



MINUTES

CONTINUATION OF THE REGULAR CITY COMMISSION MEETING OF JULY 6, 2020 TUESDAY, JULY 7, 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 continuation of the Regular Commission meeting to order at 6:41 p.m.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was done at the Special Commission meeting.

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, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik.

XIII. NEW BUSINESS CONTINUED FROM JULY 6, 2020

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 continued Item 10.

City Attorney Douglas advised that public comments should be done again because the vote will be done today.

Commissioner Rumrell asked to table the item to give notice to everyone and reschedule the date to August Regular Commission meeting.

Mayor England suggested that since people were in the audience for public comments, she would like to give them a chance to speak. She then opened the Public Comments section. The following addressed the Commission:

Chris Barkett, 114 2nd Street, St. Augustine Beach, FL, explained that the neighbors are thinking of safety as their number one priority in finding an alternative route. He explained that 2nd Street is very narrow and there is no widening of the street available. Sidewalks cannot be put in either. He explained that if Mr. Kenney is willing to give a portion of the alternate route,

then no one opposes it. He requested that Public Works Director Tredik advise how many times Mr. Kenney has asked to pave 2nd Street and when was the last time he did so.

Eric Kenney, 6 Oceanside Drive, St. Augustine Beach, FL, clarified that he has not agreed to put his money towards an alternate route because then he would be paying more than anyone else for the same access. He would pay for the access coming off 2nd Street to facilitate the building of the homes he has under contract and finish the two homes right now. He commented that he would provide Mr. Howell's emails to everybody and those emails said not to do 2nd Street and 7th Street because Mr. Howell and Mr. Larson told him he was not responsible for that paving, they were. He advised that there are some zoning violations and will file them with the St. Augustine Beach Zoning Department tomorrow.

Commissioner George asked when the purchase was on 2nd Street.

Mr. Kenney advised that he is still under contract and will purchase them when this issue is resolved. He explained that he has been waiting for six years with properties under contract for something to happen. He advised that he is not the current owner.

Jay Floyd, 111 2nd Street, St. Augustine Beach, FL, explained that he has access, which has been approved already but he does not want to pay for that access because it would cost him more money. He explained that his bamboo will be damaged.

Marc Craddock, 116 2nd Street, St. Augustine Beach, FL, he thanked the Commission for what they do; advised that a lot of the neighbors were not here tonight or last night; Mr. Kenney is not the property owner; neighbors were not properly notified about this issue; and 2nd Street is only 20 feet wide and is not compliant to regulations; he requested a traffic and environmental study and a green space analysis.

Mayor England closed the Public Comments section and advised that since all the neighborhood was not notified and the Commission does not have all the costs yet for this type of project, she would like to get more information. She then asked staff for their comments.

Public Works Director Tredik explained that coming from the north would be a problem for fire trucks.

Building Official Law advised that he asked the Fire Department off the record what they would prefer, and they said that they prefer straight access.

Mayor England asked staff to put in writing the three options with the positives and negatives and the costs for all three options. She explained that safety is number one and quality of life is number 2. She requested the costs of sidewalks and underground utilities as well.

Public Works Director Tredik advised that there will be a cost to getting those answers.

Mayor England said that maybe it should be done in stages, but we need the options in writing.

Commissioner Rumrell advised that he has multi concerns such as denying the right of access to a property and whether the City must pay for that or not. He wants options laid out and advised that he does not want this issue to be some government takeover or legal battle. He asked that this be a priority so that Mr. Kenney does not lose the contract and sue the City. He requested proper notices to the residents and a traffic study to be done.

Commissioner George advised that there was a clear policy on how to open a street. She gave the example of 8th Street. She explained that the lot owners must pay for it and the universal policy was adopted in 2016 for any street. She requested that the details of that policy should be given to the Commission. She said that majority of the neighbors wanted the west block of 2nd Street and the egress and ingress south onto 2nd Avenue, which would take a little traffic off A1A Beach Boulevard. She recalled discussion regarding access for emergency vehicles and that option would accommodate the turn. She requested staff provide what the preference would be for the Fire Department so that it can be reasonably accommodated. She explained that there is no liability on the City because the lots are undervalued but believes that the Commission should follow the policy that was set in 2016. The policy asks how many property owners agree to do the project and how the costs gets distributed. She explained that the City has an ordinance that show traffic patterns already instead of doing a traffic study.

Mayor England advised that the policy was that the owners would have to pay for the pavement.

Commissioner Samora asked to reevaluate all three routes in a timely manner. He commented that the policy that was made six years ago may not apply today because of the parking and traffic. This must be done quickly and if there was a precedence, then research it. He suggested notifying all the neighborhood including 1st Street and 3rd Street.

Vice Mayor Kostka advised that she remembers this issue on 8th Street and agreed with Commissioner George. She explained that it did not move forward because all the owners did not agree with putting in the road. She asked that all the property owners be noticed. She said that the City has a record that the City does not have to pay for the road, but the property owners are obligated to pay the expense.

Assistant City Attorney Taylor advised that the 2014 decision is not binding, and this would be a separate issue. The City has protection to do what it wants, but this issue should be resolve in an accelerated manner.

Mayor England was concerned that Public Works Director Tredik has a lot to do with the recent flooding and weir, etc. She asked what the Commission could do to help him with this.

Public Works Director Tredik advised that he would make some sketches on the three options and give the cost and time it would be completed. He advised that he was not a traffic engineer, which is a specialty field, and he would have to get a traffic study completed which would cost money.

Mayor England asked if the Commission feels a traffic study right now would be necessary.

Commissioner George advised that she trusted staff to give their opinion and feels that they are trained in this area, so no traffic study is needed. She said that they have other County colleagues that they can check with as well.

Commissioner Rumrell agreed with Commissioner George that no formal traffic study is needed, especially when time is of the essence.

Mayor England advised then no traffic study would be done at this point.

Public Works Director Tredik advised that he would bring this back to the Commission at the next meeting.

Mayor England asked the Commission to help Public Works Director Tredik as they can because streets and accesses is one of the basics for the City.

Vice Mayor Kostka asked to have proper notice as well.

Mayor England gave direction to staff to bring this item back in August.

XII. OLD BUSINESS CONTINUED FROM JULY 6, 2020

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)

Mayor England introduced Item 6 and asked Public Works Director Tredik to give his staff report.

Public Works Director Tredik advised he did not have the final letter for the grant but did get an email from them that it should be coming shortly, but do not initiate work until the grant money is received. The grant was for \$72,500, with no City match, to update the GIS system for drainage and stormwater model. He advised that this would help with improvements staff can do for the Adaptation Plan and improve the City's resistance to sea level rise and storm surge. CMT has detailed knowledge of the City so they will be doing the contracting and it should be done by April 30, 2021. He explained that he would be working with the North Florida Regional Council, which will include public workshops. This will be very useful for Lee Drive problem.

Discussion ensued regarding CMT being the same company that is involved in the weir; the work has been reviewed and costs \$72,500, which CMT agreed to; no change orders are allowed; the City Attorney has reviewed it; insert a clause that would stipulate if CMT does not complete the work on time there would be penalties; and do not start until the money is received,

Motion: to approve the contract with CMT and insert the clause that there would be penalties if the work is not done on time, there would be no change orders, and to not start the project until the grant monies are received. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George.

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

Roll Call was as followed:

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

Motion passes unanimously.

Mayor England moved on to Item 8.

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

Mayor England introduced Item 8 and explained that she met with people on Blueberry Street and Pyrus Street and then asked Building Official Law to give his staff report.

Building Official Law advised there is a neighbor dispute will pass last year. He explained that the rights-of-ways are under the Public Works Director purview and it would cost approximately a \$250 fee and any fees would go to the Bridge and Road Fund. He commented that the application will be created.

Discussion ensued regarding whether to create another resolution for the fee schedule or keeping the fee in the ordinance; did staff analyze all the rights-of-ways that this apply to; on Pyrus Street make a horse type fence; and Police Department having a call every day on Pyrus Street.

Commissioner George asked if she should be recused because the Commission mentioned Pyrus Street. She said that creating an ordinance for the City she should be a part of because that is not one particular location.

Building Official Law advised that the Commission advised staff to build a barricade in a previous meeting.

Mayor England agreed and said that this was an administrative staff action and they could place barricades on the City's rights-of-way where needed. She explained that the ordinance would go through the general process.

Building Official Law asked if the City Attorneys could draft the ordinance and bring it to the Comprehensive Planning and Zoning Board first and then to the Commission for three more meetings.

Commissioner Samora asked since the permit has a 30-day time limit; what would they do if they pass the 30 days.

Building Official Law advised that the property owner would have to reapply for another permit and pay for another permit.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and asked staff to moved forward with the ordinance procedures.

XIII. NEW BUSINESS CONTINUED FROM JULY 6, 2020

10. 2021 St. Johns County Legislative Action Plan: Request from County Administrator for Topics (Presenter: Max Royle, City Manager)

Mayor England introduced Item 11 and asked City Manager Royle to give his response.

City Manager Royle advised annually St. Johns County ask for a Legislative Action Plan from our City and advised that he needs to submit our Legislative Action Plan by July 24, 2020 and he needs approval from the Commission on what items the Commission want to give to St. Johns County.

Vice Mayor Kostka asked if any items on the list have been funded by the County.

City Manager Royle advised that not from the County; however, the beach restoration is funded by Tourist Development Council funds. Governor DeSantis has been asking the legislature to fund The Florida Forever Program and heard that The Florida Forever Program is purchasing Fish Island property with the City of St. Augustine.

Vice Mayor Kostka requested that beach restoration be on the list.

Mayor England asked to have Home Rule with Short-term rentals as one item. She asked to add to the list water quality, stormwater management, and sea level rise as a one item.

Commissioner Rumrell suggested putting the action plan with the County, but also go to the State Representatives ourselves and lobby for what we really need for the City.

Mayor England asked if Commissioner Rumrell was volunteering his time to put the list together and go to the State Representatives for other action items.

Commissioner Rumrell advised that he would work with City Manager Royle and have City Manager Royle circulate the list to the Commission before it is due on July 24th.

Commissioner George agreed that lobbying is important and can be done by the City. She suggested that all the Commissioners should utilize their contacts. She wanted to add to the list a reference to a municipal tourist development tax. She commented that she did not feel it would be done in a year or two, but the City could ask for it on the state level. There is a need for it. Other states charge for it and she hopes that the Commission would support it.

Mayor England suggested that both City of St. Augustine and our City lobby for it.

Commissioner George believed that she spoke with Mayor Shaver of the City of St. Augustine before and she agreed with it.

Mayor England asked City Manager Royle to call the City of St. Augustine and see if they would agree with that.

Commissioner Samora liked all the suggestions.

Vice Mayor Kostka had no comments.

Mayor England opened the Public Comments section. Being none, Mayor England moved on to Item 11.

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

Mayor England introduced Item 12 and asked City Manager Royle to give his response.

City Manager Royle advised due to COVID-19 there will be no conference this year. He explained that there will be a virtual business meeting and he needs to know who the voting delegate for the City will be.

After discussion, the Commission by consensus Vice Mayor Kostka as the voting delegate.

Mayor England opened the Public Comments section. Being none, Mayor England moved on to Item 12.

12. 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)

Mayor England introduced Item 13 and asked City Manager Royle to give his response.

City Manager Royle suggested that the budget hearing for the tentative property tax be Monday, July 27th at 5:30.

Mayor England opened the Public Comments section. Being none, Mayor England closed the public comments section.

After discussion, the Commission agreed to set the tentative property tax millage on Monday, July 27th at 5:30 p.m.

Mayor England moved on to Item XIV.

XIV. STAFF COMMENTS

Mayor England asked City Manager Royle for comments.

City Manager Royle thanked the Commission for the last two meetings and getting so much accomplished and getting clear direction from the Commission.

Finance Director Douylliez advised she is working on the budget. She explained that April's revenues had a \$20,000 decrease and the projected revenues for May and June will be late. She commented that budget spending has been frozen, and expenses have been curtailed. She received a statement that Florida's May's revenues were \$653 million. She explained that Communications / Events Coordinator applied for the Beach Blast Off grant.

City Clerk Raddatz advised that the Request for Proposal bids for the medical insurance have been received on July 1, 2020. She explained that the Evaluation Commission will meet on July 15th and they will be brought to the Commission on July 27th Budget meeting. She advised that there might be a decrease in costs from the prior year.

Public Works Director Tredik advised that he is working on Ocean Walk and did well on other grant applications. He has not heard yet on the Florida Recreation Development Assistance Program (FRDAP) yet but expected to and when that happens, he can move forward with Ocean Hammock Park. The Coastal Partnership grant is \$25,000, which would be used to design the interior phase of Ocean Hammock Park. The Mizell weir grant is subject to the final Water Management budget in September, but he has not heard anything that would lead him to believe that that was in jeopardy. He explained that he is still waiting on monies with FEMA for the weir construction.

Building Official Law advised he had no comments.

Police Chief Hardwick commented that the City had a presentation today regarding a life-saving event of a woman who was saved by a 14-year old boy and two nurses who helped bring the woman back to life and she was saved. He also spoke regarding national civil unrest; six years of accreditation and the policy review process for the accreditation; only one-third of the nation has an accreditation and the City of St. Augustine Beach has an unblemished record; Police Department does sensitivity training, but mostly does on-the-job training; in 2018 the Police Department had researched body cameras and had cost restraints and suggested the Smart Cop program; Police Officers in the City of St. Augustine Beach takes their jobs personally and are

dedicated to the City; the City has two female sergeants; Police Department is customer service based; gave examples of training; doing an internal affairs investigation on the two incidents in past years that were mentioned at last night's meeting and will be a public record with completed.

Mayor England advised that the Police Department is working and is efficient.

Commissioner George thanked Police Chief Hardwick and said that he has answered her questions.

Commissioner Rumrell applauded Police Chief Hardwick and his staff and said that it starts at the top and to take time to meet to help his officers understand how to deal with autism is wonderful. The Police Department is very well respected and appreciate the relationships that they have with the residents and the County. He has done an outstanding job with the Police Department and the response time is amazing. Usually they are first on the scene and applauded all the Police Department.

Police Chief Hardwick thanked his staff for being so dedicated to their profession.

Vice Mayor Kostka agreed with Commissioner Rumrell and advised that she has a great admiration for the Police Department and thanked them for everything they do.

Mayor England advised that she covered a lot of topics with Police Chief Hardwick.

Commissioner Samora gave accolades for the Police Department and advised that Police Chief Hardwick built an agency that is to be looked up to by all agencies state and countywide. He explained that when the Commission does his evaluations to speak to his officers not to him. He thanked all the Police Officers on his staff and said they are the best officers around.

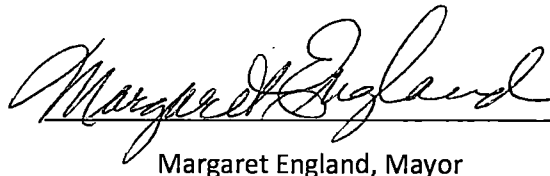
XV. ADJOURNMENT

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 8:21 p.m.


Margaret England, Mayor

ATTEST:

Beverly Raddatz

Beverly Raddatz, City Clerk