns on an upcoming agenda.

IX. COMMISSIONER COMMENTS

Mayor England opened Commissioner Comments.

Vice Mayor Kostka had no comments.

Commissioner George had no comments.

Commissioner Rumrell thanked Public Works Director Tredik for doing a great job and is advised that he is making the drainage issue a priority.

Commissioner Samora had no comments.

Mayor England advised she had no comments and moved on to Item 1.

X. PUBLIC HEARINGS

1. Ordinance, Public Hearing and Final Reading: to Change Sections 2-103 and 2-104 of the General City Code Regarding Transfers of Money between Accounts in the Annual Budget (Presenter: Max Royle, City Manager)

Mayor England introduced Item 1 and asked City Manager Royle to give his staff report.

City Manager Royle advised that this ordinance would allow the City Manager to transfer moneys between accounts within the annual budget and stated that this was the final reading.

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

City Attorney Douglas read the title of the ordinance.

Mayor England asked for a motion.

Motion: to approve the ordinance. **Moved by** Commissioner George, **Seconded by** Commissioner Samora.

Roll Call was as followed:

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

Motion passes unanimously.

Mayor England moved on to Item 3.

2. Ordinance, Public Hearing and Second Reading: to Amend Section 10 of the City Code re: Solid Waste Collection Regulations (Presenter: Bill Tredik, Public Works Director)

Rescheduled for August Regular Commission meeting.

3. Ordinance, First Public Hearing and Second Reading: to Establish Mixed Use District Boundaries Along A1A Beach Boulevard (Presenter: Brian Law, Building Official)

Mayor England introduced Item 3 and asked Building Official Law to give his staff report.

Building Official Law advised that the Comprehensive Planning and Zoning Board approved unanimously and that no changes have been made since last reading.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and asked for any further discussion.

Commissioner Samora advised that there was a typo on the section number.

Building Official Law advised that he would fix before the final reading

Mayor England asked City Attorney Douglas to read the title of the ordinance.

City Attorney Douglas read the title of the ordinance.

Mayor England asked for a motion.

Motion: to approve the ordinance with the correction. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

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

Motion passes unanimously.

Mayor England moved on to Item 4.

XI. CONSENT

4. Resolution, to Have Canvassing and Certification of Vote-by-Mail Ballots Cast in August 2020 Primary Election Done by the Supervisor of Elections and County Canvassing Board
5. Budget Resolutions to Transfer Money from the General Fund to the Road/Bridge Fund and to Provide Money in the Police Department Budget for the Contribution to the St. Johns County Police Athletic League

Mayor England asked City Manager Royle to speak on the Consent Agenda.

City Manager Royle advised that normally there is only one vote for the Consent Agenda. He explained that the Supervisor of Elections counts the mail in ballots and according to the City's Charter a resolution must be passed. He explained that the budget resolution was to transfer money from the General Fund to the Road / Bridge Fund and the second budget resolution was to take money from fines and forfeitures to St. Johns County Athletic League.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked to vote no for St. Johns County Athletic League and give the money to the YMCA for recreation.

Mayor England closed the Public Comments section.

Vice Mayor Kostka asked if Police Chief Hardwick had any comments.

Police Chief Hardwick advised that this money is only allowed to go to a training education program according to Florida Statutes and is being used for a boxing program in St. Johns County.

Motion: to approve the Consent Agenda. **Moved by** Mayor England, **Seconded by** Vice Mayor Kostka.

Roll Call was as followed:

Commissioner George	Yes
Commissioner Rumrell	Yes
Commissioner Samora	Yes

Mayor England Yes
Vice Mayor Kostka Yes
Motion passes unanimously.

Mayor England moved on to Item 6.

XII. OLD BUSINESS

Resolution Regarding Wearing Facemasks (Added Item to Agenda)

Mayor England explained that this item has been added to the agenda and advised that City Attorney Douglas has disseminated the resolution that was passed on July 2, 2020 at an emergency meeting. She asked the Commission if there were any changes that need to be made.

Commissioner Samora advised that the resolution approved on July 2nd was correct; however, he would revisit the resolution to make it mandatory to wear facemasks instead of strongly encouraging people to wear facemasks.

Commissioner George had no comments.

Commissioner Rumrell had no comments.

Vice Mayor Kostka had no comments.

Mayor agreed that the final resolution from July 2nd was agreed to by the Commission. She then went back to the original resolution regarding facemasks being mandatory to see if the Commission would like to vote on the original resolution again and then asked the Commission to comment.

Commissioner Rumrell advised that he spent 17 hours calling and going to businesses in St. Augustine Beach from Friday through Monday. He explained that he spoke with other people who were upset that the City did not pass a facemask ordinance. He said that Resolution 20-13 made a difference in 75% of the 97% of the people he spoke to on the phone thought that the City passed a mandatory facemasks resolution. He explained that the people he spoke with did not know who he was and asked them if their businesses require facemasks for their visitors and employees. All but four businesses that he reached out to, which was 97% said that all employees wear facemasks and urge their visitors to wear facemasks. He commented that the businesses said that they did not enforce it because they were afraid to cause a problem within their own business and have people upset. He requested to get the message out of what we have and if the City changes the message to be mandatory, it will be very confusing to the public. He remarked that he called Neptune Beach, Atlantic Beach and Jacksonville Beach which have mandatory facemasks, they are only seeing 60% compliance. He showed a slide (Exhibit 2) for a campaign regarding messaging and education. He advised that Publix is urging their clients to wear facemasks, follow the directional pathways, and stay six feet apart over the loudspeakers. He explained that Publix is not carrying masks to give to people who do not have facemasks or forgot them at home. He suggested to purchase 5,000 masks in order to give 50 facemasks to each business in the City as a starter kit through the CARES Act, which St. Johns County received from the federal government to help with these types of purchases.

Mayor England advised that it was a good suggestion. She commented that the City has done four articles on wearing facemasks in the City's newsletter and numerous postings on

Facebook and social media. She agreed that the City should do more, but up until now the facemask usage has not been as high as what Commissioner Rumrell has indicated.

Commissioner Rumrell suggested that City Manager Royle send to all businesses a sign that says the City supports the public in wearing facemasks. He explained that the City is more compliant than the other mandated cities and the resolution cannot be enforced anyways. He asked for more education.

Commissioner George explained that there would be no point in voting on the original resolution, given what Commissioner Rumrell said, unless Vice Mayor Kostka changes her vote. The public has voiced an overwhelming support to wear facemasks and the Commission is supposed to balance what the citizens want against objective rational thought and data. She said in this case nine out of ten people want a stronger message and that facemasks would be mandated. She commented that she has no data to overrule the people's well-expressed preference on this issue. She asked the objectors in the Commission what principle do they have to not give the people what they want. She remarked to use the phrase it is unenforceable is a buzz phrase to justify another reason for not wanting to pass it. She explained that this is about public health and will not be permanent.

Commissioner Samora likes Commissioner Rumrell's idea of the posters being given to all the businesses and to make copies of them if additional ones are needed. He disagreed that the public thought the Commission mandated wearing facemasks because everything he saw in the media and community was that the City did not mandate wearing facemasks but believed that businesses and citizens complied. He commented that the visitors coming from all over the country are not complying and they need to receive the message.

Vice Mayor Kostka explained that it was unfortunate what the headlines were in the media. She suggested to consider removing both strongly encourage or mandate. She asked what the City's goal is because 100% compliance can not be achieved. She agreed with Commissioner Rumrell's suggestion regarding education, especially to the visitors. She applauded Mayor England for always reminding the public to wear masks at each meeting. She suggested that Mayor England's picture should be taken with all her different facemasks and post it in the inside of all the hotels, businesses, etc. She explained that she is having a problem with the strong arm of mandating and then not being able to enforce it. She advised that what complicates it more is that the City needs to get the County's blessing on the resolution. She wants to increase messaging.

Mayor England thanked Commissioner Rumrell for his outreach to the businesses. She advised that the intensity after two weeks will disappear, and it will not be followed. She quoted a news article News For Jaxs and said that major cities in Florida have passed mandate facemasks by resolution or ordinances. She explained that St. Augustine and Jacksonville have passed a mandatory resolution or ordinance.

Discussion ensued that public comments would have to be given at this meeting if a new resolution would be voted on and why a new resolution was being done if a resolution were passed at an emergency meeting.

Assistant City Attorney Taylor advised that the item will be tabled from the emergency meeting so that the Commission could vote on it again or to discuss any changes. He requested that if a new resolution is passed the Commission will have to take public comments. The ordinance would need public comments too. He advised that the Commission would have to vote if the Commission wants to bring another resolution to be

voted on. He explained that the vote would be different at this meeting than at the emergency meeting and explained that it would be better to vote on an ordinance than a resolution. He explained that enforcement should not be in resolutions.

Mayor England asked for a motion.

Motion: to bring the original resolution back up for consideration to have a formal vote.
Moved by Commissioner George, **Seconded by** Mayor England.

Roll Call was as followed:

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

Motion passes 3 to 2.

Mayor England advised that next the original resolution will be voted on and asked Commissioner Samora what was agreed to on the original resolution that failed. She explained that what the Commission will vote on next would be the amended original resolution. She then opened the Public Comments section. The following addressed the Commission:

Janine Rainville, 1015 Coquina Blvd., St. Augustine Beach, FL, walked this weekend and there were a lot of businesses who were confused about what had passed and advised that many were not wearing masks. She advised that wearing a facemask makes a difference.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked the Commission to vote no and believes everyone is smart enough to wear a facemask.

Hester Longstreet, 11 13th Street, St. Augustine Beach, FL, advised that Commissioner Rumrell is wrong and a mandate is needed.

Jo Ellen Parkey, 3 Coquina Blvd., St. Augustine Beach, FL, advised that wearing a facemask supports the people who work in St. Augustine Beach and if a mandate is not done, they will not wear facemasks. She explained that employees will not ask people to wear masks because they are afraid of losing their jobs.

Mayor England closed the Public Comments section.

Commissioner Rumrell clarified that messaging should go to the Airbnb as well. He explained that there were posters in the hotels that the City requires people to wear facemasks. He advised that the businesses are not enforcing the rule because they do not want to be the authority. He asked who is going to be the enforcer.

Mayor England advised that the first line of defense would be the businesses. She said that there are exceptions to the resolutions for those who can not wear facemasks. She explained that this is not a criminal act so the Police Department would not be writing citations.

Commissioner Rumrell advised that the businesses have told him that they are not enforcing it and explained that that is what we have now. Businesses are scared to make people without facemasks to leave because they are trying to stay open and if they make people leave, they might not be able to feed their families tomorrow. Publix advised that they do not enforce wear facemasks now. He asked where the enforcement is because businesses are not enforcing it now. He explained that Miami has a mandatory facemask ordinance but has no enforcement, so they still have high numbers of infected people. He explained that if the City is not going to enforce it, it is nothing better than a strong recommendation.

Commissioner George advised that the City would enforce it and it empowers shoppers, employees, etc. She remarked that people are begging for wearing facemasks to be mandatory. Former Mayor Snodgrass advised that this is a matter of public health and it should be enforced.

Mayor England agreed with Commissioner George.

Commissioner Samora explained that the businesses are not afraid of asking people who are not wearing facemasks to leave but are afraid of having their businesses close because of an increase in the coronavirus. If they close again some will never reopen. He remarked that the City does not need to follow the County because we are different. St. Johns County has more agriculture space and the City has more hotel rooms and restaurants than them.

Mayor England advised that the City does not want businesses to be closed temporarily and the costs to disinfect is high. She explained that in Section 1 Definitions to add "polymer shield," add in Section 3 (k), the fine in Section 4 would scale at \$50 for first offense, \$250 for second offense, and \$500 for third offense, Section 5 effective date would be July 6, 2020.

Motion: to approve the original resolution. **Moved by** Mayor England, **Seconded by** Commissioner George.

Roll Call was as followed:

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

Motion passes 3 to 2.

Assistant City Attorney Taylor advised that an ordinance would be more effective and if the Commission did a first reading tonight it could be passed on final reading on July 27, 2020 Special Commission meeting. He advised that an ordinance would reduce challenges.

Mayor England advised that the Commission now would consider an ordinance to mandate wearing facemasks indoors. She advised that the effective date would be changed.

Discussion ensued regarding 20-13 Resolution on strongly encouraging people to wear facemasks would be obsolete; since 20-14 Resolution mandatory wearing of facemasks was passed tonight.

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

Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked to vote no on the ordinance and advised that people are smart enough to wear facemasks if they need to as well as gloves and safety glasses.

Discussion ensued regarding noticing of the ordinance for final reading; noticing the ordinance for second and final reading on July 27, 2020 at the Special Budget meeting; whether to have a Special Commission meeting before July 27, 2020; a resolution being created by second reading of the ordinance for the fines associated with not wearing facemasks; leaving the emergency declaration from St. Johns County under the Definition Section in order have an ordinance if there were any future pandemics; add language that specifies communicable disease or viral disease; pandemic language was from the CDC website; adding language regarding a measurement of positive cases; adding language for who enforces it; add language that the City would purchase masks for the businesses; and add an educational component for the businesses to the ordinance.

Mayor England advised that all the specific language for the type of pandemic would be in the resolution not a general ordinance.

Commissioner George that the ordinance is well written and is in support of Commissioner Rumrell's suggestion of purchasing facemasks. She agreed with the enforcement language is appropriate for the Land Development Regulations (LDRs).

Mayor England advised that the Commission can direct City Manager Royle to do communications regarding this ordinance and do Commissioner Rumrell's suggestions of purchasing facemasks for the businesses; education of the ordinance, a measurement clause, and who would enforce the ordinance.

Commissioner George asked about the measurement language if it should be temporary.

Assistant City Attorney Taylor advised that the temporary language already exists in the ordinance by saying it would only be effective when the county, state, or federal governments state there is an emergency. He asked if the Commission wanted to sunset the ordinance at the end of the year or do that by resolution.

Mayor England advised that instead of putting a date certain that the Commission would revisit it if any Commissioner wants to sunset the ordinance.

Commissioner Rumrell thanked the Commission for adding his suggestions when creating the resolution.

Vice Mayor Kostka advised that the Pledge cited in the ordinance is not through St. Johns County, but has their support.

Mayor England changed the language to "enter an agreement to support." She then asked City Attorney Douglas to read the title of the ordinance.

City Attorney Douglas read the title of the ordinance.

Mayor England asked for a motion.

Motion: to approve the ordinance with the amendment that the fifth whereas clause change the wording to "enter an agreement to support the Pledge for St. Johns County." **Moved by** Commissioner George, **Seconded by** Commissioner Samora.

Roll Call was as followed:

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

Motion passes 4 to 1.

Assistant City Attorney Taylor asked the Commission to give staff direction on advertising.

Mayor England asked Commissioner Rumrell to discuss with City Manager Royle and the Communications / Event Coordinator the educational component and other items that Commissioner Rumrell wanted to address. She explained that the Communications / Event Coordinator has posted information on Facebook.

Commissioner Rumrell asked the City to purchase 5,000 facemasks for the businesses.

Mayor England asked City Manager Royle to ask the City of St. Augustine if the City could purchase some of their masks. Also, she advised that her friend has masks that could be sold at Ace Hardware and she could put facemasks at city hall for a donation if anyone wants them.

Commissioner Rumrell suggested City Manager Royle check with St. Johns County Emergency Management for facemasks for businesses.

Commissioner George advised that city hall must comply with the resolution and ordinance and to give staff direction to make sure they comply. She requested Mayor England to send a letter on letterhead to St. Johns County and to the State of Florida Representative and Governor to encourage any measures to put an end to COVID-19 and if Mayor England wanted to she could reference facemasks.

City Clerk Raddatz asked Commissioner George if all employees must wear facemasks.

Commissioner George advised that all employees must wear facemasks indoors if they cannot be six feet apart from another person. She commented for the record that the government who is making this ordinance is not exempt from this ordinance. She advised the public that they can go outside or indoors without a facemask if there is social distancing.

Mayor England advised that the Communications / Event Coordinator will be creating a Frequent Asked Question list for the public regarding the resolution and the ordinance.

The Commission agreed to using the letterhead but asked that Mayor England send the letter to the Commission through City Manager Royle.

6. City Building West of Former City Hall: Consideration of Leasing Part of It (Presenter: Max Royle, City Manager)

Mayor England introduced Item 6 and asked City Manager Royle to give his staff report.

City Manager Royle advised that the current lease expires in a month and the Police Department only needs half of the building, which leaves 400 square feet for others to use and asked the Commission for guidance.

Discussion ensued regarding that there was a consortium of non-profits that would like to use the space available; to use the current lease and have all the non-profit consortiums listed; the Police Chief determined what space was needed in the garage and they would use the door and the garage door for access; St. Johns Fire Rescue Division and the City's Police Department would be using half the garage space.

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

Rich Gallik, 471 High Tide Drive, St. Augustine Beach, FL, explained that he is an officer for St. Augustine Beach Civic Association who is part of the consortium of non-profits and would like to request storage space at the garage for events the Civic Association has.

Marge Rooyakkers, 9 Madera Court, Palm Coast, FL, represents the Friends of Historic A1A Coastal Byway and handed out maps and tour guides for the Commission (Exhibit 3) and would like to store the maps at the garage.

Michael Longstreet, 11 13th Street, St. Augustine Beach, FL, explained that he is a member of the Civic Association and has contributed for many years to the City. He advised that he would do the renovations for the garage at no costs to the City.

Michael Castagno, 35103 Harbour Vista Circle, St. Augustine, FL, thanked the Commission for allowing St. Auggie Bocce League to use the garage for storage of their materials for the bocce courts.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked the Commission to vote no because the Civic Association is a political organization and is under the designation of 501 (C) 4.

Bill Jones, P.O. Box 341, St. Augustine Beach Civic Association President, St. Augustine Beach, FL, discussed what the City has received a return on investments for allowing the Civic Association to use the garage by contributing to the City events approximately \$40,000 and helped local businesses by \$4,000,000.

Jocelyn Soto, 354 Ocean Forest Drive, St. Augustine Beach, apologized for her behavior at last night's meeting.

Mayor England closed the Public Comments section and then asked if there were any further Commission discuss.

Commissioner Rumrell advised had no comments.

Commissioner George had no comments.

Commissioner Samora had no comments.

Vice Mayor Kostka asked if the same lease would be use and what the costs are for the facility to the City.

City Manager Royle advised that is would be minimum costs since it is a storage facility and there would be no air conditioning and there is no restroom.

Vice Mayor Kostka asked who insures the building.

City Manager Royle advised that the City pays for ensuring the building, but the consortium would have to insure their contents. He explained that the City has a general insurance policy to cover our contents and liability.

City Attorney Douglas asked if the consortium was provided the declarations of insurances to the City.

City Manager Royle advised yes.

City Attorney Douglas asked the Commission to discuss the dollar amount of that the consortium would have to have for their contents.

Mayor England asked that City Manager Royle, City Attorney Douglas and the consortium discuss the lease and bring the lease back to the Commission in August.

Commissioner Samora advised that the current lease would expire on August 3rd and asked if the Commission would like to extend the lease.

Discussion ensued regarding the 30 day extension; before voting on the lease it should be advertised to all non-profits; whether charitable organizations should be considered instead of the Civic Association as a 501 (C) 4; requesting more information on the item before voting on the lease; the lease is only temporary; who should sign the lease document; should this be publicly noticed; and who would be responsible for what.

City Manager Royle advised that the City would advertise if it were for commercial use, but this is not. He explained that the land use is institutional, and the uses are restrictive.

Mayor England advised that there are no guarantees that the building could be used for any length of time since it could be taken back if the City needs it. She listed the organizations requesting to lease the space.

Commissioner Rumrell advised that if the Commission put it out to bid other local non-profits may not qualify for the lease. He asked if it is the coalition asking for the lease, not the Civic Association.

Mayor England advised yes.

Commissioner George advised that there is not a legal entity for the consortium or coalition and asked City Attorney Douglas his thoughts.

City Attorney Douglas advised that one entity would have to be responsible for the lease and that the coalition would not be able to get insurance if they are not a legal entity.

Mr. Jones advised that the four non-profits have done a memorandum of understanding. He explained that the Civic Associations started as a 501 (C) 3 and was told that they had to change to a 501 (c) 4 because if it had the word civic in the title the IRS reclassified them to

a 501 (c) 4. He explained that electrical costs were under .05 cents per kilowatt for the City and the County and would cost less than \$50 a year. He commented that the Civic Association always insures the property for liability and the carrier has had no problem sharing space with other non-profits. The Civic Association took the lead because they started using the garage and because they are in a better financial situation than others. He will send a listing of all four non-profits using the space.

Commissioner George advised that the Commission could look at the lease agreement at the August Regular Commission meeting; however, it does not address the bidding issue and feels that it should be noticed to give others an opportunity.

Mayor England asked for a motion.

Motion: to extend the lease another 30 days until the next Regular Commission meeting and ask that the attorneys work on the lease agreement with the consortium with the Civic Association being the lead. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

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

Motion passes unanimously.

Mayor England asked Commissioner George to make a motion about advertising if she wanted to.

Commissioner George requested that notice be sent as it has been done at the old city hall. She felt that others should be able to utilize the garage.

City Manager Royle advised that the City could advertise in the local newspaper.

Mayor England asked if City Manager Royle could work with Commissioner George to see if any other entities would be interested in the space. She advised that the limitations need to be stated.

Commissioner George advised that instead of a formal advertisement, the City could contact the Chamber of Commerce and local non-profits. She commented that she would be happy to work with City Manager Royle on this.

Motion: that the City advertise the availability of this space to other non-profit organizations ten days in advance of the Regular Commission meeting that this item appears on the agenda. **Moved by** Commissioner George, **Seconded by** Vice Mayor Kostka.

Roll Call was as followed:

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

Motion fails 3 to 2.

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

Roll Call was as followed:

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

Motion passes unanimously.

Commissioner Samora asked to hear Item 10 since several people in the audience have been waiting since the beginning of the meeting.

The Commission agreed to move to Item 10.

7. Vulnerability Assessment and Adaptation Plan: Request for Approval of Amendment #32 to Contract with Civil Engineering Consultant CMT (Presenter: Bill Tredik, Public Works Director)

Continued this Item until July 7, 2020 at 6:00 p.m.

8. Accessing Private Property from Dead-End Streets: Review of Proposal (Presenter: Brian Law, Building Official)

Continued this Item until July 7, 2020 at 6:00 p.m.

9. City Manager's Response to Vice Mayor Kostka's Demand That He Resign

This will be rescheduled to a Special Commission meeting, time and date to be determined.

XIII. NEW BUSINESS

10. Opening 2nd Street West of 2nd Avenue for Construction of Single-Family Residences: Review of Proposal (Presenters: Bill Tredik, Public Works Director; Brian Law, Building Official)

Mayor England introduced Item 10 and asked Public Works Director Tredik to give his response.

Public Works Director Tredik showed a slide of the area (Exhibit 4). He then gave the history of this item dating back from 1998 to present. He advised that Mr. Kenney told staff that he would pay for the road to go straight through on 2nd Street. He explained that the costs for the City to do it would be approximately \$50,000 according to former Public Works Director Howell and he advised that now it would be \$75,000 or more. He commented that funding is a problem due to the budget for this project. He explained the three options that would work.

Mayor England asked Mr. Kenney to come to the podium.

Eric Kenny, 6 Oceanside Drive, St. Augustine Beach, FL, advised that he would like to pay for the road, so the City does not pay for anything. He requested this in order to complete the two homes he has built and to build two more homes that have no access to the property.

Commissioner Samora asked if there was a cost issue to go through 2nd Avenue.

Mr. Kenney advised it would be cost prohibitive.

Commissioner Samora asked if Mr. Kenney would be willing to contribute the cost to do the paving he wants and asked if he would agree to go straight through and the City would pay for the rest of the paving.

Mr. Kenney advised yes if the City can get it done quickly.

Mayor England asked if the paving is done straight through would sidewalks be done.

Mr. Kenney advised that he is not sure because he has not contacted an engineer; however, he believes that the sidewalks and handicap ramps would be done on both sides where the two sides connects.

Mayor England advised that the neighbors have expressed safety concerns if the road goes through.

Commissioner George asked what streets would this be done on.

Mr. Kenney advised on 115 and 117 2nd Street.

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

Chris Bartket, 114 2nd Street, St. Augustine Beach, FL, explained that he wants the least impact for the current residents. He advised that no neighbors were notified of this paving and the former public works director said it was his job pave to those undeveloped lots. He commented that the Commission said that they would not go through to these lots in 2014.

Marc Craddock, 116 2nd Street, St. Augustine Beach, FL, advised that the neighborhood has never been approached about paving. He explained that the alternate route is from 1st Street. The minutes reflected that this access route would not be done, and the neighbors want a dead-end street. He commented that Mr. Kenney just wants a lower cost option and asked the Commission not to revisit this.

Jay Floyd, 111 2nd Street, St. Augustine Beach, FL, explained that this issue would not come up again and the same concerns remain. He advised that there is no room for sidewalks because the street is so narrow. He complained that this is quality of life issue for the neighbors.

Attorney James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine, FL, explained that he represents several property owners on the western section in the area. He explained that his clients did not reach the 65% threshold that needs to be accomplished and want an alternative from 2nd Street.

Mayor England closed the Public Comments section and asked Attorney Whitehouse if he was representing the owners of the undeveloped lots where the street does not go through.

Attorney Whitehouse advised yes. He explained that he has not spoken to all the owners but advised that they want this to move forward quickly and whichever is quickest they would be in favor of.

Public Works Director Tredik advised that there were 11 in favor of the paving, which is 69%. He advised that if the City wants to go from the south there are two owners who are dead set

against it. If there is alternative path, there needs to be enough contributions upfront and the budget would have to reflect the project.

Mayor England suggested that the meeting be continued in order to complete this item tomorrow.

11. 2021 St. Johns County Legislative Action Plan: Request from County Administrator for Topics (Presenter: Max Royle, City Manager)

Continued until July 7, 2020 at 6:00 p.m.

12. Florida League of Cities Annual Conference: Selection of Voting Delegate (Presenter: Max Royle, City Manager)

Continued until July 7, 2020 at 6:00 p.m.

13. Fiscal Year 2021 Budget: Scheduling Date in Later July to Review Budget, Set the Tentative Property Tax Millage, and the Date for the First Public Hearing on the Budget (Presenter: Max Royle, City Manager)

Continued until July 7, 2020 at 6:00 p.m.

XIV. STAFF COMMENTS

Continued until July 7, 2020 at 6:00 p.m.

XV. ADJOURNMENT

Motion: continue the meeting on July 7th at 6:00 p.m. **Moved by** Mayor England, **Seconded by** Commissioner George.

Roll Call was as followed:

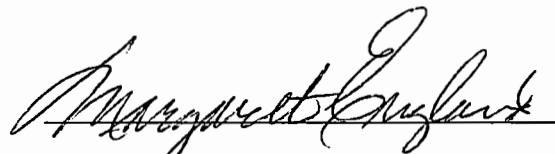
Commissioner Samora Yes
Commissioner George Yes
Mayor England Yes
Vice Mayor Kostka Yes
Commissioner Rumrell Yes
Motion passed unanimously.

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

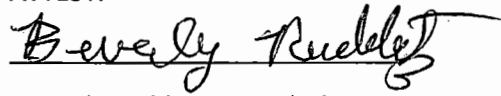
Roll Call was as followed:

Commissioner Samora Yes
Commissioner George Yes
Mayor England Yes
Vice Mayor Kostka Yes
Commissioner Rumrell Yes
Motion passed unanimously.

The meeting was adjourned at 10:00 p.m.


Margaret England, Mayor

ATTEST:


Beverly Raddatz, City Clerk