



## MINUTES

### REGULAR CITY COMMISSION MEETING MONDAY, AUGUST 3, 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, Assistant City Attorney Taylor, Police Sgt. Carswell, City Clerk Raddatz, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik.

#### IV. APPROVAL OF MINUTES OF THE EMERGENCY MEETING JULY 2, 2020, REGULAR COMMISSION MEETING OF JULY 6, 2020, THE REGULAR CONTINUATION MEETING OF JULY 7, 2020, AND SPECIAL COMMISSION MEETING JULY 7, 2020.

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

**Motion:** to approve the Emergency minutes of July 2, 2020, Regular Commission continuation meeting of July 6, 2020, Continuation of Regular Commission meeting on July 7, 2020 and the Special Commission meeting July 7, 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

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

City Manager Royle advised that there was one addition regarding a contract with Mayo Clinic for COVID-19 employee testing.

Mayor England added the item to New Business as Item 9.

Commissioner Rumrell requested the Commission to address Ocean Walk flooding.

Mayor England added the item to Old Business as Item 4.

VI. 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 to Public Comments Item VIII.

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, was disappointed under expenditures not seeing the solid waste subsidy because it is stealing from condo owners.

Ann Palmquist, 213 10<sup>th</sup> Street, St. Augustine Beach, FL, asked why the meeting is not being televised.

Richard Avoub, 712 Mickler Blvd., St. Augustine Beach, FL, spoke regarding the solid waste budget increasing and at this time with COVID-19 the City should be lowering the budget.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to all people to call in via telephone to participate in the meeting; wants a small civil rights museum at Pier Park; and wants the budget cut by 10%.

Mayor George closed the Public Comments Section and moved on to Item IX.

IX. COMMISSIONER COMMENTS

Commissioner Rumrell gave no comments.

Commissioner George requested staff to highlight the civil rights monument at Pier Park and would like this on the September agenda. She suggested having businesses or the public donate to events at the monuments or to use the money from the Tree Board go towards the civil rights monument events.

Commissioner Samora Zoomed the St. Johns County Visitor and Convention Bureau (VCB) meeting and their major topic was the \$2 million advance that the VCB gave to St. Johns County for advertising between June and end of September. He explained that the VCB will reserve half of the \$2 million to roll into next year's budget. He commented that the City's mask policy was recognized at the meeting.

Vice Mayor Kostka asked what advertising areas St. Johns County has been doing.

Commissioner Samora advised the VCB Executive Board had to retool the entire promotional plan for the area to focus on drive-in visitors from Florida.

Vice Mayor Kostka advised that the Census meeting was on July 16<sup>th</sup> and explained that St. Johns County was ranked number 2 in the entire State of Florida and exceeded the 2010 County, State, and National response rates. St. Johns County report has over five percent of the national response rate with 68 percent participation so far today. St. Johns County showed a population increase of 25 percent. This is important because it will help generations that come because it effects the county, state, and national level funding figures the City will receive in the future. County Commissioner Jimmy Johns worked with 34 agencies to get the response rate that we accomplished. She explained that the public can still do the census reporting at my2020census.gov online or a census worker will come to your door to ask simple questions in August 11<sup>th</sup>. She advised that St. Johns County received millions of dollars from the CARES Act and asked staff what the City has put into the CARES Act. She advised that the City has only asked for \$150,000 and asked for an explanation.

Finance Director Douylliez advised that the City requested reimbursement for staff overtime for closing and opening the beaches, sanitizing machines for the buildings, banners, masks, cleanings, restrooms for Ocean Hammock Park, but the deadline is not over for submission.

Vice Mayor Kostka asked staff to research what other items could be submitted for under the CARES Act.

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

#### X. PUBLIC HEARINGS

1. Ordinance 20-09, Public Hearing and Final Reading: to Amend Section 10 of the City Code re: Solid Waste Collection Regulations (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 1 and asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik showed a PowerPoint presentation (Exhibit 1) and explained the revising of Chapter 10 of the Code of Ordinances. He advised that he made modifications to the ordinance per the Commission's request at the first public hearing.

Mayor England thanked staff for doing such a good job. She then opened the Public Comments section. The following addressed the Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, appreciated staff's work on this and asked to get rid of the solid waste collection subsidy.

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

Commissioner Rumrell thanked Public Works Director Tredik for his hard work on this project.

Commissioner Samora asked about the September 30<sup>th</sup> date for the commercial waste and asked if that will be enough time for implementation.

Public Works Director Tredik advised yes. He explained that the cans have been ordered for the commercial customers, but the solid waste cans should be received before that date.

Commissioner George questioned under the residential section 10-4 (d) provision in the ordinance was not in the commercial section. She asked that (d) provision be put under the commercial section as well.

Public Works Director Tredik advised that it could and would be included.

City Attorney Taylor advised that a similar paragraph could be added to commercial section.

Commissioner George asked if this tax would be in effect on November 2020.

Public Works Director Tredik advised yes and that he would be sending another letter to the commercial owners before implementation starts.

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

City Attorney Taylor read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve the ordinance with the amendment to copy and paste in the residential section 10-4 (d) to the commercial section. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England.

Roll Call was as followed:

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

**Motion passes 4 to 1.**

Mayor England moved to Item 2.

2. Ordinance 20-10, Second Public Hearing and Final Reading: to Establish Mixed Use District Boundaries Along A1A Beach Boulevard (Presenter: Brian Law, Building Official)

Mayor England introduced Item 2 and asked Building Official Law to give a staff report.

Building Official Law advised that recommends as written and that there have been no changes from last month.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked if this ordinance would allow medical marijuana shops on A1A Beach Boulevard.

Building Official Law advised that medical marijuana shops can only operate on A1A South and not on A1A Beach Boulevard, so the mixed-use overlay would have no bearing on medical marijuana shops.

Mayor England closed the Public Comments section and asked for any further Commission comments. Being none, Mayor England asked City Attorney Taylor to read the title of the ordinance.

City Attorney read the title of the ordinance.

Mayor England made a motion.

**Motion:** to approve the ordinance on the mixed-use boundaries. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

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

**Motion passes unanimously.**

Mayor England moved to Item 3.

XI. CONSENT

None

XII. OLD BUSINESS

3. Opening of 2<sup>nd</sup> Street West of 2<sup>nd</sup> Avenue: Review of Options and Costs (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 3 and asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik advised there were a few changed circumstances. He explained that another owner has purchased the two lots that Mr. Kenney was going to purchase. The new owners are against the opening of 2<sup>nd</sup> Street. He explained that of the 16 homeowners on 2<sup>nd</sup> Street nine are in favor of opening 2<sup>nd</sup> Street, six are against opening 2<sup>nd</sup> Street and one did not give a response.

Mayor England advised that there needs to be 65% of the owners agreeing to the street opening.

Public Works Director Tredik advised that it has been the City's policy that there needs to be 65% of an agreement to change a street and allow for the special assessment.

Mayor England commented that there is not an applicant that wants to move forward with developing the lots currently and so the discussion should be done, but no vote should be taken at this time.

Public Works Director Tredik showed Exhibit 2, which shows the different ways the streets could be done to help in the development of the open lots and the drainage in the future and their costs analysis.

Discussion ensued regarding who would be paying for the drainage costs and whether legally the City would ask the residents to pay for drainage.

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

Marc Craddock, 116 2<sup>nd</sup> Street, St. Augustine, FL, advised that he and his wife are the new owners of the lots and requested not take any action today because he would not be developing the lots soon. He advised that 2<sup>nd</sup> Street is only 18 feet wide and is a safety hazard. Presented to the Commission Exhibit 3, maps of 2<sup>nd</sup> Street.

Regine DeTaledo, 309 St. George Street, St. Augustine, FL, opposed to development and has no plans to develop the lots and requested to pull this from the agenda.

Joe Pykosz, 109 3<sup>rd</sup> Street, St. Augustine Beach, FL, asked that when this is revisited to consider the businesses that would be operating on 1<sup>st</sup> and 3<sup>rd</sup> Street because of the safety issues.

Marilyn Garris, 613 Nautical Way, St. Augustine Beach, FL, was in favor of extending the road and has been waiting for the street for several years ago since she purchased her property.

Josh Patterson, 203 3<sup>rd</sup> Street, St. Augustine Beach, FL, explained that he was assured that the street would not be expanded when he purchased the home and asked that this not come up again.

James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine Beach, FL, commented that he represents eight lots owners on 2<sup>nd</sup> Street, and they want reasonable access and requested that this item be discussed.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, does not want to move this forward and to table it with extreme prejudice.

Mayor England closed the Public Comments section. She explained that nothing was ever formalized, and Commissions can change former Commission's decisions. She commented that this subject could be discussed and have action taken as this Commission wants to.

City Attorney Taylor advised that policies could be changed with new Commissions because it does not bind future Commissions' decisions. He explained that the Commission may want to have a special assessment or impact fees and anything extra would have to be done by the City. He explained that the lot owners have a reasonable expectation that they can develop their properties and when an application is received and the City does not do anything, then it could go to litigation.

Mayor England advised that this is a clean slate to consider what to do for all the residents and what can be charged.

Mayor England reopened the Public Comments section due to someone not being called. The following addressed the Commission:

Evelyn Hammock, 206 1<sup>st</sup> Street, St. Augustine Beach, FL, does not want development on 1<sup>st</sup> Street because of the parking issues, safety issues, and residents walking and riding their bikes.

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

Commissioner Samora commented that the owners have a right to have a street going to their property; however, with no applicant wanting it now nothing should be done at this time. He advised that no one wants the ingress and egress in their backyard. The plat was designed to

have 2<sup>nd</sup> Street and 2<sup>nd</sup> Avenue opened. He believes that there is a lot the Commission needs to consider.

Vice Mayor Kostka agreed with Commissioner Samora, but if the lot owners would develop 2<sup>nd</sup> Street being opened would make the most sense for emergency vehicles. She suggested to discuss it, but since there is no applicant the Commission cannot decide.

Building Official Law advised that the Comprehensive Plan, Transportation Element, clearly directs the City to pave all unpaved local roads.

Commissioner Rumrell advised that impact fees pay for new roads and we do have some impact fees coming from Embassy Suites construction. He asked staff if the lot owners were assessed and they do not want to pay, how does that work and if an applicant comes in, are they under a timeframe to develop?

City Attorney Taylor advised that there are rules and regulations when construction starts and ends, but if they cannot pay then it could be paid through impact fees or special assessments. He explained that the City would expect that the lot owners would pay to move forward.

Discussion ensued regarding a house usually generates \$20,000 toward impact fees; not moving forward until the money is received; not taking action without an applicant; following the plat design; wanting the street to be done properly like a smart street; protecting the green space as much as possible; and making all improvements for utilities in the street when it is being done.

It was the consensus of the Commission to table this item until an application is received.

Mayor England moved to the added item regarding Ocean Walk flooding.

**\*\* Added Item: Ocean Walk Flooding on Mickler Blvd.**

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

Public Works Director Tredik showed Exhibit 4 and explained all the work that was done during the expected Hurricane Isaias. He explained his concepts he would like to do to stop the flooding and commented that it would be expensive to do. He suggested backflow prevention on both ends and explained that there is a hump in the middle of the pipe on Mickler Boulevard. He remarked that more piping may need to be done and to have a stormwater pumping station between the two connections. He explained short-term and long-term goals and advised that keeping Ocean Walk homes from never flooding is not cost-effective, but a smaller system would protect the properties.

Mayor England asked when the rain hits the ground where the pipe is underneath, are there places when the water will go to get into the pipe>

Public Works Director Tredik advised yes, it is the underdrainage system. He explained that there are low spots in Ocean Walk and in those areas, it may be tricky, but there are options, such as tie-ins from yards.

Commissioner Rumrell advised that the plan is excellent, but the City needs to update the 2004 master stormwater drainage plan. He empathizes with the residents on Lee Drive and in the Ocean Walk community and explained that this has been an issue before but is more of an issue now. He suggested that City Attorney Taylor write a letter to the engineer and the

contractor who installed the piping to explained the problems and asked them to come to the City to verify the piping and the design of the plan. He advised that if the piping is wrong it needs to come out. He said that Public Works Tredik has done a good and timely job, but this would be the next step.

Public Works Director Tredik advised that the construction was per the plans and he could write a letter to the engineer and contractor who installed the piping. He explained that the engineer informally emailed that he was defending his design.

Mayor England asked that Public Works Director Tredik, Commissioner Rumrell and City Attorney Taylor get together to write a more formal letter based on the problems and explained to them exactly what the problems are.

Commissioner Rumrell explained that the end of last year the contractor missed 280 feet of piping in their cost analysis and asked for more money, so he is concerned that if something of that magnitude was missed, maybe they missed something else. Lee Drive residents would appreciate the City doing all we can immediately.

Commissioner George agreed with Commissioner Rumrell. She asked if there was independent quality control on site to verify that the pipe diameters were correct.

Public Works Director Tredik advised that the City verified it and the length of the pipe error made by the contractor was in the tabulation figures, but the contractor did have the piping in the plans.

Mayor England asked if the contractor and the engineer are the same company.

Public Works Director Tredik advised no, they are two separate companies.

Commissioner George asked if the engineer of the plans was the same company.

Public Works Director Tredik advised that the engineer is, but the name of the company has changed over the years.

Commissioner George asked City Attorney Taylor to read the contract. She asked that City Attorney Taylor answer whether the initial writer of the stormwater plan would bear any liability on this or not since the plan may have been flawed due to waiting so long to implement it. She asked for cost estimates on the interim plan and the long-term plan.

Public Works Director Tredik advised no he did not have costs estimates, but he could have them at the next Commission meeting. He explained that it will be a preliminary plan until the survey is received to formulate the cost estimate. The interim plan would have a tighter estimate for the Commission next meeting. He commented that there will be daytime construction, but not at night so the residents are not disturbed. There will be some disruption as with any major project. He commented that he did not feel the piping is the issue and would be a benefit to the residents with some tweaking. He is researching 16<sup>th</sup> Street flow to go quicker to the Mizell pond.

Commissioner George asked if a holding pond has been considered.

Public Works Director Tredik advised no and does not believe that it would show much. He suggested that the water needs to move to Mizell pond, and the City is building the weir pump station so it can handle the water. He suggested conveyance instead of storage. The proposed weir would accommodate elevation of seven feet and the pumps will be over 100



feet per second maximum capacity. The weir would be able to withstand a hurricane like Hurricane Matthew.

Commissioner George advised that the ditch would need greater capacity since the ditch was covered up because it holds less volume than it did. She requested the volume spread of water with the pumps working and the Mizell pond working based upon the different storm events and water accumulation events.

Public Works Director Tredik advised that he did not have the software for that. The private pond on 16<sup>th</sup> Street the elevation was two feet higher than the pond in Lakeside Park, so if the water can get quicker to Mizell, it would elevate a lot of flooding.

Mayor England asked if the engineer has the software to model it.

Public Works Director Tredik advised yes, but the City does not have the software. He explained that the City does need to update the stormwater drainage master plan.

Commissioner Samora asked if the short-term and long-term plans were done by Public Works Director Tredik.

Public Works Director Tredik advised yes. He explained that in the meantime staff would use pumps to block the flow into Ocean Walk.

Commissioner Samora asked whether the City has the easements to do the long-term plan.

Public Works Director Tredik advised no, not at this time. He would have to do more research on it.

Commissioner Samora advised that he agrees with Commissioner Rumrell that the City pays for engineering services and they have an error and omissions insurance if there was a mistake. He wants to get the engineer involved formally and was concerned about implementing anything like backflow prevention into a pipe that may not be designed for it. He wants the engineer on notice that the City is checking to see that everything was done correctly and wants the engineer's verification that if we do make modifications to improve the drainage on Lee Drive, that it would not have an even worse effect.

Vice Mayor Kostka agreed with Commissioners Rumrell and Samora to make sure that the pipes are in correctly because it is the City's obligation and requested to update the master stormwater drainage plan. She thanked Public Works Director Tredik for his work on this.

Mayor England advised that this is an update from Public Works Director Tredik and asked what will be done if there is a storm event in the future.

Public Works Director Tredik advised that he is cleaning the muck out of the ditch and he would watch any storm event closely and if necessary, block off the flow and pump down from the existing inlets. He explained that he had on hold a large pump in case it was needed. He suggested to move quickly on his interim plan because of hurricane season but will have to talk with Finance Director Douylliez on the financial aspect.

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

Travis Tabor, 15 Lee Drive, St. Augustine Beach, FL, said that his house will be under water during the next storm event and it causes a lot of stress, so the City needs to fix the problem.

Clarissa Jones, 46 Lee Drive, representing 9 Lee Drive, St. Augustine Beach, FL, asked for speedy action because 9 Lee Drive has flooded twice already.

Tasha Stanton, 44 Lee Drive, St. Augustine Beach, FL, explained that the water flow has changed since the development of Ocean Ridge and requested an independent engineer.

Benk Dagells, 34 Lee Drive, St. Augustine Beach, FL, asked that the pipe to be removed.

James Dougherty, 11 Lee Drive, St. Augustine Beach, FL, advised that the water flow is worse and advised that none of the water on Lee Drive can get to the pipe because on Mickler Boulevard the piping is 6" below the pipe.

Karen Kempler, 30 Lee Drive, St. Augustine Beach, FL, reviewed the drainage plan and it says its purpose was to improve drainage from 11<sup>th</sup> Street to Pope Road and asked why it did not take into account the drainage from Ocean Walk when Ocean Walk has the lowest elevations in the City. Not updating the stormwater drainage plan before this project was done does not make sense and was shortsighted for the City.

Mark Kempler, 30 Lee Drive, St. Augustine Beach, FL, explained that the Ocean Walk community was not notified and now people walk through the resident's backyards because there is no ditch.

Phil Wilson, 14 Lee Drive, St. Augustine Beach, FL, lives next to main drain and he loves the closure of the ditch, but not sure that if the piping works. There is always standing water and that needs to be corrected.

Raphael Saler, 27 Lee Drive, St. Augustine Beach, FL, thanked the Commissioners and staff who have come out to Ocean Walk to look at the problem and believe that the City did it backwards because the pumps should have been in before the piping. The homeowners did not get notices.

Matt Territo, 12 Lee Drive, St. Augustine Beach, FL, agreed with Public Works Director Tredik's plans and advised that since the piping was installed the water has gotten worse. He explained that the underdrainage would be in three sides of his property and would like to know what would be done.

Earl Ward, 10 Lee Drive, St. Augustine Beach, FL, explained that Ocean Walk have had numerous flooding on the north end of Lee Drive and agrees with installing the pumps along with the piping.

Nancy Lorch, 25 Lee Drive, St. Augustine Beach, FL, advised that the flooding has been worse since installing the pipes. She advised the flood leaves quickly; however, since the piping the flooding took days to leave and the flooding of homes was worse. She said this will bring property values down.

Clifford Wright, 8 Lee Drive, St. Augustine Beach, FL, asked to bring back the engineer to check the system.

Adel Wright, 8 Lee Drive, St. Augustine Beach, FL, explained that when a storm event happened the flooding went to sidewalk and now it floods the backyard for more than three days, which never happened before.

Clint Stoevers, 43 Lee Drive, St. Augustine Beach, FL, advised that there was an increase of flooding and advised that the water is not getting into the pipes.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked for a scientific expert from the University of Florida's Engineering and Construction Management Department for free or cheap.

Mayor England closed the Public Comments section.

It was the consensus of the Commission to have City Attorney Taylor formally write a letter to be sent to the engineer of record and installer of pipe.

4. Former Police Garage West of Former City Hall: Review of Lease with St. Augustine Beach Civic Association (Presenter: Max Royle, City Manager)

Mayor England introduced Item 4 and asked City Manager Royle to give a staff report.

City Manager Royle advised that this was discussed at the last meeting and City Attorney Taylor and the Civic Association created an agreement which allows the Civic Association to lease the property on behalf of themselves and three other organizations. He explained that Mr. Jones, President of the Civic Association, has discussed electricity and modifications to the building for the Civic Association to have access to the building. He commented that Mr. Jones is available if the Commission needs any answers regarding the Civic Association.

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

Ann Palmquist, 213 10<sup>th</sup> Street, St. Augustine Beach, FL, requested the City do a Request for Proposal on this item because it is not opened to the public and the Art Association may want to expand and are interested in the building. She requested an audit of the building before and after the Civic Association leaves.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, asked to not award this lease because the Civic Association is a 501 ( c ) 4 and it doesn't share their books and excluded the Deaf and Blind Band at their concerts.

Bill Jones, P.O. Box 840127, St. Augustine, FL, thanked City Attorney Taylor for creating the lease, but takes offense to several things said. He explained that the Art Association has had a key to the building for four years and are one of the members of the lease. IRS changed the Civic Association's designation from a 501 ( c ) 3 to a 501 ( c ) 4. He explained that the Civic Association has been a good partner with the City on many events for the community and disagrees with the few who do not like the Civic Association. He said we look forward to leasing the building from the City and explained that the building is uninhabitable and is used only for storage.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked the Commission to table this and reject the lease. He advised that the Civic Association is an all-white supremacy group that said they opposed the civil rights museum being placed in the City and that they didn't want to use SNAP money for the Farmers Market so west St. Augustine residents would not come to the City. He asked the finances of the Civic Association to be audited. This should be a license not a lease.

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

City Attorney Taylor advised that the lease gives the City a contractual agreement where the City sets the terms and the lease is at-will or month to month so if either party does not want to continue the lease, it can be terminated. He advised that if anyone wants to use the facility,

they could bring it to the attention of the City Manager and the Commission could change the relationship with the Civic Association. He explained that the space is not habitable and cannot be used for many purposes other than storage.

Mayor England advised that the building is not air conditioned, so it is not up to a normal storage space.

Discussion ensued regarding if the use changes, the building would have to be under current building standards; the tenants needing to have insurance for their use; a copy of the tenant's insurance would be at city hall yearly; the tenants and the City have a month to month lease in case either party wants to terminate the lease within 90 days; concerns regarding a five-year lease for \$1 annually; the Civic Association benefits the community; the City having budget concerns; City being obligated for the building structure; whether to charge \$50 a month for storage; other charitable organizations have been notified; whether to change the notice to 60 days, and have a three-year lease and charge \$100 annually.

Mayor England suggested a 60 days' notice clause, a three-year lease, and to charge \$100 annually.

Commissioner Samora advised that he would support 60 day notice and three-year lease. He explained that the Civic Association is building a partition between the Police Department and them at their costs and he is not worried about what the City charges the Civic Association.

Commissioner George supported Mayor England's suggestions.

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

Mr. Jones asked what the value of the 400 square feet lease for the City and whether the City really needs \$100 annually to save the budget. He explained that the Civic Association does not have the same income as before. He commented that the Scenic Highway organization brings thousands of people to the City, Civic Association helps local businesses, and was stunned that \$99 a year would matter.

Mayor England advised that it covers administrative costs.

Mayor England asked for a motion.

**Motion:** to approve the lease with the following changes: the fee would be \$100 a year, the term of the lease would be three years and the termination clause would be 60 days instead of 90 days. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

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

**Motion passes 3 to 2.**

Mayor England moved to Item 5.

5. Solid Waste Non-Ad Valorem Assessment: Request for Approval of Interlocal Agreement with the Tax Collector (Presenter: Max Royle, City Manager)

Mayor England introduced Item 5 and asked City Manager Royle to give a staff report.

City Manager Royle advised under Florida Statutes 197.3632 there needs to be a written agreement with the Tax Collector that spells out the terms of what the Tax Collector does for us and allows the Tax Collector to collect part of the money for his services. City Attorney Taylor prepared the agreement and it is similar the one previous Commission approved in 2011 for the first non-ad valorem assessment. He recommended approval.

Mayor England asked to correct typos in paragraph two and three.

As no Commissioners had any comments, Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and then made a motion.

**Motion:** to approve the agreement. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

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

**Motion passes unanimously.**

Mayor England moved to Item 6.

6. Ordinance 20-XX, First Reading: to Amend Section 6.02.03 of the Land Development Code for Provisions to Permit the Access of Private Property from Dead-End Streets (Presenter: Brian Law, Building Official)

Mayor England introduced Item 6 and asked Building Official Law to give a staff report.

Building Official Law advised the only change was that extensions may be granted for 30-day intervals at a fee of \$53 as authorized by the Public Works Director. The fee amount is the cost of a revision permit fee.

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

Fiona Godfrey, 240 Bluebird Lane, St. Augustine Beach, FL, asked what this ordinance does.

Mayor England advised that this ordinance would allow the City to establish a permit fee for vehicle access on dead end street to a resident's lot if approved by the Public Works Director for a limited period.

Ms. Godfrey opposes a barricade being put up.

Lee Godfrey, 240 Bluebird Lane, explained that he came to the meeting for the barricade.

Mayor England closed the Public Comments section and asked for any further Commission comments. Being none, Mayor England closed the Public Comments section or Commissioner comments she asked City Attorney Taylor to read the title of the ordinance.

City Attorney Taylor read the title of the ordinance.

Mayor England made a motion.

**Motion:** to approve the ordinance for first reading. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell.

Roll Call was as followed:

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

**Motion passes unanimously.**

**Motion:** to extend the meeting to 10:00 p.m. **Moved by** Mayor England, **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 passes unanimously.**

Mayor England moved to Item 7.

### **XIII. NEW BUSINESS**

7. Use of City Property Adjacent to Mizell Road Retention Pond: Review of Requests to Lease Parts for Injured Bird Recovering Facility and for Honeybee Hives (Presenter: Max Royle, City Manager)

Mayor England introduced Item 7 and asked City Manager Royle to give a staff report.

City Manager Royle advised Diane Spoden is here to request a lease of a portion of Mizell Road to help an Eagle Scout with a project for honeybee hives. Ms. Spoden would manage the beehives, which would be in a very small area that would be away from the public. He advised that Ms. Spoden is a Master Beekeeper and is managing similar beehive groupings of over 30 hives.

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

Diane Spoden, 7424 A1A S, St. Augustine, FL, advised that a young lady requested to help the beekeepers as an Eagle Scout project. She already built five beautiful beehives and where the

lease would limit public access. She explained that it is healthy to manage bees rather than allow feral bees to come onto the property. She would not comprise the bird facility that is located there and would like to locate the bees on the opposite side of the bird facility. She commented that the birds and the bees are compatible, and she would mow the yards next to the bees so staff would not have to worry about the bees.

Mayor England asked if the Ark knows that the bees would be coming.

Ms. Spoden advised not that she was aware of.

Mayor England asked Ms. Spoden to notify the Ark.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that he is in support the lease.

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

Commissioner George commented that it was a great idea to support the beehives.

Commissioner Rumrell agreed and said it would be a great opportunity for the City.

Vice Mayor Kostka asked where the beehives will be located.

Public Works Director Tredik advised that he does not have the final location but asked that when they are located to consider where staff is doing berm work on Mizell pond.

Vice Mayor Kostka thought it was a great idea.

Commissioner Samora agreed.

City Manager Royle advised that City Attorney Taylor would have to draft a contract on the terms and what is allowed and not allowed. He could bring the contract back under Consent Agenda at the next Commission meeting.

Mayor England made a motion.

**Motion:** to approve that we approve going forward with the lease for the beehives and that our City Attorneys work on the agreement to come back next month along with an agreement with the Ark and that both parties are aware of their existence on the property. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

Roll Call was as followed:

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

**Motion passes unanimously.**

Mayor England moved to Item 8.

8. Resolution 20-XX: Establishing Fees Related to Commercial Solid Waste Collection, Disposal and Recycling (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 8 and asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik advised the resolution modifies the fees regarding commercial solid waste collection, disposal and recycling and Exhibit A sets the rate at \$178 a year. He explained that the only change to the resolution is that it adds the condominiums and apartment complex fees.

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

Commissioners George, Rumrell and Samora had no questions.

Vice Mayor Kostka asked whether the residential rates were not higher than the commercial rates.

Public Works Director Tredik advised yes.

Mayor England made a motion.

**Motion:** to approve the resolution. **Moved by** Mayor England, **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 to Item 9.

9. Mayo Clinic Agreement: to Establish COVID-19 Testing for City Employees (Presenter: Beverly Raddatz, City Clerk)

Mayor England introduced Item 8 and asked City Clerk Raddatz to give a staff report.

City Clerk Raddatz explained that the City of St. Augustine has an agreement with Mayo Clinic to have the COVID-19 tests results of any employee within a two-day period. She reminded that if we passed the agreement with Mayo Clinic, employees could go back to work quickly and not wait seven to fourteen days to get their test results.

Mayor England asked what would happen with this contract when we change to Florida Municipal Insurance Trust (FMIT) in October.

City Clerk Raddatz advised that she checked with them and they were checking with United Healthcare to make sure that the City would be allowed free testing.

Commissioner Rumrell had no questions.



Commissioner George asked if this contract would apply to the Commission.

City Clerk Raddatz advised that the Commissioners are employees and could be covered under the City's insurance if they worked 25 hours a week. She explained that United Healthcare's requirement is that all employees must work at least 25 hours a week.

Commissioner George asked why the Commission then was not covered by the City's health insurance plan.

City Clerk Raddatz advised that the Commission could bring up the subject about the City paying the premiums for their health care and their dependent care.

Commissioner George thanked City Clerk Raddatz and advised that the appropriate time would be during the budget season; however, how would this go through someone else's health insurance.

City Clerk Raddatz advised that COVID-19 testing has been offered for free from United Healthcare. It will end in October, unless the free testing benefit is extended.

Commissioner George said for the record that she has had no problems with getting tested with all the traveling she had to do within the last several months and the question was not for her, but for the Commission and her colleagues. She advised that the Commission should discuss it with City Clerk Raddatz if they are interested in getting tested.

Vice Mayor Kostka advised that in Exhibit A it says that for compensation for the test if not covered by the City would be \$46.00. She explained that the advantageous part of this is that a person can be tested and have their results back in two days. She said that currently it takes between five to seven days to get test results and when COVID-19 first start testing took between seven and fourteen days.

Commissioner George agreed that Vice Mayor Kostka's point was well made.

Commissioner Samora asked if Flagler Hospital would do the same type of contract.

City Clerk Raddatz advised no; however, she would check into it for the Commission.

Vice Mayor Kostka advised that Flagler Hospital is having a five to seven-day turnaround currently.

Mayor England asked if staff could find a program similar would be closer to the City would that be great.

City Clerk Raddatz advised that she has not seen Flagler Hospital doing that, but she would check.

Commissioner Samora advised that he would not want to hold this up and asked City Clerk Raddatz to reach other facilities, but to go on with the contract.

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

Ed Slavin, P.O. Box 3084, St. Augustine Beach, FL, supports the contract and commended the City Clerk for taking the initiative to do it. He explained that there needs to be contact tracing and more personal protective equipment for the employees.

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

Mayor England asked for a motion.

**Motion:** to approve the Professional Services Agreement with Mayo Clinic COVID-19 testing subject to final review and approval by the City Attorney. **Moved by** Mayor England, **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 to Item XIV.

XIV. STAFF COMMENTS

Mayor England asked City Manager Royle to give the staff.

City Manager Royle the Commission for getting through all the items because the voting machines will be delivered tomorrow.

Public Works Director Tredik advised the Commission that he met with a gentlemen for the electric vehicle charging station and very soon there should be a charging station in the parking lot.

XV. ADJOURNMENT

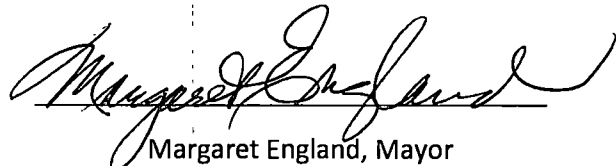
**Motion:** to adjourn. **Moved by** Mayor England, **Seconded by** Commissioner Samora.

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 9:52 p.m.



Margaret England, Mayor

ATTEST:

Beverly Raddatz

Beverly Raddatz, City Clerk