



AGENDA

REGULAR CITY COMMISSION MEETING

MONDAY, May 3, 2021 AT 6:00 P.M.

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

NOTICE TO THE PUBLIC

THE CITY COMMISSION HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE COMMISSION UNDER "PUBLIC COMMENTS."

RULES OF CIVILITY FOR PUBLIC PARTICIPATION

1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages a fair discussion and exchange of ideas without fear of personal attacks.
2. Anger, rudeness, ridicule, impatience, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
3. When persons refuse to abide by reasonable rules of civility and decorum or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

"Politeness costs so little." – ABRAHAM LINCOLN

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON APRIL 5, 2021**
- V. **ADDITIONS OR DELETIONS OF THE AGENDA**
- VI. **CHANGES TO THE ORDER OF TOPICS ON THE AGENDA**
- VII. **PRESENTATIONS**
 - A. North Florida Transportation Planning Organization's Five-Year Transportation Improvement Program by Ms. Wanda Forrest, Transportation Planning Manager
 - B. Proclamation to Declare May 2021 as Motorcycle Safety Awareness Month by Ms. Sue Hendrick, President of ABATE (A Brotherhood Aimed Towards Education)
 - C. Proclamation to Declare June 2021 as Gay Pride Month by Ms. Sara Bloomberg
- VIII. **PUBLIC COMMENTS**
- IX. **COMMISSIONER COMMENTS**

X. PUBLIC HEARINGS

1. Ordinance 21-04, Second Reading, and First Public Hearing: to Amend the Land Development Regulations to Change Setbacks for Small Platted Lots and to Abolish the Overlay District Adjacent to A1A Beach Boulevard (Presenter: Brian Law, Building Official)

XI. CONSENT

XII. OLD BUSINESS

2. Drug / Alcohol Rehab and Medical Facilities: Review of Proposal of Where to Locate (Presenter: Lex Taylor, City Attorney)
3. Construction of 2nd Street West of 2nd Avenue: Approval of Non-Ad Valorem Assessment for Adjacent Lot Owners to Pay Costs (Presenter: Bill Tredik, Public Works Director)
4. Resiliency Study: Presentation of Report by Bill Tredik, Public Works Director
5. Pay for City Commissioners: Consideration of Adjusting (Presenter: Patty Douylliez, Finance Director)
6. Upcoming Workshops: Consideration of Scheduling One or Two in May for Solid Waste / Recycling Operations, Creating a Stormwater Utility, and Other Topics (Presenter: Max Royle, City Manager)
7. Public Parking: Discussion of Where to Allow and Not Allow Parking and Creating Five-Year Plan for Improvements (Presenters: Max Royle, City Manager; Bill Tredik, Public Works Director)
8. Ordinance 21-05, First Reading, to Vacate Alley between B and C Streets West of A1A Beach Boulevard to 2nd Avenue (Lots 1-16, Block 40, Coquina Gables Subdivision) (Presenter: Brian Law, Building Official)
9. Ordinance 21-06, First Reading, to Vacate Alley between A and B Streets, between 3rd and 4th Avenues (Lots 1-16, Block 49, Coquina Gables Subdivision) (Presenter: Brian Law, Building Official)

XIII. NEW BUSINESS

10. City-Wide LED Streetlight Conversion: Request to Approve Phase 1 for Lights Along the Boulevard, Pope Road, 16th, 11th, and A Streets (Presenter: Bill Tredik, Public Works Director)
11. Proposed Personnel Manual Changes: Resolution 21-17, Minor Changes Regarding Shift Work for the Police Department; Resolution 21-18, Regarding Minor Changes to Standards of Conduct and Discipline; Resolution 21-19, Deleting Provision Regarding Employees Making Personal Long-Distance Telephone Calls; Resolution 21-20, Deleting Sick Pay Incentive and Adding Birthday Holiday in Place of Incentive; and Resolution 21-21, Concerning Changes to Criteria of Employees Who Can Donate Time or Be Recipient of Donated Time (Presenter: Beverly Raddatz, City Clerk)
12. Long Range Financial Planning: Review of Report (Presenter: Patricia Douylliez, Finance Director)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on Wednesday, May 12, 2021, at 6:00 p.m. in the Commission meeting room at city hall.
2. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, May 18, 2021, at 6:00 p.m.
3. **ART IN THE PARK:** The City, the Cultural Council, and the Art Studio will present Art in the Park on Saturday, May 22, 2021, from 11 a.m. to 5 p.m. The location is the City's Lakeside Park to the east of the police station. Local artists will present their works for sale and a local musician or musicians will provide entertainment. The public is encouraged to walk or bicycle to the event.
4. **HOLIDAY, MEMORIAL DAY.** It will be observed on Monday, May 31, 2021. CITY OFFICES CLOSED. There will be no pickup of household waste on that day. Residents who usually have pickup service on Monday will have service on Tuesday. There will be no change to the recycling and special waste pickup schedule that week.

NOTE:

The agenda material containing background information for this meeting is available on a CD in pdf format upon request at the City Manager's office for a \$5 fee. Adobe Acrobat Reader will be needed to open the file.

NOTICES: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office not later than seven days prior to the proceeding at the address provided, or telephone 904-471-2122, or email sabadmin@cityofsab.org.



MINUTES

REGULAR CITY COMMISSION MEETING

MONDAY, APRIL 5, 2021 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 led the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor England, Vice Mayor Samora, Commissioner George, Commission Rumrell and Commissioner Torres.

Also present were: City Manager Royle, Assistant City Attorney Taylor, Police Chief Carswell, Police Commander Harrell, City Clerk Raddatz, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik.

IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON MARCH 1, 2021 AND THE COMMISSION WORKSHOP ON MARCH 8, 2021

Mayor England asked if there were any discussions regarding the meeting. Being none, Mayor England asked for a motion.

Motion: to approve the Regular Commission minutes for March 1, 2021 and the Commission Workshop minutes on March 8, 2021. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions of the agenda. Being none, Mayor England moved to Item VI.

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.

City Manager Royle essential items besides the public hearings are Item 9 regarding the Police Chief designation, Item 10 regarding Light Up the Night Fireworks, Item 11 regarding Mizell Drainage pond, and there may be people here to discuss Item 17 regarding the Drug and Alcohol Rehabilitation Clinics.

Mayor England advised that she would move Item 17 after Item 11.

The Commission agreed on the change in the order of the topics on the agenda.

VII. PRESENTATIONS

- A. Sons of American Revolution 2021 Law Enforcement Commendation Award to Officer Dominic Giannotta

Mayor England introduced Item VII.A. and then asked Officer Dominic Giannotta and Charles Knuckles to come to the podium.

Charles Knuckles and Jerry Hanchett, Members of the Sons of American Revolution St. Augustine, FL, presented Officer Dominic Giannotta the 2021 Law Enforcement Commendation Award for his positive attitude, high productivity, being a team player, serving the community and being an outstanding officer.

Mayor England thanked Officer Giannotta for serving our City. She then moved on to Item VIII.B.

- B. Florida Police Chief Association's 2019 Lifesaving Award to Officer David Jensen by Orange Park Police Chief Gary Goble

Mayor England introduced Item VII.B. and then asked Chief Goble and Officer David Jensen to come to the podium.

Chief Gary Goble, Orange Park Police Department and Member of the Florida Police Chiefs Association, 2636 Mitcham Drive, Tallahassee, FL, advised that on October 8, 2019 Officer Jensen responded to a group of swimmers in distress on the beach near Sea Colony. He and other officers arrived on scene and found two swimmers unable to get to shore and screaming for help. They, along with St. Johns County Marine Rescue, entered the water during very extreme ocean conditions and were able to bring both subjects back to shore. Everyone was safe and unharmed.

Mayor England moved on to Item VII.C.

- C. Proclamation to Declare April 2021 as Sexual Assault Awareness Month by Ms. Jackie Meredith of the Betty Griffin Center

Mayor England introduced Item VII.C. and advised that Ms. Meredith was not in attendance but being that the Commission is very knowledgeable of the work of the Betty Griffin Center she suggested that the Commission make a motion to approve April 2021 as Sexual Assault Awareness Month.

Motion: to declare April 2021 as Sexual Assault Awareness Month. **Moved by** Mayor England, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Public Comments because the speaker for VII.D. was not available yet because they were giving an audit report to a different city but would Zoom in when available.

- D. Audit Report for Fiscal Year 2020 by Representatives of the City's Auditing Firm, James Moore, and Company

Mayor England introduced Item VII.D. and then asked James Halleran, CPA, to discuss the audit report via Zoom.

Mr. Halleran of James Moore & Co., 121 Executive Circle, Daytona Beach, FL, thanked City Manager Royle and Finance Director Douylliez for preparing the information for the audit report. He then showed his PowerPoint presentation (Exhibit 1). He advised that the City received unmodified or clean opinion. He explained the three levels of comments they give as auditors which are: level 1 - material weakness; level 2 - sufficient deficiency, and level 3 - recommendations and suggestions. Level 3 is reported to the Auditor General. He had one repeat comment concerning the preparation of financial statements, which is common for this size City. He explained that the previous Finance Director left, and Finance Director Douylliez is working to be at that level. This comment will be

resolved. A prior comment that was corrected was the reconciliation of some of the General Account balances. Two new comments due to the size of the Finance staffing were who can prepare journal entries in the accounting system, who is approving them, and the documentation of the approvals. In a couple of incidents, there was no documentation of approvals so the auditors can know that it has occurred. One issue was a cash bank reconciliation not tied to the general ledger and suggested in the future to properly reconcile each month. The management letter that is required by the Auditor General had one new recommendation regarding building permit fees, which requires if the balance is greater than the last four years, then the balance needs to be spent or reduce the permit fees or refund the money back to people who paid in. Usually no city refunds the money, but they change the permitting fees or allocating the expenses that are appropriate to the Building Department. He advised that the General Fund Balance comment from last year has improved by increasing the General Fund Balance to 17% even though it needs 20% per the Charter and the City increased the Road and Bridge Fund, so there was no deficit. There were no comments made on the Investment Policies in relation to State of Florida statutes. The impact fees have been expended for the correct purposes according to the affidavit that Finance Director Douylliez signed. On page 48 there are management direction comments. The General Fund had \$2.7 million, which is close to last year's balance. The Assigned Fund Balance is \$425,000 and in the previous year it was \$650,000. Some of the difference in the money was to make up for the deficit in the Road and Bridge Fund. There is still an unassigned deficit. The General Fund should have at least two months of revenues for expenses and being a coastal community, it should be more. The internal policy should be 20 percent and the General Fund Balance is at 17%. He explained because of COVID the City cut some of the workforce and cancelled events to save money, which is the correct procedure. There were no FEMA monies coming in because there were no hurricanes this year. Property taxes increased about 9.5 percent from the prior year. Expenses only increased about \$66,000, which is less than 1%. Most of the expenses were around public safety and salary increases. The Road and Bridge Fund does have a positive fund balance this year and so part of last year's comment will be resolved, but there is still a deficit of \$63,000 in the unassigned balance. The General Fund increased by \$987,000, which helped with the deficit from the prior year. The City is with Florida Retirement System (FRS) and the state sets the contribution rates. For general employees, the pension rate went up 1.5% for a total of 10%. The liability did increase by \$1.4 million. FRS has two plans that pay for pension and benefits. Employees can stay on the City's health insurance if they choose to, which has an accounting liability and increased slightly.

Finance Director Douylliez went over the management response. She explained that she needs to go to training for the preparation of the financial statements, but with COVID-19 she was unable to attend. Approval of general entries should have two staff members doing separate functions and that was why another full-time staff member is needed. Fund deficits have improved and should be corrected this year. The building permit balances are being used for new software for the Building Department and other departments and reviewing the building permit fees.

Commissioner Samora asked what the timeframe for the Building Department to reduce the overage.

Mr. Halleran advised there is no direct timeframe according to Florida statutes, but if there is movement in the fund balance the comment will be removed.

Commissioner Torres asked about the auditor's comment on the 2020 cash accounts.

Finance Director Douylliez advised that she neglected to put a check into the payable system as a check that was written. So, when the reconciliation was done, it did not show an outstanding check. She advised that there should be a separation of duties and that is why a full-time employee is needed.

Mayor England thanked Mr. Halleran and Finance Director Douylliez for all the hard work that went

into this report. She then moved on to Item 1.

VIII. PUBLIC COMMENTS

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

Katie Levers, 611 Poinsettia St., St. Augustine Beach, advised that some of the transient renters are blocking and parking on a public sidewalk at 501 C Street. She commented that she has discussed this with Sgt. Gillespie, and she told her that the only way she could enforce people not parking on the sidewalk is if there were signage saying no parking. Officer Gillespie explained that she would not ticket or tow anyone on 5th Street sidewalk without signage. Ms. Levers advised she did call Assistant Public Works Director Ken Gatchell but has not received a call back from him.

Mayor England advised that staff would investigate into this issue.

Commissioner George suggested that Ms. Levers discuss this with the landlord as well.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, asked about the American Rescue Plan Act, which is giving \$2.9 million to the City of St. Augustine Beach. He asked how this money will be used and wanted the Commission to discuss this at future meeting.

IX. COMMISSIONER COMMENTS

Mayor England opened Commissioner Comments and asked Vice Mayor Samora to comment.

Vice Mayor Samora commented that he attended the Tourist Development Council (TDC) meeting and sent the Commission an email explaining that the TDC is making a recommendation to the Board of County Commissions to add a fifth cent of bed taxes in St. Johns County. The TDC will give guidance to the St. Johns County Commission on how to spend the fifth cent bed tax, which is about \$3 million. He asked what our City would like to recommend to the TDC. He listed items that were discussed at the TDC meeting, such as beach services, beach renourishment, beach access, marketing for tourist for St. Johns County destination, sports destination marketing, building facilities to host sports, parking, and sidewalks. He suggested that this item be discussed at a meeting.

Commissioner George suggested heavily advocate with the City of St. Augustine for a specific allocation for a percentage of the funding dedicated to municipalities. If it is categorized in that way, it would be more beneficial to the City and could be designated to specific projects, such as sea oats. The City could allocate under those specific projects going forward in the future. She suggested to include walkovers for beach access, parking, sidewalks, beach patrol reimbursements, and infrastructure to the category.

Commissioner Rumrell agreed with Commissioner George and suggested that any infrastructure like road, flooding, etc. would be important for the City. Most of the infrastructure is being used by tourists.

Mayor England asked Vice Mayor Samora and City Manager Royle work together to present a proposal to the TDC.

Commissioner Torres agreed with the suggestions and advised that he is a big advocate on beach patrol, additional parking, funding for maintenance for the Public Works Department that monitor the beach and street cleanups from the tourists.

Vice Mayor Samora advised that he would work with City Manager Royle to bring the City's recommendations to the next TDC meeting.

Mayor England asked City Manager Royle to make a list of all the suggestions and distribute it to the Commission.

Commissioner George asked if the Pride Proclamation for June has been done.

Mayor England advised that the proclamation will be presented at the May Regular Commission meeting.

Commissioner George advised that she has been working with the local artists on the civil rights memorial at the pier. Sylvi Harrick of St. Augustine contacted her and would like support to continue the dialogue with the artist who was a former professor at Flagler College. Ms. Harrick has done art in public spaces in Gainesville and in other areas. Ms. Harrick would like to work with other artists in the community as a collaborator. She would like the Commission's approval to proceed and would present back to the Commission what her recommendations would be. Ms. Harrick would like to construct something with materials that would withstand the environment embracing concepts of using space and art as a peace maker and inviting people of all ages, especially children. The piece would be permanent, but movable. She needs to know where there was access to electricity and where the City would be open to the space concept including landscaping modification.

Mayor England advised that the Events Coordinator has had discussions with Christine Parrish from the Cultural Council for grant funding, so they should work together.

Commissioner George advised that she would let Ms. Harrick know to connect with Ms. Parrish and the other local artists.

Mayor England asked that Commissioner George and the Events Coordinator communicate with the Commission on their progress.

Commissioner George advised that she would like to change the August Regular Commission meeting to the second Monday in August because she will be out of town.

Commissioner Rumrell advised that Greg Caldwell, Public Works Director from St. Johns County advised he is doing a study on what would be the best locations for the lighted crosswalks on A1A Beach Boulevard. He thanked County Commissioner Henry Dean, Public Works Director Bill Tredik, and Chief Carswell for helping the City in this process. He explained that the Ocean Walk project has been approved for funding for a \$347,000 study and he is trying to recoup some more funding via of a Senate Bill. He also advised that Officer Martinez pointed out to him that on the north side of the pier to Pope Road during high tide, there is no beach so officers have to go over rocks to do any rescues and he would like that fixed via beach renourishment.

Commissioner Torres had no comments.

Mayor England had no comments. She then moved to Item VII.D.

X. PUBLIC HEARINGS

1. Request for Conditional Use Permit to Build Four Single-Family Residences in a Commercial Land Use District at 103 E Street and 104 F Street (Lots 5,6,7, and 8, Block 43, Coquina Gables Subdivision, Mr. James Whitehouse, Agent for the Owners, Mr., and Mrs. Len Trinca) (Presenter: Brian Law, Building Official)

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

Building Official Law advised this is a conditional use permit for the four western lots between E and F Streets to build single-family residents. Staff recommends constructing these residences as in a medium-density sector. The Comprehensive Planning and Zoning Board voted 7 to 0 to approve this conditional use permit.

Mayor England asked the Commission if they had any questions for the applicant or Building Official Law. Mayor England opened the Public Hearing. Being none, Mayor England asked for a motion.

Motion: to approve the conditional use permit. **Moved by** Commissioner Torres, **Seconded by** Commissioner Rumrell.

Vice Mayor Samora asked if the motion included the conditions of the Comprehensive Planning and Zoning Board.

Mayor England asked to amend the motion to include the conditions of the Comprehensive Planning and Zoning Board.

Motion: so moved. **Moved by** Commissioner Torres, **Seconded by** Commissioner Rumrell.

Commissioner George asked for clarification on the motion. She requested to include "in accordance with the City Land Development Regulations including, but not limited to minimum setback requirements, maximum impervious surface ratio, maximum lot coverage, and maximum building height" in the motion.

Motion: to approve with the language including, but not limited to. **Moved by** Commissioner Torres, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved to Item 2.

2. Request for Conditional Use Permit to Build a Single-Family Residence in a Commercial Land Use District at 104 3rd Street (Lot 9, Block 19, Chautauqua Beach Subdivision, Ms. Deborah Rodrigues, Agent for the Owner, Mr. Dwight Preheim) (Presenter: Brian Law, Building Official)

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

Building Official Law advised that the Comprehensive Planning and Zoning Board and the Building Department requested the exact same terms. He stated that the Land Development Codes takes precedent in the medium-density sector for construction purposes.

Mayor England asked for Commission discussion.

Commissioner George asked if any discussion came up regarding the large tree in the Comprehensive Planning and Zoning review because there was a comment that there was a tree larger than 85 inches in diameter.

Building Official Law advised that it would come up during construction that if the tree is over 30 inches it would have to go back to the Comprehensive Planning and Zoning Board.

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

Motion: to approve the conditional use permit for 104 3rd Street based on the findings and facts from the Comprehensive Planning and Zoning Board and the motion includes the same language as the prior motion. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved to Item 3.

3. Request for Conditional Use Permit to Build a Single-Family Residence in a Commercial Land Use District at 12 6th Street (Lot 13, Block 5, Chautauqua Beach Subdivision, Jeffrey and Marcia Kain, Applicants) (Presenter: Brian Law, Building Official)

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

Building Official Law advised that this is the lot east of Obi's restaurant. He explained that staff has researched the public records to see if there were any correlation between the two lots and found none. There is no legal binding agreement that staff could find that was issued with the mixed-use order that closed in the porch. Staff advised that there is enough parking for Obie's, keeping in

mind that Obi's is very small. He recommended to treat this property as medium density and the Land Development Code takes precedence.

Mayor England advised that this was approved by the Comprehensive Planning and Zoning Board. She explained that the Commission wanted to save commercial property; however, this has a commercial frontage already.

Commissioner George asked if the approval of the conditional use permit for the expansion of the porch for Obi's at the time, did the owner asked to have this lot be considered for parking.

Building Official Law explained that he was unaware of that because it was before he came to the City.

Mayor England called today and was ensured that Obi's has adequate parking that meets the codes.

Discussion ensued that if another property comes with a lease to include the parking it would be denied immediately.

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

Motion: to approve the conditional use permit for Lot 13, Block 5, Chautauqua Beach Subdivision and with incorporating the conditions from the Comprehensive Planning and Zoning Board and to include the language "including, but not limited to." **Moved by** Commissioner Torres, **Seconded by** Commissioner Rumrell. Motion passes unanimously.

Mayor England moved to Item 4.

4. Request to Vacate Alley between B and C Streets West of A1A Beach Boulevard (Lots 1-16, Block 40, Coquina Gables Subdivision) (Presenter: Brian Law, Building Official)

Mayor England introduced Item 4 and asked Building Official Law for his staff report.

Building Official Law advised that the Comprehensive Planning and Zoning Board recommends approval with the condition to use the alley in the future as utility and drainage easements if needed. No permanent construction would be allowed in the alleyway.

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

Motion: to approve the vacating of the alleyway between B and C Streets. **Moved by** Commissioner George, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved to Item 5.

5. Request to Vacate Alley between A and B Streets West of 3rd Avenue (Lots 1-16, Block 49, Coquina Gables Subdivision) (Presenter: Brian Law, Building Official)

Mayor England introduced Item 5 and asked Building Official Law for his staff report.

Building Official Law advised that this is the same terms, and it has been recommended for approval by the Comprehensive Planning and Zoning Board. He advised that it should be maintenance for a utility and drainage easement so no permanent structures should be placed in the alleyway. He advised that the one more resident signed the letter to vacate the alleyway which makes it 70%.

Exhibit 2 was the agreement to vacate the alleyway by Eugeniq Trousdell and was given to the City Clerk.

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

Motion: to approve vacating the alleyway between A and B Streets west of 3rd Avenue with the conditions of the Comprehensive Planning and Zoning Board and the additional 70% rule. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved to Item 6.

6. Ordinance 21-01, Second Public Hearing and Final Reading, to Amend the Land Development Regulations to Allow Mobile Food Sales in the City (Presenter: Brian Law, Building Official)

Mayor England introduced Item 6 and asked Building Official Law for his staff report.

Building Official Law advised that this is the final reading to allow mobile food sales in the City. City Attorney has made all the changes requested by the Commission.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and asked City Attorney Taylor to read the preamble.

City Attorney Taylor read the preamble.

Mayor England asked for a motion.

Motion: to approve Ordinance 21-01. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved to Item 7.

7. Ordinance 21-02, Second Public Hearing and Final Reading, to Amend the Comprehensive Plan to Adopt by Reference the School Board's Five-Year District Facilities Workplan (Presenter: Brian Law, Building Official)

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

Building Official Law advised there were no changes.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and asked for City Attorney Taylor to read the preamble.

City Attorney Taylor read the preamble.

Mayor England asked for a motion.

Motion: to approve Ordinance 21-02. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved to Item 8.

XI. CONSENT

8. Proclamations: a. to Declare April 2021 as Water Conservation Month in Florida, b. to Declare April 28, 2021, as Arbor Day in the City

Mayor England asked for a motion to the Consent Agenda.

Motion: to approve the Consent Agenda. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item 9.

XII. OLD BUSINESS

9. Police Chief Consideration Appointing Interim Chief Dan Carswell as a Permanent Chief:
(Presenter: Max Royle, City Manager)

Mayor England introduced Item 9 and asked if any Commissioner want a nationwide search.

It was the unanimous consensus of the Commission not to go out for a nationwide search.

Mayor England asked the Commission if they wanted to go for a statewide search.

It was the unanimous consensus of the Commission not to go out for a statewide search.

City Manager Royle asked the Commission if they would allow Interim Chief Carswell to speak.

Interim Chief Carswell thanked all the Police Officers, County Commissioner Dean, Sheriff Hardwick, and others who came to support him. He commented that on November 9, 2020, he began being the Interim Chief of Police after the recommendation of Sheriff Hardwick. He explained that after discussions with the Commission there were some key points that the Commission wanted to accomplish as follows: 1) to maintain the Police Accreditation, which the Police Department passed at 100% compliance rate on February 18th; 2) He hired new staff for accreditation after the previous staff member retired; 3) how staff would be affected by the transition, and since then he has hired a new accreditation employee, Commander Harrell, promoted Jackie Parrish as the Administrative Manager, also hired a segreant, corporal, detective, an administrative assistant and hired two officers and now are at full staff and running smoothly; 4) concerns regarding communications and he has kept the Commission up-to-date with major events throughout the City and any help with the COVID vaccinations; 5) educational requirements were a concern and he has enrolled for his Master's Degree at Barry University and will go to the FBI Academy as soon as they open again; 6) he has completed the Police Department's policy review, which meets the current accreditation criteria; 7) meets monthly with the Finance Director regarding the Police Department's budget and she has been a big help in getting funding for beach services; 8) recently signed an Memorandum of Understanding with the Florida Department of Law Enforcement Officers on any officers in custody deaths or officer involved shootings, which will be an independent agency; 9) meets with Sheriff Hardwick weekly and Sheriff Hardwicks ensures that he would help with the City's major events, major crime investigations and dispatch; 10) met with St. Augustine Police Chief Barry Fox and future Police Chief Jennifer Michaux; 11) met with Ben Rich and Jim Parker at the State's Attorney's Office; and 12) the patrol activity has increased, but the overtime is down and the morale of the agency is great. He advised that is it not easy to take over for Sheriff Hardwick, but the agency is moving forward and doing well. He feels that it is beneficial for the Police agency to promote within, and this agency thrives under consistency and clear leadership. He remarked that he loves this agency, this community, it has become a second home to him, and the Commission will not find anyone who will work harder to this community than him. He appreciated everything that everyone has done for him and would appreciate the Commission designate him as their Police Chief.

Commissioner Rumrell thanked Chief Carswell and to see firsthand how your officers respond to you and he welcomed him as the City's permanent Chief.

Commissioner George commented that Chief Carswell has done a great job and welcomes him as the new Chief as well.

Mayor England thanked all those who have come to support Chief Carswell and advised that she will open the Public Comments section. The following addressed the Commission:

County Commissioner Henry Dean, 224 North Forrest Dune Drive, St. Augustine Beach, FL, advised as a resident he strongly supports Dan Carswell. He explained that he has a concern to protect the community and especially the children. He advised that as a County Commissioner, the City Commission will have the same relationship as Sheriff Shore had with Police Chief Hardwick.

Sgt. Natalie Gillespie, 2300 A1A S, St. Augustine Beach, FL, advised that this time last year the Police Department was planning Dan Carswell's funeral and in one year he has become the City's Chief of Police. He pushed through the illness and came back to the agency. This is the type of person everyone should want to lead the St. Augustine Beach's Police Department. Chief Carswell has put his heart and soul into the agency from 2006 until now. There will always be changes, but at this point there have been enough changes in the year. Chief Carswell has kept the officers in line with all the changes happening to complete their mission and protect the citizens and tourists alike. Accreditation is something all the officers take pride in. Chief Carswell demands the best of his officers every day. Please take this support from us into your decision.

Sheriff Robert Hardwick, 4015 Lewis Speedway, St. Augustine, FL, advised that Chief Carswell gave him a lot of accolades, but it because of his staff, like Jim Parker, Lee Ashlock, and Chief Carswell that got him where he is today. The search cost the previous Commission \$25,000 when he was around the corner. He will support Chief Carswell and the City Commission and will provide any services that Chief Carswell asks for. He recommended to the Commission to keep him as the permanent Chief of Police for the City. The FBI Academy is closed, and he will be in first inline as a sitting Police Chief.

Officer Travis Smith, Florida Department of Law Enforcement, 921 N. Davis Street, Jacksonville, FL, supports Chief Carswell and Commander Harrell. Chief Carswell has a great relationship between the federal, state, and local agencies.

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

Motion: to retain as our Chief of Police Interim Chief Carswell. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England congratulated Police Chief Carswell and then recessed the meeting at 7:31 p.m. and reconvened at 7:36 p.m.

Mayor England moved to Item 10.

10. Light Up the Night Fireworks Show for December 31, 2021: Presentation of Report by Ms. Melinda Conlon, Communication and Events Coordinator

Mayor England introduced Item 10 and asked for Communication and Events Coordinator Melinda Conlon.

Events Coordinator Conlon advised in February's Regular Commission meeting it was the consensus of the Commission to do at least a fireworks' show. She advised that she is moving forward to plan a fireworks' show, but she does not have all the specific information yet.

Mayor England asked if there was a proposed financial report for the budget.

Events Coordinator Conlon advised that she is planning to move the event throughout A1A Beach Boulevard instead of just at Pier Park. She explained that there would be fewer port-o-lets and lights if it is spread out. She suggested instead of out-of-town vendors to use the local businesses. She advised that the cost would be at least \$10,000 for the port-o-lets, the light towers, advertising, signage, etc. The cost of labor would be \$12,500.

Mayor England asked about the revenues from sponsors.

Events Coordinator Conlon advised that she is working to get all the sponsors that the City received money from before. Old Town Trolleys is donating their services as in-kind sponsor. She advised that the trolleys are all enclosed and ADA compliant.

Commissioner George asked about school buses.

Events Coordinator Conlon advised that the trolleys would be in lieu of the school buses because

of the costs. The City of St. Augustine is moving forward with their fireworks show, but they are not having or satellite parking or shuttles. She explained that the trolleys would pick up from one location at Anastasia Baptist Church and drop off at three locations along A1A Beach Boulevard.

Commissioner George asked if Anastasia State Park has been talked to about parking.

Events Coordinator Conlon advised yes, and she was thinking of charging, but she did not know how the money would be collected. Anastasia State Park would not allow any events on their property; however, if the City gets a permit, we could use it as a parking lot. Staff has not researched the details. In the past they did Movie Night at the state park. The YMCA is allowing the City to have parking after 1:00 p.m.

Mayor England asked about the marketing grant.

Events Coordinator Colon advised that there is a grant for the fireworks. Then there is a grant for the marketing of the event. Christina at the Cultural Council suggested applying for one grant for all the events the City wants to do. The Cultural Council did not like that the fireworks show would be considered art.

Finance Director Douylliez advised that half of the grant money would have to be used for marketing outside of St. Johns County. In the past the City has advertised in Orlando, Atlanta, Charlotte, etc., so if the grant is received half must be used for advertising outside St. Johns County.

Events Coordinator Colon advised that the Cultural Council is trying to change that to 25% due to COVID-19.

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

11. Mizell Road Retention Pond Weir Project: Request for Approval to Authorize the City Manager to Sign Revenue Agreement with the Florida Division of Emergency Management and Award of Bid for Construction of the Weir to Sawgrass, Inc, of Jacksonville for \$2,793,000 (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 11 and then asked Public Works Director Tredik to give a staff report.

Public Works Director Tredik showed a PowerPoint presentation (Exhibit 3) regarding the Mizell Road Retention Pond Weir Project. He requested approval of the Florida Division of Emergency Management Grant Agreement and the Award of Bid and authorization of the Sawgrass, Inc. for the construction work (Exhibit 4). The weir was damaged through Hurricanes Matthew and Irma. Currently, the weir is operating under a temporary condition and there is no gravity outfall right now and the water is pumped out. The Emergency Management grant is recommended for approval for the pump station improvements. Also, consideration to approve the contract with Sawgrass, Inc. for the construction work of the project for \$2,793,000. He explained that the Emergency Management Grant Agreement bid cost was \$2,892,500, which includes the bid, engineering, and inspection costs. He will be requesting from the Florida Division of Emergency Management the rest of the shortfall and believes that they will grant \$476,890. He explained that the City will have to do a benefit cost analysis update demonstrating the costs. He explained that he wants to start the project before the hurricane season. FEMA will reimburse 75% of the Phase II costs once it is justified through the updated benefit cost analysis. The Water Management District cost is fixed at \$632,070 or 25% of the construction costs, whichever is less. FEMA will fund \$2,169,000 and St. Johns River Management District will fund \$632,070 and the City will fund 3% at \$91,055. The construction bid was done with a mandatory bid meeting and if the company did not attend that meeting, they could not bid. Four constructors submitted their qualifications and three submitted bids. Sawgrass, Inc. was the low bidder at \$2,793,000. The two lowest bidders had

a \$200,000 difference, which meant that it was a competitive bid. The project will take one year from the Notice to Proceed. He explained that there are a few more steps like getting an electrical permit from St. Johns County and then the Notice to Proceed will be issued. The grant agreement deadline is in March 2023 and the project will be done by then. The funding in FY 21 has been put in the budget and the rest will be budgeted in FY22. He requested to approve the grant agreement with the Florida Division of Emergency Management and authorize City Manager Royle to sign the agreement for construction with Sawgrass, Inc. in the amount of \$2,793,000.

Commissioner Rumrell thanked Public Work Director Tredik for all his hard work and thanked him for finding grant funding so the City would not have to pay more.

Mayor England asked if the City Attorney has looked at the contracts.

Public Works Director Tredik advised that he has looked at the state agreement and the Sawgrass, Inc. contract is the City's standard contract. City Attorney Taylor will go through them prior to any signatures being done.

Commissioner Samora asked if the City has done work with Sawgrass, Inc. before.

Public Works Director Tredik advised that he has not, but the City's consultants have. Their project submittals were good and comparable.

Commissioner Samora asked if in the contract is their language for a contingency amount if they are not done in time.

Public Works Director Tredik advised that there is always a chance that change orders will happen; however, if that were to happen, he would go back to FEMA to raise the funding. Also, things could be deleted from the project if necessary.

Commissioner Samora asked for damages if the project is not completed on time.

Public Works Director Tredik advised yes; it is \$1,500 per day for every calendar day the project is not completed.

Mayor England asked if the consultant has looked at the bid and the contracts.

Public Works Director Tredik advised yes; that they did go over the bids and they helped in submittals to the Florida Division of Emergency Management.

Commissioner George advised there was a discussion on improving the weir and asked whether that was envisioned into this contract.

Public Works Director Tredik advised yes; it is. He explained that when the project is completed it will raise the evaluation from 3.3 to 7. It will increase the pond berm to over 7 for protection from a Hurricane Matthew type event.

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

Motion: to authorize the City Manager to sign the agreement with the Florida Division of Emergency Management and award the bid to Sawgrass, Inc. **Moved by** Commissioner George, **Seconded by** Vice Mayor Samora.

Mayor England moved to Item 17.

12. Strategic Plan: Review of Information to implement Goal of Transparent Communication with Residents and Property Owners (Presenter: Patricia Douylliez, Finance Director)

Mayor England introduced Item 12 and then asked Finance Director Douylliez for a staff report.

Finance Director Douylliez advised how staff transparency communicates with residents. She

explained that the City uses websites, Facebook, monthly newsletters, transient rentals, homeowner associations, businessowners email groups, etc. She recommended a direct mailer to all the residents and business to get information on where they can find City information.

Discussion ensued regarding having a text message service; having residents sign up for information; authorization for using the City's phone system for event information; authorizing a purchase for approximately \$40,000 each for an electronic message boards at City hall and the entrances to the City; \$4,000 costs for mailers in the FY22 budget; long-term renters could receive the mailers as well; what the costs for text alerts; new My Town software app; and piggybacking the utility texts.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and she then moved to Item 13.

13. Ordinance 21-04, First Reading, to Amend the Land Development Regulations to Change Setbacks for Small Platted Lots and to Abolish the Overlay District Adjacent to A1A Beach Boulevard (Presenter: Brian Law, Building Official)

Mayor England introduced Item 13 and asked for a staff report from Building Official Law.

Building Official Law gave the history on this item. The current ordinance has the Commission changes that were requested with the table that describe the flexible setbacks. He advised that the current legislation if passed would prohibit architectural styling of a single-family residence other than in a Planned Unit Development (PUD). He explained that this would not be an increase in the impervious surface ratio and a 35% lot coverage.

Mayor England asked City Attorney Taylor to beef up the whereas's in the ordinance, so it indicates to promote consistency in the application of the setbacks and to give equal treatment. Also, she requested that the City is protecting the environment by retaining the lot coverage for the impervious surface ratios. She asked architectural standards.

Building Official Law advised that he would recommend that the architectural standards should be in the commercial district not in residential.

Mayor England advised then that once the overlay district is removed then if there is an older building that the non-conforming footprint would not be honored, and the resident would have to comply with the current setback requirements.

Discussion ensued regarding the architectural colors that are housed in the Building Department and in the code; regarding the overlay district being removed would not stop the commercial district architectural standards; and any lots that are less than 50 feet would have side setbacks at 7.5 feet.

Mayor England addressed a typo on page 4, Item 4, should change the language to minimum front, rear, side, and street side setbacks as set forth in Section 6.01.03.

Building Official Law advised it might be better said as "into the required minimum setbacks as in Section 6.01.03."

Commissioner George agreed with Mayor England.

Mayor England advised on the bottom of the page, Item B, it should be "of ten" instead of "often."

Vice Mayor Samora asked when the new code would start regarding the footprint.

Mayor England advised that the resident would have to tear down more than 50% before the code would start.

Building Official Law said it would be 50% of the building, not the lot.

Motion: to extend the meeting. **Moved by** Commissioner George, **Seconded by** Mayor England.

Motion passed unanimously.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and then asked City Attorney Taylor to read the preamble.

City Attorney Taylor read the preamble.

Mayor England asked for a motion.

Motion: to approve Ordinance 21-04 with the previous mentioned amendments including the additions to the whereas clauses identified by Mayor England, removal of Sections 6.1.03.A.(1), 6.1.03.A.(4) regarding specific numeration of setbacks and correcting the typo in 6.01.03 (2) b. **Moved by** Commissioner George, **Seconded by** Mayor England. Motion passed unanimously.

Mayor England moved to Item 16.

14. Limited Use of City Meeting Facilities: Review of New Recommendations and Fees (Presenter: Max Royle, City Manager)

This item was rescheduled to May 3, 2021 Regular Commission Meeting.

15. Upcoming Workshops: Discussion of Dates to Hold Them (Presenter: Max Royle, City Manager)

This item was rescheduled to May 3, 2021 Regular Commission Meeting.

XIII. NEW BUSINESS

16. Decisions for Fiscal Year 2022 Budget: Review of Pay Ranges for Employees and Adjustments of Pay for City Commission (Presenter: Patricia Douylliez, Finance Director)

Mayor England introduced Item 16 and asked the Commission if there were any questions or objections to the pay range methodology.

Vice Mayor Samora asked that the net amount of increase to be stated on the record.

Finance Director Douylliez advised \$27,576.93.

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

Commissioner Torres asked what the ranges are for the people who are not in the minimum pay ranges.

Finance Director Douylliez advised \$27,576.93.

Commissioner Rumrell asked if the figure includes the salaries for the Commission.

Finance Director Douylliez advised no.

Commissioner George asked when that discussion will take place.

Commissioner Torres asked where the money for this increase in this budget would come from.

Finance Director Douylliez advised that she makes budget adjustments through the year and she could move the money from those items that the City has not spent budgeted money. She advised that it could come out of unassigned funds.

Motion: to approve the new salary pay ranges for each position in the City. **Moved by** Mayor England, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England asked City Clerk Raddatz to call the vote.

COMMISSIONER RUMRELL	Yes
COMMISSIONER TORRES	Yes
MAYOR ENGLAND	Yes
VICE MAYOR SAMORA	Yes
COMMISSIONER GEORGE	Yes

Motion passes 5 to 0.

Motion: to bring the eleven employees up to the minimum salary pay range on July 1, 2021. **Moved by** Mayor England, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England asked City Clerk Raddatz to call the vote.

COMMISSIONER RUMRELL	Yes
COMMISSIONER TORRES	Yes
MAYOR ENGLAND	Yes
VICE MAYOR SAMORA	Yes
COMMISSIONER GEORGE	Yes

Motion passes 5 to 0.

Mayor England asked about the Commission's salaries.

Finance Director Douylliez advised that her report shows the average for the Commission's salaries. She explained that there has been a COLA every year, but not a pay adjustment.

Mayor England asked the Commission for a base salary amount.

Commissioner George advised that the methodology already has been adopted. Other Commissioners have forfeited their salary, which everyone is allowed to do. She advised that she reimbursed the City for health insurance benefits when the Commission had it for a few months and she has not sought money for travel expenses to conferences, etc. She stated that everyone could make their own decision for their personal and political reasons, but there should be a realistic adjustment.

Mayor England asked Commissioner George if she agrees with \$7,679 or another number.

Commissioner George advised that she does not understand the methodology of selecting two cities to get an average.

Motion: to increase the Commissioners salary to \$7,679 and the Mayor's salary to \$8,285 beginning July 1, 2021. **Moved by** Commissioner Torres. There was no second; the motion died.

Commissioner George opposed the vote and advised that the City of St. Augustine has similar issues, and this City meets as much as the City of St. Augustine. The salary is too low, and she was sorry she did not have the numbers with her.

Commissioner Torres asked if his motion died because of a lack of a second.

Mayor England advised yes. She advised that the Commissioner's salary should come up at another meeting for discussion.

Mayor England moved to Item 18.

17. Drug and Alcohol Rehabilitation Clinics: Consideration of Where They Can Be Located
(Presenter: Max Royle, City Manager)

Mayor England introduced Item 17 and asked for a staff report from City Manager Royle.

City Manager Royle advised he prepared a memo of suggestions but asked the Commission how they want to proceed.

Mayor England asked Building Official Law for a status report on this item.

Seagrove Town Center Association Notice of Approval letter (Exhibit 5).

Building Official Law advised that several months ago there was a complaint that a business was running without a Business Tax Receipt. Code Enforcement Officer Thompson and Building Official Law went to the business and advised that the business would have to comply with getting their license. The business did not meet the deadline for getting their Business Tax Receipts so the City brought them in front of the Code Enforcement Board and the Board gave the business a \$250 a day fine until the business tax receipt was received. The business did get their business tax receipt and paid the fines, and the Code Enforcement Board's case was closed. He explained that Sea Grove is a Planned Unit Development (PUD), and their PUD allows for outpatient medical and dental clinics. He advised that the owners advised that their business tax receipt is for administrative offices and yoga classes, not a medical clinic. The City has no proof of a medical clinic. He advised that code enforcement has no active case. There have been several complaints, but nothing that the City could verify.

Mayor England asked how many times there have been inspections at the business.

Building Official Law advised he thought once, and the Fire Marshall went another time.

Police Chief Carswell advised that they have been monitoring the business and have had 51 service calls in the area, but no calls related to that business.

Mayor England advised that since the property has is a PUD, and the Sea Grove Board wanted to act, they would have to modify their agreement.

Building Official Law advised yes, Sea Grove would have to modify their PUD agreement. He explained that Sea Grove has not contacted the City to modify the agreement.

Mayor England advised that the residents' concerns are how the City would define a community home or group home and medical clinics in their neighborhood.

Building Official Law read the Code of Ordinances on medical clinics, outpatient facilities, and self-preservation definitions.

Mayor England advised that under state and federal guidelines group homes are highly regulated.

City Attorney Taylor agreed.

Mayor England asked if the City tried to prohibit group homes, would the City be allowed under the fair housing regulations.

City Attorney Taylor advised no and will cause the City legal action.

Mayor England asked if the Land Development Codes gives definitions of medical clinics.

Building Official Law read the Land Development Regulations. Chapter 2 has no definitions for medical clinics.

Mayor England advised that that is something that should be researched. She advised that there is in the Florida Building Code and our City's Code of Ordinances. She advised that if we need to prohibit or have definitions where they are allowed in the City, that would be something to

research.

Building Official Law advised that that would not change the Sea Grove business.

Commissioner George advised that the City adopted the Pharmacy Ordinance that was to have certain uses in certain locations.

Mayor England advised that the ordinance was very broad that all pharmacies would be on State Road A1A. She explained that the City needs a good definition and locations that of changing medical clinics.

Building Official Law advised that medical clinics are permitted in commercial districts and institutional.

Mayor England advised that the Commission is trying to encourage mixed-use district, so under that definition of medical facility there may be an office that the City would want to encourage on the mixed-use district.

Building Official Law advised that a conditional use could only be for hospitals. He explained that Sea Gove is a hybrid PUD. He has told the business not to operate outside of their business tax receipt. If there is evidence of operating outside of the business tax receipt, there would be another code enforcement case.

City Attorney Taylor advised that he sent a letter per the Code Enforcement Board to Department of Business and Professional Regulation (DBPR) and other licensing authorities to give heightened scrutiny for this business. He explained that DBPR would be a more appropriate authority to investigate.

Commissioner Samora asked if the property on 3rd Street has notified the Building Department of any building moving forward.

Building Official Law advised that CMS Holdings owns the title, and he has not been notified of any changes. He explained that if there was any proof of a group home, then he would start an investigation to ask the owners of their intentions and bring them to the Code Enforcement Board.

Mayor England advised that a medical clinic must be in a commercial district, not a residential district.

Mayor England opened the Public Hearing, and the following addressed the Commission:

Katie Duggan, 1144 Overdale Road, St. Augustine Beach, FL, advised that this business is an uncertified and unregulated treatment facility with the mission to make money instead of the outcome of the treatment. Residents have done research on this business and is other businesses owned by the same CEO and now trying to add St. Augustine to their long list of targeted cities. She explained the process of these treatment businesses.

Mayor England advised that the Commission has received Ms. Duggan's emails and articles.

Sarah Smith, 776 Tides End Drive, St. Augustine Beach, FL, asked if the Commission is considering the business a treatment facility.

Mayor England advised that the business tax receipt is for administrative offices and yoga classes only. There is no evidence of any medical facility.

Ms. Smith advised that on the PUD it does says the business is for private clubs limited to fraternal and membership organizations. She advised that this is not allowed according to the Commission.

Mayor England advised that it is a private matter under the PUD.

Ms. Smith said if Seagrove is not doing anything about it, she is encouraging the Commission to assist the citizens with this issue. If this business is part of Pearl of the Sea, then they should be

considered part of their facility and the business tax receipt should be rehab clinic.

Colin Turner, 784 Tides End Drive, St. Augustine Beach, FL, advised that this business is a drug and alcohol detox center. He proposed that the community stop saying this business is a clinic and advised that the private clientele is concerning. He advised that he has a legal opinion from Doug Barnett that says that this is a drug and rehab facility, and it is not allowed under the Seagrove PUD and therefore it is a zoning issue and code enforcement issue.

Mayor England asked for the legal opinion be given to the City Clerk at any time.

Mary MacDonagh, 121 Sea Grove Main Street, St. Augustine Beach, FL, explained that a gentleman who lives in Sea Grove attempted to go into the business and was stopped by a guard and a guard dog and was told it was a private club. She advised that another person tried to come into the business, and they were told it was a private club. She also advised that there were six incidents where the Police Department had to respond after this business came to Seagrove. This is not the place for a drug rehab where children and a library are in the neighborhood.

Carol Oyenarte, 392 High Tide Drive, St. Augustine Beach, FL, thanked the Commission for allowing the residents to come back to discuss this issue, even though not much has changed. She advised that the Commission has received copious amounts of information on this business. She said the business has made the residents be in a reactive mode. The business is proactive and in 50 states, and the business is working the streets.

Leah Beck, 129 Sea Grove Main Street, St. Augustine Beach, FL, advised that she agrees with the community and asked where they are housing their clients and where are they receiving the medical detox. She advised that there are a lot of bars in the community and asked to stop putting their clients in harm.

Mayor England closed the Public Hearing and then asked for any further Commission discussion.

Commissioner Rumrell said that everyone wants to help the people, but not to exploit them. Personally, he does not feel that the City can support these types of businesses with the Police and Fire Departments and hospitals. He explained that he wants to take care of the community and to get proactive before it builds into more of a problem. He would like to look at the locations within the City that these businesses could be allowed.

Commissioner Torres advised that this was told in the code enforcement minutes that this was not a clinic and asked why it is being called a clinic by the residents.

Building Official Law advised that the owner clearly stated that they are not a medical facility.

Commissioner George asked what the ramifications if the use is violated by the owners.

Building Official Law advised that the City Manager has the right to remove that business tax receipt. He advised that the City Attorney should be involved with that decision. He explained that only a judge could make them leave the property.

Commissioner George advised that the City cannot do anything on the PUD, but Sea Grove residents are fully empowered to lobby the Sea Grove HOA and if the Board members of the Sea Grove HOA are not responding to the resident's needs, the Board members could be voted off. She advised that the ordinances need to be updated and have the City be proactive regarding this issue. Staff is very sensitive to this issue and they live here as well.

Mayor England asked Building Official Law to research in the Land Development Codes on the definition of a medical facility and where they will be allowed within the City.

City Attorney Taylor advised that he would research addiction treatments to address these types of businesses within the City.

Commissioner Rumrell asked if the City cannot govern the PUD, and the residents should go back to Sea Grove HOA.

City Attorney Taylor advised that Sea Grove HOA could enforce an eviction on the business if there is a fraudulent use being done. He advised that the City has no evidence that the business is doing something wrong so the City cannot act on any zoning issues.

Commissioner Rumrell advised that in the future these businesses should have a certain requirement of licenses before opening the business in certain locations.

Vice Mayor Samora advised that the safety of the residents should be first and foremost. He thanked Commissioner Rumrell for putting this on the agenda and asked to get in front of this. He asked if anyone had proof of an unpermitted use, where would it go to be dealt with.

Building Official Law advised that it would go to the code enforcement officer to be investigated.

City Attorney Taylor advised that it also could go to the DBPR in order to act quicker than the City.

Mayor England moved to Item 12.

18. Resolutions to Support or Oppose Proposed State Legislation: a) Consideration of Resolution 21-12, to Support House Bill 315 and Senate Bill 514, to Establish State Wide Office of Resiliency; b) Resolution 21-13, to Support House Bill 1379 and Senate Bill 1186, to Prevent Increase in Assessed Value of Homesteaded and Non-Homesteaded Residential Property That is Voluntarily Elevated; c) Resolution 21-14, to Oppose House Bill 403 and Senate Bill 266 That Preempt Local Regulations of Home-Based Businesses (Presenter: Max Royle, City Manager)

Mayor England introduced Item 18 and asked for a staff report from City Manager Royle.

City Manager Royle advised that the Florida League of Cities suggested that these be done by cities in support of what is best for the cities in Florida.

Mayor England agreed with these selected resolutions but would like to add a resolution to oppose the bill to preempt cities on their architectural design code.

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

City Manager Royle advised that the City Attorney requested changes to the resolutions for Senate Bill 266 and House Bill 403 to hereby urges the Florida Legislature and Cabinet to support House Bill 2019 and Senate Bill 1954, which accomplishes what he originally wrote.

Mayor England asked to add the additional resolution as she requested as 21-16.

Motion: to approve Resolutions 21-12, 21-13, 21-14 and in addition Resolution 21-15 of a pending House Bill that preempts Home Rule on architectural design. **Moved by** Mayor England, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved to Item 19.

19. Resolution 21-15, to Adopt Building and Zoning Fee Schedule (Presenter: Brian Law, Building Official)

Mayor England introduced Item 19 and asked for a staff report from Building Official Law.

Building Official Law advised Resolution 21-15 is modifying the swimming pool fee schedules to a flat fee. Multi-family commercial swimming pools will remain as per the commercial evaluation.

Mayor England asked for Commission discussion. Being none, Mayor England opened the Public

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

Motion: to approved Resolution 21-15. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

XIV. STAFF COMMENTS

This item was continued to the May 3, 2021 Regular Commission meeting.

XV. ADJOURNMENT

Mayor England asked for a motion.

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

Meeting was adjourned at 9:59 p.m.


Margaret England, Mayor

Attest:

Beverly Raddatz, City Clerk

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 15, 2021

SUBJECT: Presentations:

- A. Presentation of the North Florida Transportation Planning Organization's Five-Year Transportation Improvement Program by Ms. Wanda Forrest, Transportation Planning Manager
- B. Proclamation to Declare May 2021 as Motorcycle Safety Awareness Month by Ms. Sue Hendrick, President of ABATE (A Brotherhood Aimed Towards Education)
- C. Proclamation to Declare June as Gay Pride Month

ITEM A. FIVE-YEAR PLAN

Each year at this time, Ms. Wanda Forrest of the TPO presents to you her organization's five-year Transportation Improvement Program. She will be at your meeting in person. Her letter and the Program are attached as pages 1-27.

ITEM B. MOTORCYCLE AWARENESS MONTH

The proclamation is attached as pages 28-29. Ms. Hendrick of ABATE will be at your meeting to present it.

ITEM C. GAY PRIDE MONTH

The proclamation is attached as pages 30-31. Ms. Sara Bloomberg or someone representing the local LGBTQIA+ community will present the proclamation.



March 17, 2021

The Honorable Margaret England, Mayor
City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080

Dear Mayor England:

The North Florida TPO is developing the **Transportation Improvement Program (TIP) for Fiscal Years 2021/2022 through 2025/2026**. The TIP identifies all publicly funded highway, transit and aviation projects within the North Florida TPO area which includes Clay, Duval, Nassau and St. Johns Counties.

To increase public involvement in developing the TIP and to inform the City of St. Augustine Beach Commission as to the projects planned and programmed for the area, I would like to make a brief presentation at your **Monday, May 3** meeting. The presentation should be no more than 10 minutes and I will gladly answer any questions.

I look forward to hearing from you soon regarding this request.

Sincerely,

A handwritten signature in black ink that reads "Wanda Forrest".

Wanda Forrest
Transportation Planning Manager

PLAN • FUND • MOBILIZE

Section E - St. Johns County State Highway / Transit Projects (FDOT)

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
AVENIDA MENENDEZ (SR A1A) FROM KING ST TO CASTILLO SAN MARCOS - 4435541							*Non-SIS*
PEDESTRIAN SAFETY IMPROVEMENT							Length: .421
Responsible Agency: FDOT							
CST	CM	0	1,360,863	0	0	0	1,360,863
Total		0	1,360,863	0	0	0	1,360,863
Prior Cost < 2020/21		327,591	Future Cost > 2024/25		0	Total Project Cost	1,688,454
BISHOP EST RD SAN JOSE TO RACE TRACK; ORANGE AVE RACE TRACK TO BISHOP - 4412201							*Non-SIS*
SIGNING/PAVEMENT MARKINGS							Length: 4.234
Responsible Agency: St. JOHNS CO.							
CST	ACSS	178,245	0	0	0	0	178,245
Total		178,245	0	0	0	0	178,245
Prior Cost < 2020/21		45,826	Future Cost > 2024/25		0	Total Project Cost	224,071
CR 13 FROM CR 208 TO SR 16 EAST - 4376281							*Non-SIS*
PAVE SHOULDERS							Length: 19.197
Responsible Agency: St. JOHNS CO.							
CST	ACSS	0	1,348,601	0	0	0	1,348,601
CST	SA	0	5,000	0	0	0	5,000
Total		0	1,353,601	0	0	0	1,353,601
Prior Cost < 2020/21		177,187	Future Cost > 2024/25		0	Total Project Cost	1,530,788

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
D2-ST JOHNS COUNTY TRAFFIC SIGNAL MAINTENANCE AGREEMENT - 4135341						*Non-SIS*	
TRAFFIC CONTROL DEVICES/SYSTEM						Length: .000	
Responsible Agency: St. JOHNS CO.							
OPS	DDR	537,972	535,193	559,561	0	0	1,632,726
Total		537,972	535,193	559,561	0	0	1,632,726
Prior Cost < 2020/21		4,193,399	Future Cost > 2024/25		0	Total Project Cost	5,826,125
FIRST COAST EXPRESSWAY (SR 23) FROM I-95 TO WEST OF CR 16 A - 4229388						*SIS*	
NEW ROAD CONSTRUCTION						Length: 10.601	
Responsible Agency: FDOT							
PE	ACNP	230,000	0	2,573,172	0	0	2,803,172
DSB	DI	0	0	63,714,481	0	0	63,714,481
DSB	ACNP	0	0	52,730,444	2,960,000	1,359,765	57,050,209
DSB	PKBD	0	0	223,596,925	2,960,000	1,704,770	228,261,695
RRU	PKBD	0	0	1,750,000	0	0	1,750,000
RRU	ACNP	0	0	1,750,000	0	0	1,750,000
Total		230,000	0	346,115,022	5,920,000	3,064,535	355,329,557
Prior Cost < 2020/21		498	Future Cost > 2024/25		0	Total Project Cost	355,330,055

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
I-95 (SR 9) FROM INT'L GOLF PKWY TO DUVAL CL - 4240264							*SIS*
ADD MANAGED LANES							Length: 9.341
Responsible Agency: FDOT							
ROW	BNIR	4,410,515	0	0	0	0	4,410,515
ROW	ACNP	2,665,342	11,722	908,962	0	0	3,586,026
DSB	ACNP	0	0	0	0	49,580,850	49,580,850
DSB	LF	0	0	0	0	171,664	171,664
DSB	DI	0	0	0	0	46,532,428	46,532,428
DSB	GMR	0	0	0	0	77,220,000	77,220,000
RRU	LF	0	0	0	0	3,600,056	3,600,056
PE	ACNP	0	0	0	0	2,204,516	2,204,516
RRU	ACNP	0	0	0	0	2,000,000	2,000,000
DSB	STED	0	0	0	0	102,812,369	102,812,369
Total		7,075,857	11,722	908,962	0	284,121,883	292,118,424
<i>Prior Cost < 2020/21</i>		<i>30,965,167</i>	<i>Future Cost > 2024/25</i>			<i>Total Project Cost</i>	<i>325,823,591</i>

I-95 (SR 9) FROM SR 207 TO INTL GOLF PARKWAY - 4346151							*SIS*
RESURFACING							Length: 11.095
Responsible Agency: FDOT							
CST	ACNP	38,882,229	0	0	0	0	38,882,229
Total		38,882,229	0	0	0	0	38,882,229
<i>Prior Cost < 2020/21</i>		<i>2,990,903</i>	<i>Future Cost > 2024/25</i>			<i>Total Project Cost</i>	<i>41,873,132</i>

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
I-95 (SR-9) @ SR-16 INTERCHANGE - 4346152						*SIS*	
INTERCHANGE - ADD LANES						Length: 1.421	
Responsible Agency: FDOT							
CST	ACSU	1,127,225	0	0	0	0	1,127,225
CST	GFSU	2,649,731	0	0	0	0	2,649,731
CST	SU	2,574,443	0	0	0	0	2,574,443
CST	SA	88,236	0	0	0	0	88,236
CST	CIGP	513,000	0	0	0	0	513,000
Total		6,952,635	0	0	0	0	6,952,635
<i>Prior Cost < 2020/21</i>		<i>0</i>	<i>Future Cost > 2024/25</i>			<i>Total Project Cost</i>	<i>6,952,635</i>
I-95 (SR9) FROM FLAGLER C/L TO SR 207 - 4346191						*SIS*	
RESURFACING						Length: 13.380	
Responsible Agency: FDOT							
CST	DIH	78,975	0	0	0	0	78,975
Total		78,975	0	0	0	0	78,975
<i>Prior Cost < 2020/21</i>		<i>38,822,552</i>	<i>Future Cost > 2024/25</i>		<i>0</i>	<i>Total Project Cost</i>	<i>38,901,527</i>
I-95 ST JOHNS NORTHBOUND REST AREA - 4386101						*SIS*	
REST AREA (DUAL)						Length: .759	
Responsible Agency: FDOT							
PE	DIH	0	0	0	500	0	500
PE	DRA	0	0	0	1,882,871	0	1,882,871
Total		0	0	0	1,883,371	0	1,883,371
<i>Prior Cost < 2020/21</i>		<i>0</i>	<i>Future Cost > 2024/25</i>		<i>24,196,017</i>	<i>Total Project Cost</i>	<i>26,079,388</i>

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
I-95 ST JOHNS SOUTHBOUND REST AREA - 4386102							*SIS*
REST AREA (DUAL)							Length: .383
Responsible Agency: FDOT							
PE	DIH	0	0	0	0	500	500
PE	DRA	0	0	0	0	1,922,332	1,922,332
Total		0	0	0	0	1,922,832	1,922,832
Prior Cost < 2020/21		0	Future Cost > 2024/25		23,202,351	Total Project Cost	25,125,183
I-95(SR9) FROM S OF INTERNATIONAL GOLF PKWY TO S OF SR23 INTERCHANGE - 4229389							*SIS*
ADD LANES & RECONSTRUCT							Length: 4.458
Responsible Agency: FDOT							
PE	ACNP	52,000	0	527,832	0	0	579,832
DSB	DI	0	0	67,249,326	0	0	67,249,326
DSB	ACNP	0	0	42,181,789	0	0	42,181,789
Total		52,000	0	109,958,947	0	0	110,010,947
Prior Cost < 2020/21		0	Future Cost > 2024/25		0	Total Project Cost	110,010,947
KING STREET (SR 5A) FROM PRAWN STREET TO AVENIDA MENENDEZ (SR A1A) - 4308971							*Non-SIS*
DRAINAGE IMPROVEMENTS							Length: 0.599 mi
Responsible Agency: FDOT							
ROW	DS	23,830	0	0	0	0	23,830
RRU	LF	0	0	400,056	0	0	400,056
CST	DIH	0	0	364,351	0	0	364,351
CST	DDR	0	0	10,857,488	0	0	10,857,488
Total		23,830	0	11,621,895	0	0	11,645,725
Prior Cost < 2020/21		2,477,655	Future Cost > 2024/25		0	Total Project Cost	14,123,380

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
LANDSCAPING CONTINGENCY - 4188641						*Non-SIS*	
LANDSCAPING						Length: .000	
Responsible Agency: FDOT							
CST	DDR	0	0	513,289	0	0	513,289
Total		0	0	513,289	0	0	513,289
<i>Prior Cost < 2020/21</i>		<i>150</i>	<i>Future Cost > 2024/25</i>		<i>0</i>		<i>Total Project Cost</i>
							<i>513,439</i>
SR 13 FROM MILL CREEK TO DUVAL CL - 4410571						*Non-SIS*	
RESURFACING						Length: 2.737	
Responsible Agency: FDOT							
RRU	LF	1,000,056	0	0	0	0	1,000,056
CST	LF	51,357	0	0	0	0	51,357
CST	DIH	83,939	0	0	0	0	83,939
CST	SA	1,219,685	0	0	0	0	1,219,685
CST	DDR	5,747,155	0	0	0	0	5,747,155
Total		8,102,192	0	0	0	0	8,102,192
<i>Prior Cost < 2020/21</i>		<i>1,016,598</i>	<i>Future Cost > 2024/25</i>		<i>0</i>		<i>Total Project Cost</i>
							<i>9,118,790</i>
SR 16 FROM SR 313 TO I-95 - 4407661						*Non-SIS*	
PD&E/EMO STUDY						Length: 3.047	
Responsible Agency: FDOT							
PLN	D	500,000	0	0	0	0	500,000
Total		500,000	0	0	0	0	500,000
<i>Prior Cost < 2020/21</i>		<i>0</i>	<i>Future Cost > 2024/25</i>		<i>0</i>		<i>Total Project Cost</i>
							<i>500,000</i>

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
SR 16 FROM CR 13 TO CR 16A - 4434881							*Non-SIS*
LIGHTING							Length: 1.656
Responsible Agency: FDOT							
CST	ACSS	0	2,414,051	0	0	0	2,414,051
Total		0	2,414,051	0	0	0	2,414,051
Prior Cost < 2020/21		474,334	Future Cost > 2024/25		0	Total Project Cost	2,888,385
SR 206 FROM W.WASHINGTON AVE (CR 305) TO JEFFERSON AVE - 4324241							*Non-SIS*
DRAINAGE IMPROVEMENTS							Length: .171
Responsible Agency: FDOT							
PE	DIH	1,001	0	0	0	0	1,001
PE	DDR	100,000	0	0	0	0	100,000
Total		101,001	0	0	0	0	101,001
Prior Cost < 2020/21		1,001	Future Cost > 2024/25		0	Total Project Cost	102,002
SR 206 FROM I-95 TO ICWW BRIDGE - 4432731							*Non-SIS*
RESURFACING							Length: 5.415
Responsible Agency: FDOT							
RRU	SA	75,000	0	0	0	0	75,000
CST	DS	0	787,262	0	0	0	787,262
CST	SA	0	96,586	0	0	0	96,586
CST	DDR	0	6,116,919	0	0	0	6,116,919
Total		75,000	7,000,767	0	0	0	7,075,767
Prior Cost < 2020/21		161,500	Future Cost > 2024/25		0	Total Project Cost	7,237,267

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
SR 206 FROM SR 207 TO I-95 - 4453531							*Non-SIS*
RESURFACING							Length: 8.428
Responsible Agency: FDOT							
PE	DIH	20,375	0	0	0	0	20,375
PE	SA	89,500	0	0	0	0	89,500
CST	DS	0	0	3,243,000	0	0	3,243,000
CST	DIH	0	0	22,954	0	0	22,954
CST	SA	0	0	2,147,388	0	0	2,147,388
CST	DDR	0	0	1,773,851	0	0	1,773,851
Total		109,875	0	7,187,193	0	0	7,297,068
Prior Cost < 2020/21		2,000	Future Cost > 2024/25		Total Project Cost		7,299,068

SR 207 FROM SR 206 TO BEGIN CURB & GUTTER - 4393481							*SIS*
RESURFACING							Length: 7.267
Responsible Agency: FDOT							
CST	DIH	76,950	0	0	0	0	76,950
Total		76,950	0	0	0	0	76,950
Prior Cost < 2020/21		6,701,785	Future Cost > 2024/25		Total Project Cost		6,778,735

SR 207 @ RR CROSSING NO 271891R RRMP:38.63 - 4467081							*Non-SIS*
RAIL SAFETY PROJECT							Length: .200
Responsible Agency: FDOT							
RRU	RHH	228,931	0	0	0	0	228,931
Total		228,931	0	0	0	0	228,931
Prior Cost < 2020/21		0	Future Cost > 2024/25		Total Project Cost		228,931

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
SR 207 FROM I-95 TO SR 312 - 4455461						*SIS*	
RESURFACING						Length: 4.000	
Responsible Agency: FDOT							
PE	ACSL	29,000	0	0	0	0	29,000
PE	DIH	122,217	0	0	0	0	122,217
CST	DS	0	0	2,091,960	0	0	2,091,960
CST	DIH	0	0	27,070	0	0	27,070
CST	SA	0	0	932,305	0	0	932,305
CST	DDR	0	0	5,413,977	0	0	5,413,977
Total		151,217	0	8,465,312	0	0	8,616,529
Prior Cost < 2020/21		15,731	Future Cost > 2024/25		0	Total Project Cost	8,632,260

SR 313 FROM SR 207 TO S HOLMES BLVD - 2102304						*Non-SIS*	
NEW ROAD CONSTRUCTION						Length: .000	
Responsible Agency: FDOT							
CST	SU	0	11,187,856	0	0	0	11,187,856
CST	SA	0	10,531	0	0	0	10,531
Total		0	11,198,387	0	0	0	11,198,387
Prior Cost < 2020/21		1,212,468	Future Cost > 2024/25		0	Total Project Cost	12,410,855

- 11 -

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
SR 313 FROM SR 207 TO SR 16 - 2102302							*Non-SIS*
NEW ROAD CONSTRUCTION							Length: 4.070 MI
Responsible Agency: FDOT							L RTP No: 831
ROW	DS	786,266	0	0	0	0	786,266
ROW	TRWR	200,000	0	0	0	0	200,000
ROW	DDR	378,509	0	0	0	0	378,509
Total		1,364,775	0	0	0	0	1,364,775
Prior Cost < 2020/21		25,907,116	Future Cost > 2024/25		0	Total Project Cost	27,271,891
SR A1A FROM PALMETTO AVE TO SAND CASTLE LANE - 4299311							*Non-SIS*
DRAINAGE IMPROVEMENTS							Length: 2.698 mi
Responsible Agency: FDOT							
CST	DIH	0	0	101,105	0	0	101,105
CST	DDR	0	0	7,422,121	0	0	7,422,121
Total		0	0	7,523,226	0	0	7,523,226
Prior Cost < 2020/21		633,496	Future Cost > 2024/25		0	Total Project Cost	8,156,722
SR A1A @ MARY ST ADDING LEFT TURN LANE FROM A1A TO MARY ST AT MARY ST - 4373741							*Non-SIS*
ADD LEFT TURN LANE(S)							Length: .020
Responsible Agency: FDOT							
CST	DIH	0	10,714	0	0	0	10,714
CST	DDR	0	767,572	0	0	0	767,572
Total		0	778,286	0	0	0	778,286
Prior Cost < 2020/21		243,842	Future Cost > 2024/25		0	Total Project Cost	1,022,128

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
SR A1A HOSPITAL CREEK BR. #78071 UNDER WATER WORK - 4320481						*Non-SIS*	
BRIDGE-REPAIR/REHABILITATION						Length: .050 MI	
Responsible Agency: FDOT							
CST	DIH	0	20,176	0	0	0	20,176
CST	BRRP	0	1,685,485	0	0	0	1,685,485
Total		0	1,705,661	0	0	0	1,705,661
Prior Cost < 2020/21		205,579	Future Cost > 2024/25		0	Total Project Cost	1,911,240

SR16 @ INTERNATIONAL GOLF PARKWAY - 4427851						*Non-SIS*	
INTERSECTION (MODIFY)						Length: 2.250	
Responsible Agency: St. JOHNS CO.							
CST	LFP	1,000,000	0	0	0	0	1,000,000
CST	CIGP	1,000,000	0	0	0	0	1,000,000
Total		2,000,000	0	0	0	0	2,000,000
Prior Cost < 2020/21		3,500,000	Future Cost > 2024/25		0	Total Project Cost	5,500,000

SR16 FROM WEST OF TOMS ROAD TO EAST OF CR 208 - 4345621						*Non-SIS*	
INTERSECTION (MODIFY)						Length: .364	
Responsible Agency: FDOT							
ROW	SU	0	576,101	12,239	0	0	588,340
ROW	SA	0	11,500	67,261	0	0	78,761
CST	SU	0	0	0	0	3,905,656	3,905,656
CST	SA	0	0	0	0	47,740	47,740
Total		0	587,601	79,500	0	3,953,396	4,620,497
Prior Cost < 2020/21		633,142	Future Cost > 2024/25		0	Total Project Cost	5,253,639

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
ST AUGUSTINE MAINTENANCE FACILITY - ADA RESTROOM RENOVATIONS - 4450313							*Non-SIS*
FIXED CAPITAL OUTLAY							Length: .000
Responsible Agency: FDOT							
CST	FCO	125,000	0	0	0	0	125,000
Total		125,000	0	0	0	0	125,000
Prior Cost < 2020/21		0	Future Cost > 2024/25		0	Total Project Cost	125,000
ST JOHNS CNTY FED SECT 5311 RURAL TRANSIT FUNDING - 4272651							*Non-SIS*
OPERATING/ADMIN. ASSISTANCE							Length: .000
Responsible Agency: St. JOHNS CO.							
OPS	DU	380,641	399,673	419,657	440,640	462,672	2,103,283
OPS	LF	380,641	399,673	419,657	440,640	462,672	2,103,283
Total		761,282	799,346	839,314	881,280	925,344	4,206,566
Prior Cost < 2020/21		2,961,092	Future Cost > 2024/25		0	Total Project Cost	7,167,658
ST JOHNS CO FED 5307 CAPITAL GRANT - 4292031							*Non-SIS*
CAPITAL FOR FIXED ROUTE							
Responsible Agency: St. JOHNS CO.							
CAP	FTA	771,210	782,331	860,564	946,621	946,621	4,307,347
CAP	LF	117,802	195,558	215,141	236,653	236,653	1,001,807
Total		889,012	977,889	1,075,705	1,183,274	1,183,274	5,309,154
Prior Cost < 2020/21		3,358,805	Future Cost > 2024/25		0	Total Project Cost	8,667,959

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
ST. JOHNS CO COA SECTION 5339 - 4415221						*Non-SIS*	
TRANSIT CAPITAL ASSISTANCE							
Responsible Agency: St. Johns Co COA							
CAP	FTA	167,000	167,000	167,000	167,000	167,000	835,000
CAP	LF	41,750	41,750	41,750	41,750	41,750	208,750
Total		208,750	208,750	208,750	208,750	208,750	1,043,750
Prior Cost < 2020/21		208,750	Future Cost > 2024/25		0	Total Project Cost	1,252,500
ST. JOHNS COUNTY BLOCK GRANT OPERATING FUNDS - 4184411						*Non-SIS*	
OPERATING FOR FIXED ROUTE						Length: .000	
Responsible Agency: St. JOHNS CO.							
OPS	DPTO	332,534	210,520	67,497	71,439	76,231	758,221
OPS	DDR	218,249	367,803	539,740	566,160	566,150	2,258,102
OPS	LF	550,783	578,323	607,237	637,599	642,381	3,016,323
Total		1,101,566	1,156,646	1,214,474	1,275,198	1,284,762	6,032,646
Prior Cost < 2020/21		9,716,971	Future Cost > 2024/25		0	Total Project Cost	15,749,617
ST. JOHNS CNTY BCC STP FUNDS PURCHASE BUSES/EQUIPMENT - 4067899						*Non-SIS*	
PURCHASE VEHICLES/EQUIPMENT						Length: .000	
Responsible Agency: St. JOHNS CO.							
CAP	FTAT	250,000	250,000	250,000	250,000	250,000	1,250,000
CAP	SU	250,000	250,000	250,000	250,000	250,000	1,250,000
CAP	LF	250,000	250,000	250,000	250,000	250,000	1,250,000
Total		750,000	750,000	750,000	750,000	750,000	3,750,000
Prior Cost < 2020/21		6,900,000	Future Cost > 2024/25		0	Total Project Cost	10,650,000

15 -

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
ST.JOHNS CNTY FED 5307 OPERATING GRANT - 4067898							*Non-SIS*
OPERATING FOR FIXED ROUTE							Length: .000
Responsible Agency: St. JOHNS CO.							
CAP	FTA	1,400,000	1,600,000	1,800,000	2,000,000	2,000,000	8,800,000
CAP	LF	1,400,000	1,600,000	1,800,000	2,000,000	2,000,000	8,800,000
Total		2,800,000	3,200,000	3,600,000	4,000,000	4,000,000	17,600,000
Prior Cost < 2020/21		4,769,944	Future Cost > 2024/25		0	Total Project Cost	22,369,944
US 1 (SR 5) FROM LEWIS POINT ROAD TO SR 207 - 4324061							*Non-SIS*
TRAFFIC SIGNAL UPDATE							Length: 2.055 MI
Responsible Agency: FDOT							
CST	DIH	0	11,100	11,410	0	0	22,510
CST	DDR	0	2,727,883	0	0	0	2,727,883
Total		0	2,738,983	11,410	0	0	2,750,393
Prior Cost < 2020/21		1,330,799	Future Cost > 2024/25		0	Total Project Cost	4,081,192
US 1 (SR 5) FROM SR 207 TO CITY GATES - 4361681							*Non-SIS*
RESURFACING							Length: 3.267 mi
Responsible Agency: FDOT							
CST	SL	557,430	0	0	0	0	557,430
CST	SA	3,057,286	0	0	0	0	3,057,286
CST	DDR	9,017,692	0	0	0	0	9,017,692
CST	NHRE	3,865,851	0	0	0	0	3,865,851
Total		16,498,259	0	0	0	0	16,498,259
Prior Cost < 2020/21		2,562,131	Future Cost > 2024/25		0	Total Project Cost	19,060,390

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
US 1 (SR 5A) OVER SAN SEBASTIAN RIVER BRIDGE NO780003 - 4374281						*Non-SIS*	
BRIDGE REPLACEMENT						Length: .045	
Responsible Agency: FDOT							
ROW	ACBR	157,000	1,053,183	404,620	0	0	1,614,803
CST	ACBR	0	0	0	6,849,262	0	6,849,262
Total		157,000	1,053,183	404,620	6,849,262	0	8,464,065
Prior Cost < 2020/21		1,512,665	Future Cost > 2024/25		- 0	Total Project Cost	9,976,730
US1 (SR 5) FROM SR 312 TO SR 16 - 4407611						*Non-SIS*	
CORRIDOR/SUBAREA PLANNING						Length: 3.692	
Responsible Agency: FDOT							
PLN	D	500,000	0	0	0	0	500,000
Total		500,000	0	0	0	0	500,000
Prior Cost < 2020/21		0	Future Cost > 2024/25		0	Total Project Cost	500,000
US1 (SR5) FROM PONCE DE LEON BLVD N TO CROSS RIDGE DR - 4393551						*Non-SIS*	
RESURFACING						Length: 14.269	
Responsible Agency: FDOT							
CST	DIH	51,300	0	0	0	0	51,300
Total		51,300	0	0	0	0	51,300
Prior Cost < 2020/21		21,071,620	Future Cost > 2024/25		0	Total Project Cost	21,122,920

Phase	Fund Source	2020/21	2021/22	2022/23	2023/24	2024/25	Total
US1 (SR5) AT OYSTER CREEK BRIDGE NO780103 - 4338432						*Non-SIS*	
REPLACE OR WIDEN BR CULVERT						Length: .001	
Responsible Agency: FDOT							
CST	ACBR	0	3,759,480	0	0	0	3,759,480
CST	BNBR	0	807,300	0	0	0	807,300
Total		0	4,566,780	0	0	0	4,566,780
Prior Cost < 2020/21		886,291	Futura Cost > 2024/25		0	Total Project Cost	5,453,071
WILDWOOD DR AT US1 - 4394701						*Non-SIS*	
INTERSECTION (MODIFY)						Length: .100	
Responsible Agency: FDOT							
CST	ACSS	2,000	0	0	0	0	2,000
Total		2,000	0	0	0	0	2,000
Prior Cost < 2020/21		1,657,885	Future Cost > 2024/25		0	Total Project Cost	1,659,885

APPENDIX I

Abbreviations & Acronyms

ABBREVIATIONS AND FUNDING SOURCES

AGENCIES

FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
JAA	Jacksonville Aviation Authority
JTA	Jacksonville Transportation Authority
SA/STJAA	St. Augustine/St. Johns County Airport Authority

PROJECT PHASES

ADM	Administration
CAP	Capital
CST	Construction
DSB	Design Build
ENV	Environmental
INC	Contract Incentives
LAR	Local Advance Reimbursement

MNT	Bridge/Roadway/Contract Maintenance
MSC	Miscellaneous
OPS	Operations
PDE	Project, Development & Environment Study
PE	Preliminary Engineering
PLN	Planning
ROW	Right-of-Way Acquisition
RPY	Repayments
RRU	Railroad/Utilities

FUNDING SOURCES

ACBR	Advance Construction (BRT) – Federal Bridge Replacement
ACBZ	Advance Construction (BRTZ)
ACER	Advance Construction (ER)
ACCM	Advance Construction (CM)
ACEN	Advance Construction Equity Bonus National Highway
ACFO	Advance Construction for High Priority
ACFP	Advance Construction Freight Program (NFP)
ACIM	Advanced Construction Interstate

ACNP	Advance Construction (NHPP)
ACSA	Advanced Construction Transportation Management Areas
ACSB	Advance Construction for SABR STP Bridges
ACSE	Advanced Construction Enhancement
ACSH	Advanced Construction Hazard Elimination
ACSL	Advance Construction (SL)
ACSS	Advanced Construction Safety
ACSU	Advance Construction (SU)
BNBR	State Bonds (Statewide Bridges)
BNDS	Bond funding State
BNIR	Interstate RW and Bridge Bonds
BRAC	Bridge Replacement
BRP	State Bridge Replacement
BRRP	State Bridge Repair and Rehabilitation
BRTZ	Federal Bridge Replacement - Off System
CIGP	County Incentive Grant Program
CM	Congestion Mitigation
CMAQ	Congestion Mitigation Air Quality

D	Unrestricted State Primary
DDR	District Dedicated Revenue (Gas Tax effective January 1, 1991)
DEM	Environmental Mitigation
DDRF	District Dedicated Matching Revenue Funds
DI	Statewide Inter/Intrastate Highways
DIH	State In-House Product Support
DIS	Strategic Intermodal System
DITS	District Intelligent Transportation Systems
DPTO	District Public Transportation Office
DRA	Rest Areas - State 100%
DS	State Primary Highways and PTO
DSBJ	I-295 Express Lanes – Capital
DU	State Primary/Federal Reimb
DWS	Weight Stations – State 100%
EB	Equity Bonus
EBNH	Equity Bonus - National Highway
EM19	GAA Earmarks FY 2019
FAA	Federal Aviation Administration
FTA	Federal Transit Administration

FTAT	FHWA Transfer to FTA (NON-BUD)
GFSU	General Fund
GMR	General Revenue for Strategic Intermodal System
GRSC	Growth Management of SCOP
HPP	High Priority Projects
HRRR	High Risk Rural Road
HSID	Intersection Crashes
HSLD	Lane Departure Crashes
HSP	Highway Safety Program
IMAC	Interstate Maintenance
IMD	Interstate Maintenance Discrete
JAA	Jacksonville Airport Authority
LF	Local Funds
LFB	Local Funds Budget
LFP	Local Funds for Participating
LFR	Local Funds/Reimbursable
LFRF	Local Funds/Reimbursable - Future
LOGT	Local Option Gas Tax

MG	Minimum Guarantee
NFPD	National Freight PGM-Discretionary
NHAC	National Highway System
NHBR	National Highway Bridges
NHPP	IM, Bridge Repl, Natnl Hwy-MAP 21
NHRE	Nat. Hwy. Perform – Resurfacing
NSTP	New Starts Transit Program
PKBD	Turnpike Master Bond Fund
PKYI	Turnpike Improvement
PKLF	Local Support for Turnpike
PLH	Public Lands Highway
PLHD	Public Lands Highway Discretionary
PORT	Seaports
REPE	Repurposed Federal Earmarks
RHH	Rail Highway Crossings - Hazard
RHP	Rail-Highway Safety Crossings – Prot. Dev.
SA	Transportation Management Areas
SCED	2012 SB1998-Small County Outreach
SCOP	Small County Outreach Program

SCRA	Small County Resurfacing
SIWR	2015 SB2514A-Strategic INT SYS
SE	Transportation Enhancement Activities related to any Surface Transportation Program
SH	Hazard Elimination
SIBG	SIB funds – Growth Management
SIB1	State Infrastructure Bank
SL	STP Areas <=200K
SN	STP, Mandatory Non-Urban <=5K
SR	Surface Transportation Program (STP) Railroad Hazard Elimination
SR2T	Safe Routes - Transfer
SS	Any safety improvement eligible under the Section 130 Railway-Highway Crossings Program and the Section 152 Hazard Elimination Program (allocated by statutory formula)
STED	2012 SB1998-Strategic Econ Cor
STP	Surface Transportation Program
SU, XU	Surface Transportation Program (STP) in urban areas with a population of over 200,000
TALT	Transportation Alts – Any Area
TALU	Transportation Alts - >200K
TDTF	Transportation Disadvantaged Trust Fund (80% Federal/20% State)
TGR	Tiger Grant through FHWA

TLWR	Suntrail
TMBJ	I-95 Express Lanes – Maintenance
TOBJ	I-95 Expressway Lanes - Operating
TMA	Transportation Management Areas - Areas with a population of over 200,000
TRIP	Transportation Regional Incentive Program
TRWR	TRIP Wheels on Road
XA	Surface Transportation Program (STP) in any urban areas.
XU, SU	Surface Transportation Program (STP) in urban areas > 200k

Max Royle

From: Ernie Raynor <centralsteeljax@gmail.com>
Sent: Monday, April 12, 2021 8:40 AM
To: Max Royle
Subject: Re: FW: OUTSIDE ATTACHMENT:ABATE of Florida, Inc. - Vintage Chapter Proclamation for May Motorcycle Awareness Month

Mr. Royle,

ABATE it originally stood for "A Brotherhood Against Totalitarian Enactments", it also was "American Bikers Against Totalitarian Enactments. Over the years we have added to teach safety so it also stands for "A Brotherhood Aimed Towards Education". ABATE is a motorcycle rights organization that fought for the freedom of choice and other motorcycle laws that help the rider. We also go into organizations or schools or just set up safety booths at events to help get the word out on how to share the road with motorcycles. State of Indiana's ABATE is responsible for giving the classes for all motorcycle licences. We here in Florida are fighting for a stiffer penalty bill for those who hit and insure/kill a motorcyclist in an accident. Most of the time, a driver of a car who causes an accident will get a failure to yield ticket and the motorcyclist will get a hefty fine for not wearing a helmet, a hefty hospital bill or a funeral bill. We need to change this. We would like to get with the Driver Education programs in the School District of St. John's County to help teach the children about sharing the road and maybe even teach them how to ride a motorcycle because they are cheaper regarding insurance coverage and in gas. There are more people going to motorcycles each year.

We did fight for the helmet law repeal to where we have the right to choose to wear a helmet or not. However, what most people do not understand is that there are conditions to having that right. Anyone under the age of 18 must wear a full face helmet. If you choose not to wear a helmet you have to have a 10,000 medical insurance coverage. So, it is all about choices and that is what we fight for. It is also about getting the word out to look for motorcycles and share the road. Get people to be more aware of us out on the roads and to get their nose out of their phones while they drive.

I hope this helps you understand why we are asking for May to be Motorcycle Awareness Month.

Sincerely yours,

Tracy Massoth
Lifetime Member- ABATE of Florida, Inc - Vintage Chapter

On Mon, Apr 12, 2021, 7:48 AM Max Royle < > wrote:

Ms. Massoth,

What does ABATE stand for?

Max

From: Max Royle
Sent: Tuesday, April 6, 2021 4:38 PM
To: Max Royle < >

Proclamation

PROCLAIMING MAY 2021 AS "MOTORCYCLE SAFETY AWARENESS MONTH"

WHEREAS, motorcycle riding is a popular form of efficient transportation and recreation for more than 1,000,000 people in Florida; and

WHEREAS, it is important that the drivers of all vehicles be aware of one another and learn to share the road and practice courtesy; and

WHEREAS, motorcycles provide a means of transportation that uses fewer resources, causes less wear and tear on public roadways, and increases available parking areas; and

WHEREAS, it is especially important that the citizens of Florida be aware of motorcycles on the streets and highways and recognize the importance of motorcycle safety; and

WHEREAS, the safety hazards created by automobile operators who have not been educated to watch for motorcyclists on the streets and highways of Florida are of prime concern to motorcyclists; and

WHEREAS, the American Bikers Aimed Toward Education (ABATE) of Florida, Vintage Chapter, representing Flagler County, the Town of Beverly Beach, the Town of Hastings, St. Augustine Beach, the City of St. Augustine, the City of Flagler Beach, the City of Bunnell, the City of Palm Coast, and St. Johns County is an organization that is actively promoting the safe operation, increased rider training, and increased motorist awareness of motorcycles; and

WHEREAS, it is important to recognize the need for awareness on the part of all drivers, especially with regard to sharing the road with motorcycles, and to honor motorcyclists' many contributions to the communities in which they live and ride.

NOW THEREFORE, BE IT PROCLAIMED BY THE CITY OF ST. AUGUSTINE BEACH that they hereby declare the month of May 2021 as "**Motorcycle Safety Awareness Month**" and encourage all residents of the City of St. Augustine Beach to be aware of motorcycles on our streets.

IN WITNESS of which, I, Mayor England, hereunto set my hand and cause the Official Seal of the City of St. Augustine Beach, Florida, to be affixed this 3rd day of May 2021.

Margaret England, Mayor

ATTESTED BY:

Max Royle, City Manager



Proclamation

WHEREAS, 234 years ago, our founding fathers wrote the United States Constitution whose preamble states, "We the people, in Order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America;" and

ALTHOUGH, the United States of America has made significant progress toward a more perfect union, this progress has not come all at once, and our country still strives to establish justice, equity, diversity, inclusion, welfare, liberty, and peace for all; and

WHEREAS, on June 26, 2015, the United States Supreme Court held that the fundamental right to marry belongs to same-sex couples in all 50 states, a victory for all who fought for equality and recognition of their unions: and

WHEREAS, Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex, and Asexual (LGBTQIA+) people are valued members of our families, community, and history; and

WHEREAS, we continue to support all LGBTQIA+ people including those who are Black, Brown, Indigenous, People of Color and White people regardless of their various intersectionality; their gender, gender identity, sexuality, race, class, disability, nationality, and location, and

WHEREAS, it is with most profound regard that we recognize the struggles of our neighbors, family members, friends, and all of past and present peoples of the City of St. Augustine Beach, who have suffered, fought, and died for loving whom they

love. Particularly we remember the victims of anti-gay violence in Florida including the 49 lives taken on June 12, 2016, at the Pulse Nightclub in Orlando.

NOW, THEREFORE, I, under the authority vested in me as Mayor of the City of St Augustine Beach, Florida, do hereby proclaim the City of St. Augustine Beach's acknowledgment of pride history and the 52nd anniversary of Stonewall, moreover, I will call upon all citizens to celebrate the progress that we have made, the contributions of the LGBTQIA+ community to our city, to stand as an ally with our friends and neighbors in the face of prejudice wherever it exists, and to embrace the great diversity within our community.

IN WITNESS of which, I, Mayor England, hereunto set my hand and cause the Official Seal of the City of St. Augustine Beach, Florida, to be affixed this 5th day of April 2021.


Margaret England, Mayor

ATTESTED BY:

Max Royle, City Manager

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 21, 2021

SUBJECT: Ordinance 21-04, Second Reading and First Public Hearing: to Amend the Land Development Regulations to Change Setbacks for Small Platted Lots and to Abolish the Overlay District Adjacent to A1A Beach Boulevard

INTRODUCTION

You discussed this Ordinance at your April 5th meeting when you passed it on first reading after making a number of changes to it. The City Attorney has prepared a revised Ordinance 21-04 to include the changes you approved.

The Comprehensive Planning and Zoning Board reviewed the Ordinance at its April 20, 2021, meeting and by unanimous vote recommended that the amendments to the Land Development Regulations on Ordinance 21-04 be further discussed and studied at a joint meeting of the City Commission, the Planning Board, and the Sustainability and Environmental Planning Advisory Committee (SEPAC).

ATTACHMENTS

Attached for your review is the following information:

- a. Page 1, a memo from the Building Official, in which he describes your discussion over several meetings concerning changes to building setbacks for small platted lots.
- b. Pages 2-3, the minutes of that part of your April 5, 2021, meeting when you discussed and made changes to Ordinance 21-04.
- c. Pages 4-14, Ordinance 21-04, with revisions in it that you approved at your April 5th meeting.
- d. Page 15, a memo from the Building Department's Executive Secretary, Ms. Bonnie Miller, in which she states the motion approved by the Planning Board at its April 20th meeting concerning Ordinance 21-04.
- e. Pages 16-17, an outline prepared by Mr. Craig Thomson of SEPAC, which he wants to discuss with you at your May 3rd public hearing.

ACTIONS REQUESTED

There are two:

1. That you hold the public hearing and discuss with Mr. Thomson the points he raised in his outline (pages 16-17).
2. That you decide whether to pass Ordinance 21-04 on its second reading or to schedule a workshop on May 18th with the Planning Board and SEPAC to discuss the Ordinance with them.



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Small Platted Lots setbacks

DATE: 2-8-2021, 3-4-2021, 4-12-2021

During the City Commission meeting on the 1st of February 2021 a conversation ensued regarding the small platted lots in relation to the current setbacks. The mayor asked that this topic be brought back to them at the March Commission meeting. Included with this memo are 2 different drafts regarding proposed setback changes. The proposal "draft 1" is a simple reduction in current setbacks for small platted lots and the reduction of all single family residence setbacks to 20 feet. The proposal "draft 2" limits the total height of the structure to 27 feet for the reduced setbacks on the 50' x 93' lots. The proposed changes are in red for ease of viewing. If the City Commission decides to move forward with a modification of the City setbacks the Building & Zoning Department asks that the city attorney drafts an ordinance for the April Commission meeting.

During the City Commission meeting on the 1st of March 2021 the City Commission instructed staff to proceed with the Draft 1 changes to the code and modify the flexible setbacks to save trees. Enclosed is the proposed draft code with the changes in red, identified as Draft 3. The ordinance included was prepared by the City Attorney. In addition, in the event that this ordinance is adopted it is prudent to remove section 3.08.00 Overlay Districts as the only benefit of the overlay was for reduced setbacks on small platted lots, as both overlay districts include the statement "Approval is not required if all other sections of the Land Development Regulations are adhered to nor is a comprehensive planning and zoning review required". This statement would clearly negate the overlay districts. I recommend that the section 3.08.00 be reserved for future use.

During the City Commission meeting on the 5th of April 2021 the City Commission instructed staff to modify "Draft 3" as follows: Several whereas statements are to be modified by the City attorney and specific code changes eliminating section 6.01.03 A.1. as the overlay district is proposed for removal and modify section 6.01.03 A.4. to continue the allowance of certain architectural profiling. The proposal is watermarked as draft 3a.

Brian W Law CBO, CFM, MCP
City of St. Augustine Beach
Director of Building and Zoning
2200 A1A South
St. Augustine Beach, FL 32080
(904) 471-8758
blaw@cityofsab.org

13. Ordinance 21-04, First Reading, to Amend the Land Development Regulations to Change Setbacks for Small Platted Lots and to Abolish the Overlay District Adjacent to A1A Beach Boulevard (Presenter: Brian Law, Building Official)

Mayor England introduced Item 13 and asked for a staff report from Building Official Law.

Building Official Law gave the history on this item. The current ordinance has the Commission changes that were requested with the table that describe the flexible setbacks. He advised that the current legislation if passed would prohibit architectural styling of a single-family residence other than in a PUD. He explained that this would not be an increase in the impervious surface ratio and a 35% lot coverage.

Mayor England asked City Attorney Taylor to beef up the whereas's in the ordinance, so it indicates to promote consistency in the application of the setbacks and to give equal treatment. Also, she requested that the City is protecting the environment by retaining the lot coverage for the impervious surface ratios. She asked architectural standards.

Building Official Law advised that he would recommend that the architectural standards should be in the commercial district not in residential.

Mayor England advised then that once the overlay district is removed then if there is an older building that the non-conforming footprint would not be honored, and the resident would have to comply with the current setback requirements.

Discussion ensued regarding the architectural colors that are housed in the Building Department and in the code; regarding the overlay district being removed would not stop the commercial district architectural standards; and any lots that are less than 50 feet would have side setbacks at 7.5 feet.

Mayor England addressed a typo on page 4, Item 4, should change the language to minimum front, rear, side, and street side setbacks as set forth in Section 6.01.03.

Building Official Law advised it might be better said as "into the required minimum setbacks as in Section 6.01.03."

Commissioner George agreed with Mayor England.

Mayor England advised on the bottom of the page, Item B, it should be "of ten" instead of "often."

Vice Mayor Samora asked when the new code would start regarding the footprint.

Mayor England advised that the resident would have to tear down more than 50% before the code would start.

Building Official Law said it would be 50% of the building, not the lot.

Motion: to extend the meeting. **Moved by** Commissioner George, **Seconded by** Mayor England. Motion passed unanimously.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and then asked City Attorney Taylor to read the preamble.

City Attorney Taylor read the preamble.

Mayor England asked for a motion.

Motion: to approve Ordinance 21-04 with the previous mentioned amendments including the additions to the whereas clauses identified by Mayor England, removal of Sections 6.1.03.A.(1), 6.1.03.A.(4) regarding specific numeration of setbacks and correcting the typo in 6.01.03 (2) b. **Moved by** Commissioner George, **Seconded by** Mayor England. Motion passed unanimously.

ORDINANCE NO. 21-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF SAINT AUGUSTINE BEACH PROVIDING FOR A CHANGE TO THE SETBACKS AND REMOVAL OF THE OVERLAY DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESSETH:

WHEREAS, the City Commission reviewed the setbacks and finds that providing more flexibility with the setbacks may save trees and allow development consistent with the past and future visions for the City;

WHEREAS, the City Commission is not changing its protections for the environment and drainage management, as all property still is required to comply with height and impervious surface ratios established by the City Commission;

WHEREAS, the City Commission continues to seek to promote consistent regulations and equal treatment of all its citizens and landowners and to amend or eliminate regulations which are conflicting;

WHEREAS, the City Commission finds that by changing the setbacks, the City will no longer have a need for Overlay Districts; and

WHEREAS, the City Commission hereby finds that adoption of this ordinance serves the best interest and welfare of the residents of the City of St Augustine Beach.

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. Recitals Adopted: The recitals set forth above are true and correct and incorporated herein by this reference.

SECTION 2. Amend Section 6.01.03 of the City's Land Development Code Section 6.01.03 as follows:

Sec. 6.01.03. - Building setback requirements.

- A. Subject to paragraph B. and any other provisions of this section, no portion of any building may be located on any lot closer to any lot line or to the street right-of-way line than authorized in the table set forth in this section. This will apply to any subdivision that does not have setback modifications approved by the City Commission, and by approval of respective Homeowner's Associations.

Land Use	Front Yard	Side Yard	Rear Yard	Street Side
Single-family	25 ft.	10 ft.	25 <u>20</u> ft.	15 <u>12</u> ft.
<u>*Single-family on 50' x 93' platted lots</u>	<u>20 ft.</u>	<u>7.5 ft.</u>	<u>20 ft.</u>	<u>12 ft.</u>
Multifamily (2 to 8 units)	25 ft.	10 ft.	20 ft.	15 ft.
Multifamily (8 units or more)	35 ft.	15 ft.	20 ft.	15 ft.
Commercial	20 ft.	10 ft.	20 ft.	15 ft.
Other uses (same as commercial)	20 ft.	10 ft.	20 ft.	15 ft.

~~1. Single family setbacks in the overlay districts as described in section 3.08.00 shall be per the applicable overlay requirements.~~

~~21.~~ Roof overhangs for single family land use may project past the setbacks up to 18 inches.

~~3-2.~~ Flexible setback to save trees for single family land use:

- a. In all cases, the justification for a change in a setback requirement must be to save a significant tree, which per the Board's motion to approve this Application is defined as being eight (8) inches in diameter at breast height (DBH) or greater, as demonstrated on a site plan with a tree and topography survey.
- b. ~~Front and rear yard setbacks, currently required to be 25 feet in the front and 25 feet in the rear, shall be allowed to be moved forward or backward 7.5 feet as long as a total of 50 feet total for combined front and rear yard setbacks is maintained. Flexible setbacks shall be as per the table below:~~
- c. ~~Side yard setbacks, currently required to be 10 feet on each side, shall be allowed to be moved five feet to either side as long as a total of 20 feet total for combined side yard setbacks is maintained and a minimum of 15 feet is maintained between adjacent structures.~~

	<u>Setbacks as per section 6.01.03</u>	<u>Flexible Adjustment</u>	<u>Combined Total</u>
<u>Front/Rear Yard</u>	<u>25 ft/20 ft</u>	<u>7.5 ft/2.5 ft</u>	<u>Front and Rear = 45 ft</u>
<u>Front/ Rear Yard</u>	<u>20 ft/20 ft</u>	<u>2.5 ft/2.5 ft</u>	<u>Front and Rear = 40 ft</u>

Ordinance No. _____

Page ____ of ____

<u>Side/Side Yard</u>	<u>10 ft/10 ft</u>	<u>5 ft/5 ft</u>	<u>Combined side = 20</u> <u>ft</u>
<u>Side/Side Yard</u>	<u>7.5/7.5 ft</u>	<u>2.5 ft/2.5 ft</u>	<u>Combined side = 15</u> <u>ft</u>

c. ~~d.~~—All requests for flexible setbacks to save trees must have the approval of the City's Building Official, the applicable Homeowners Association (if required) and the Comprehensive Planning and Zoning Board.

e. ~~Flexible setbacks are not applicable to the small-platted lots described in section 3.08.00 Overlay Districts.~~

4. ~~3.~~ Certain architectural features, such as roofs over exterior doors, bump outs, bay windows, etc. may project no more than 2.5 feet including overhangs-into the required ~~10 foot side, 15 foot street side and the 25 rear and front setbacks minimum setbacks as prescribed in section 6.01.03.A.~~ These architectural features shall not exceed 25% of the wall that they are serving nor shall they be supported by the earth.

4. ~~Any lot with a width of 50 ft. or less shall have a 7.5 ft. side setback.~~

B. Minimum setbacks for non-structural components of a structure.

1. *Decks:* Any deck less than twelve (12) inches above finished grade is not subject to setbacks requirements. However, this type of deck is not allowed within two (2) feet of an adjacent property line.

a. Any deck exceeding thirty (30) inches in height is subject to the setback requirements as specified in the table and is required to be permitted by the Building Department. If the main structure is built to the twenty (20') foot setback line, a deck less than thirty (30) inches is exempt from permitting and may encroach into the rear yard setback a distance not to exceed eight (8) feet from the principal structure and may encroach into the front setback a distance of five (5) feet from the principal structure. If the main structure is built to the twenty-five (25') foot setback line, a deck may extend twelve (12') feet into the rear setback and for the front, the deck may extend ten (10') feet into the front setback. Any requested extension exceeding the setback encroachment allowed in this paragraph will require proof of a hardship, not self created, to apply for a variance to the Comprehensive Planning and Zoning Board of the City.

b. For second and third level decks, the allowable extension from the main structure built at the twenty (20') foot setback is five (5) feet into the front or rear setback from the main structure. For a structure built at the twenty-five (25') foot setback, the allowable extension is ten (10') feet into the front or rear setback. Any extension greater than what is allowed in this paragraph will require proof of a hardship, not self-created, to apply for a variance to the Comprehensive Planning and Zoning Board.

2. *Auxiliary structures:*

Ordinance No. _____

Page ____ of ____

- a. This applies to features such as open-air arbors, trellises and free-standing tiki bars that do not exceed twelve (12) feet in height. These structures shall have a minimum setback of five (5) feet from the rear and side lot lines. Tiki bars are not allowed in front yards.
 - b. Screen rooms and patio covers are allowed to encroach a maximum ~~often of ten~~ (10) feet into the rear yard setback providing the roof line for the enclosure does not exceed twelve (12) feet in height and the addition to new or existing construction does not exceed the allowed impervious surface coverage as specified in the city's land development regulations. The screen room shall comply with the allowed side setbacks as established by these land development regulations.
 - c. Swimming pools and screen enclosures (regardless of whether or not enclosing a pool) shall be, at a minimum five (5) feet from the rear and side setbacks. This applies to the water line or the screen enclosure.
 - d. Storage sheds not exceeding eight (8) feet in width and twelve (12) feet in length shall be allowed a five (5) foot rear and side setback. Any storage shed exceeding ninety-six (96) square feet shall meet the same setbacks as specified in the table for new and existing construction. Storage sheds are not allowed in the front setback area.
 - c. Application for a variance to any sub-section in this paragraph is allowed providing a self-created hardship is not the basis for the application.
3. *Minimum setbacks between buildings:*
- a. The minimum setback between adjacent structures shall be ten (10) feet except that no setback is required where an attachment easement has been created.
 - b. Distance shall be measured at the narrowest point between structures of the main living unit, principal structure, an allowable attachment or an accessory use or to the ordinary projections of chimneys or flues, not exceeding two feet (2) feet. The measurement shall be taken from the structures walls, not including overhangs.
 - c. Dry cleaning establishments must meet the required commercial setbacks and cannot be located in a shopping center where zero (0) setbacks are allowed between adjacent stores. The exception shall be where a facility is for pick-up only with no actual dry-cleaning performed within the facility.

(Ord. No. 18-08, § 1(Exh. 1), 7-2-18; Ord. No. 20-02, § 6(Exh. 1), 3-2-20; Ord. No. 21-___, § 6(Exh. 1),)

SECTION 3. Repealing of City's Overlay Districts. The City Commission repeals and amends Section 3.08.00:

~~Sec. 3.08.00. Overlay districts. Reserved.~~

~~A. — Beachside medium density overlay district: There is hereby created an overlay district within that portion of medium density land use districts located East of A1A Beach~~

Ordinance No. _____

Page ____ of ____

Boulevard and lying between 16th Street and those portions South of F Street and North of Ponce Landing.

1. ~~*Purpose:* The overlay will provide for the enhancement or replacement of existing non-conforming structures located within the medium density land use district. The overlay also provides for new construction on the vacant, platted lots within the district. Structures currently deemed non-conforming in accordance with the current land development regulations will lose non-conforming designation by the overlay.~~
2. ~~*Approval:* The comprehensive planning and zoning board of the city shall be responsible for reviewing all applications. The board shall be required to approve any and all applications that clearly meet the requirements set forth in this section. Consequently, the board shall be required to deny any and all applications that do not meet the requirements of this section. Applications that do not meet the requirements can be addressed by the variance process or the city's appeal process. Approval is not required if all other sections of the Land Development Regulations are adhered to nor is a comprehensive planning and zoning review required.~~
 - a. ~~Upon review by the comprehensive planning and zoning board of an overlay application, if the application does not meet the requirements of this section, the board shall advise the applicant which items are found to be non-conforming and the applicant shall be provided the opportunity to correct the non-conformities and schedule a second hearing before the board. There shall be no additional fees for the second hearing.~~
 - b. ~~If the second review is not approved, the board shall advise the applicant of the non-conformities and advise the applicant of their right to appeal the board's decision, as well as their right to apply for a variance if the non-conformity can not be corrected. Any appeal by the applicant shall be in the same manner as appeals from approvals or denials of a final development approval. Any and all fees shall apply to the appeal and shall be paid by the applicant.~~
 - c. ~~Situations that conform to the overlay:~~
 - (1) ~~New construction is allowable using the setbacks requirements within this section with the caveat that construction shall conform to applicable building codes set forth by local, state and federal agencies that dictate construction in this geographical area.~~
 - (2) ~~The re-building or re-modeling of structures located within the overlay district on the footprint for the existing structure.~~
 - (3) ~~Expansion defined by the city is any increase in square footage of a structure and must meet all applicable building codes and shall be within the setback allowances set forth by this section.~~
 - d. ~~Situations that do not conform to the overlay: Situations that can not meet the requirements of this section will require the owner to use the city's variance procedure with applicable fees paid by the applicant.~~
3. ~~*Construction requirements:*~~

- a. ~~Code: All applicable requirements within the current edition of the State of Florida adopted Building Codes and Federal flood requirements and Florida Department of Environmental Protection requirements will mandate new, re-construction or re-modeling work. This section also sets specific requirements for property seaward of the coastal construction line and specific requirements based on the flood insurance maps for the city.~~
- b. ~~Footprint definition: For purposes of re-construction or re-modeling proposals that involve additional square footage being added to a structure, "building footprint" means the total foundation area for an existing structure, not including decks, patios or stairways outside the living area(s). Non-living space such as detached garages, carports and storage sheds shall not be given consideration as part of the footprint calculation for expansion of a existing structure in the overlay district. Should an applicant request from the board, approval to construct over a questionable space, the applicant must have evidence that a roof existed over the floor space that is in question in order to re-build over that footprint.~~
- c. ~~Building height: The building height shall be measured in accordance with Section 6.01.03 B.4.~~
- 4. ~~Setbacks: For residential Lots, the setbacks shall be twenty five (25') front and rear, side ten (10) feet, and street side fifteen (15) feet for new construction.~~
 - a. ~~For an existing structure, the existing footprint shall be considered acceptable and its location referred to as "deemed acceptable" for renovation and re-building.~~
 - b. ~~Second and third level decks will be allowed to extend to the engineered width of a structure and encroach five (5') into the front and rear setback. Second and third level articulations will be allowed to encroach into side setbacks three (3') feet but in no case may be closer than five (5') feet from the property line. Enclosed articulations are limited to twenty five (25%) per cent of the width of the elevation they are located on.~~
 - c. ~~Screened porches will be allowed a five (5') rear setback and a ten (10') side setback providing impervious surface coverage does not exceed 50% of the total lot square footage and the maximum height is less than twelve (12') feet.~~
 - d. ~~Swimming pools or screened pool enclosures will be allowed a five (5') rear and side setback. Note if a pool is built to the five (5') foot setback and later the owner desires to screen the pool, the screen will not be permitted into the five (5') foot setback.~~
 - e. ~~For oceanfront homes, the East side of a property is considered as the front.~~
 - f. ~~Vacated alleyways will be considered part of the property but no construction shall be allowed in this vacated portion of the lot. Setbacks on a vacated alleyway will be measured from the centerline of the alley. Setbacks on an open alleyway shall be measured from the alley line.~~
 - g. ~~Flexible setbacks to save trees~~
 - 1. ~~In all cases, the justification for a change in a setback requirement must be to save a significant tree, which per the Board's motion to approve this~~

Application is defined as being eight (8) inches in diameter at breast height (DBH) or greater, as demonstrated on a site plan with a tree and topography survey.

2. ~~Front and rear yard setbacks, currently required to be 25 feet in the front and 25 feet in the rear, shall be allowed to be moved forward or backward 7.5 feet as long as a total of 50 feet total for combined front and rear yard setbacks is maintained.~~
3. ~~Side yard setbacks, currently required to be 10 feet on each side, shall be allowed to be moved five feet to either side as long as a total of 20 feet total for combined side yard setbacks is maintained and a minimum of 15 feet is maintained between adjacent structures.~~
4. ~~All requests for flexible setbacks to save trees must have the approval of the City's Building Official and the applicable Homeowners Association (if required) and the Comprehensive Planning and Zoning Board.~~

5. ~~Architectural requirements:~~

- a. ~~The use of detail will be encouraged by the city to assist in architectural styling.~~
- b. ~~Exterior colors shall be in accordance with the color palettes adopted by the city for community standards.~~
- c. ~~All structures exceeding two (2) levels are required to reduce the third level living space to be a maximum of seventy percent (70%) of the first floor space including conditioned space, garages, unconditioned enclosed space but in no case, shall be larger than the second level. Porches are not included in the calculation of living space nor are porches included in the third level seventy percent (70%) calculation.~~

6. ~~Site Requirements:~~

- a. ~~Landscaping shall be at the owner's discretion. The city shall require that landscaping enhances the aesthetics of the streets and neighborhoods. The city recommends the use of native or Florida friendly plants. An inter-mixing of grasses, xeriscape plants and ground cover such as mulches, gravel, pine straw is required.~~
- b. ~~Connection to St. John's County Utility is required.~~
- c. ~~For lots located in the Velocity Zones, any fill added to the lot will require a professional engineer to design the fill procedure and materials. The procedure will be acceptable to the city and approved by the Florida Department of Environmental Protection.~~

B. ~~Overlay for residential lots platted prior to the adoption of the Land Development Regulations:~~ There is hereby created an overlay district encompassing residential lots platted before the date of this Code.

1. ~~Purpose:~~ The overlay will provide for the enhancement or replacement of existing non-conforming structures located within the Platted Lots District. The overlay also provides for new construction on the vacant, platted lots within the district. Structures

~~currently deemed non-conforming in accordance with the current land development regulations will lose non-conforming designation by the overlay.~~

2. ~~Approval: The comprehensive planning and zoning board of the city shall be responsible for reviewing all applications. The board shall be required to approve any and all applications that clearly meet the requirements set forth in this section. Consequently, the board shall be required to deny any and all applications that do not meet the requirements of this section. Applications that do not meet the requirements can be addressed by the variance process or the city's appeal process. Approval is not required if all other sections of the Land Development Regulations are adhered to nor is a comprehensive planning and zoning review required.~~
 - a. ~~Upon review by the comprehensive planning and zoning board of an overlay application, if the application does not meet the requirements of this section, the board shall advise the applicant which items are found to be non-conforming and the applicant shall be provided the opportunity to correct the non-conformities and schedule a second hearing before the board. There shall be no additional fees for the second hearing.~~
 - b. ~~If the second review is not approved, the board shall advise the applicant of the non-conformities and advise the applicant of their right to appeal the board's decision, as well as their right to apply for a variance if the non-conformity can not be corrected. Any appeal by the applicant shall be in the same manner as appeals from approvals or denials of a final development approval. Any and all fees shall apply to the appeal and shall be paid by the applicant.~~
 - c. ~~Situations that conform to the overlay:~~
 - (1) ~~New construction is allowable using the setbacks requirements within this section with the caveat that construction shall conform to applicable building codes set forth by local, state and federal agencies that dictate construction in this geographical area.~~
 - (2) ~~The re-building or re-modeling of structures located within the overlay district on the footprint for the existing structure.~~
 - (3) ~~Expansion defined by the city is any increase in square footage of a structure and must meet all applicable building codes and shall be within the setback allowances set forth by this section.~~
 - d. ~~Situations that do not conform to the overlay: Situations that can not meet the requirements of this section will require the owner to use the city's variance procedure with applicable fees paid by the applicant.~~
3. ~~Construction requirements:~~
 - a. ~~Code: All applicable requirements within the current edition of the State of Florida adopted Building Codes and Federal flood requirements and Florida Department of Environmental Protection requirements will mandate new, re-construction or re-modeling work.~~
 - b. ~~Footprint definition: For purposes of re-construction or re-modeling proposals that involve additional square footage being added to a structure, "building footprint"~~

means the total foundation area for an existing structure, not including decks, patios or stairways outside the living area. Non-living space such as detached garages, carports and storage sheds shall not be given consideration as part of the footprint calculation for expansion of a existing structure in the overlay district. Should an applicant request from the board, approval to construct over a questionable space, the applicant must have evidence that a roof existed over the floor space that is in question in order to re-build over that footprint.

- e. ~~Building height:~~ The building height shall be measured in accordance with and not exceed thirty five (35') feet above the requirements of Section 6.01.03.B.

4. ~~Setbacks by minimum lot size:~~

a. ~~Small Platted Lots:~~

1. ~~For residential Lots with a maximum lot size of 4,650 square feet, maximum lot depth of 93' feet and lot width of 50' or less, the setbacks shall be twenty (20') front and rear and sides are allowed seven and a half (7.5') feet for new construction.~~
2. ~~For an existing structure, the existing footprint shall be considered acceptable and its location referred to as "deemed acceptable" for renovation and re-building.~~
3. ~~Second and third level decks will be allowed to extend to the engineered width of a structure and encroach five (5') into the front and rear setback. Second and third level articulations will be allowed to encroach into side setbacks three (3') feet but in no case may be closer than five (5') feet from the property line. Enclosed articulations are limited to twenty five (25%) percent of the width of the elevation they are located on.~~
4. ~~Screened porches will be allowed a five (5') rear setback and a ten (10') side setback providing impervious surface coverage does not exceed ratio by district for the total lot square footage and the maximum height is less than twelve (12') feet.~~
5. ~~Swimming pools or screened pool enclosures will be allowed a five (5') rear and side setback. Note if a pool is built to the five (5') foot setback and later the owner desires to screen the pool, the screen will not be permitted into the five (5') foot setback.~~
6. ~~Vacated alleyways will be considered part of the property but no construction with a permanent foundation shall be allowed in this vacated portion of the lot. Setbacks on a vacated alleyway will be measured from the centerline of the alley. Setbacks on an open alleyway shall be measured from the alley line.~~

b. ~~Standard Platted Lots~~

1. ~~For residential Lots with a lot size greater than 4,650 square feet, minimum lot depth of 93' feet and lot width greater than 50' feet, the setbacks shall be twenty five (25') front and rear, side ten (10) feet, and street side fifteen (15) feet for new construction.~~

2. ~~For an existing structure, the existing footprint shall be considered acceptable and its location referred to as "deemed acceptable" for renovation and re-building.~~
3. ~~Second and third level decks will be allowed to extend to the engineered width of a structure and encroach five (5') into the front and rear setback. Second and third level articulations will be allowed to encroach into side setbacks three (3') feet but in no case may be closer than five (5') feet from the property line. Enclosed articulations are limited to twenty-five (25%) percent of the width of the elevation they are located on.~~
4. ~~Screened porches will be allowed a five (5') rear setback and a ten (10') side setback providing impervious surface coverage does not exceed 50% of the total lot square footage and the maximum height is less than twelve (12') feet.~~
5. ~~Swimming pools or screened pool enclosures will be allowed a five (5') rear and side setback. Note if a pool is built to the five (5') foot setback and later the owner desires to screen the pool, the screen will not be permitted into the five (5') foot setback.~~
6. ~~Vacated alleyways will be considered part of the property but no construction shall be allowed in this vacated portion of the lot. Setbacks on a vacated alleyway will be measured from the centerline of the alley. Setbacks on an open alleyway shall be measured from the alley line.~~
7. ~~Flexible setback to save trees for single family land use~~
 - a. ~~In all cases, the justification for a change in a setback requirement must be to save a significant tree, which per the Board's motion to approve this Application is defined as being eight (8) inches in diameter at breast height (DBH) or greater, as demonstrated on a site plan with a tree and topography survey.~~
 - b. ~~Front and rear yard setbacks, currently required to be 25 feet in the front and 25 feet in the rear, shall be allowed to be moved forward or backward 7.5 feet as long as a total of 50 feet total for combined front and rear yard setbacks is maintained.~~
 - c. ~~Side yard setbacks, currently required to be 10 feet on each side, shall be allowed to be moved five feet to either side as long as a total of 20 feet total for combined side yard setbacks is maintained and a minimum of 15 feet is maintained between adjacent structures.~~
 - d. ~~All requests for flexible setbacks to save trees must have the approval of the City's Building Official, the applicable Homeowners Association (if required) and the Comprehensive Planning and Zoning Board.~~

5. ~~Site Requirements:~~

- a. ~~Landscaping shall be at the owner's discretion. The city shall require that landscaping enhances the aesthetics of the streets and neighborhoods. The city recommends the use of native or Florida friendly plants. An inter-mixing of grasses, xeriscape plants and ground cover such as mulches, gravel, pine straw is required.~~
- b. ~~Connection to St. John's County Utility is required if available.~~
- c. ~~For lots located in the Velocity Zones, any fill added to the lot will require a professional engineer to design the fill procedure and materials. The procedure must be acceptable to the city and approved by the Florida Department of Environmental Protection.~~

~~(Ord. No. 18-07, § 1(Exh. 1), 5-7-18)~~

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 6. This Ordinance shall take effect ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this ____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2020.

MAYOR

Published in the _____ on the ____ day of _____, 2020. Posted on www.staugbch.com on the ____ day of _____, 2020.

Ordinance No. ____
Page ____ of ____

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Ordinance No. 21-04
Date: Wednesday, April 21, 2021

Please be advised at its regular monthly meeting held Tuesday, April 20, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission not approve passage of Ordinance No. 21-04, with the recommendation that a joint workshop meeting of the City Commission, Comprehensive Planning and Zoning Board, and Sustainability and Environmental Planning Advisory Committee (SEPAC) be held to further discuss and study the amendments and changes that would be made to the City's Land Development Regulations (LDRs) upon adoption and final passage of the ordinance.

Passed on first reading by the City Commission at its regular monthly meeting held Monday, April 5, 2021, Ordinance No. 21-04 amends Section 6.01.03 of the LDRs, pertaining to building setback requirements, and repeals and removes Section 3.08.00 of the LDRs, pertaining to overlay districts.

Mr. Pranis made the motion to recommend the City Commission not approve passage of Ordinance No. 21-04, with the recommendation that the ordinance amendments to the LDRs be further discussed and studied at a joint workshop meeting of the City Commission, Comprehensive Planning and Zoning Board, and SEPAC. Mr. Pranis' motion was seconded by Ms. Odom and passed 7-0 by the Board by unanimous voice-vote.

**SUSTAINABILITY GOALS NEGATIVELY AFFECTED BY CITY OF ST. AUGUSTINE BEACH
REDUCED SETBACK, ORDINANCE 21-04**

1. Urban tree canopy preservation:

Comprehensive Plan Policy L.1.1.1 - Positive incentives to the tree ordinance to preserve/replant the natural or native vegetation, to maintain natural beauty and water quality and to control erosion and run off.

Comprehensive Plan Policy L.1.6.1 - Limit clearing in the 'coastal hammock' to structure, access & parking

SEPAC Concern: Ordinance 21-04 will have a negative affect on these policies as the allowable building size and bulk will be increased creating a greater clearing of the natural tree canopy and vegetation. Established neighborhoods will be adversely affected by the loss of natural beauty (i.e. tree canopy) and increased runoff. Larger houses constructed to new setbacks will inevitably destroy trees by impacting their Critical Protection Zone (CPZ).

2. Protection of natural water bodies and groundwater conservation:

Land Development Regulations - Section 1.04.02 - Specific intent relating to the various subject areas of the Code.

C. Landscaping and Tree Protection.

7. To preserve the community's irreplaceable natural heritage for existing and future generations; and to prevent water from flowing into or onto adjacent or nearby property except in the case of an approved stormwater system specifically designed for off-site retention. The city's stormwater drainage system is intended to alleviate to some degree flooding in streets, but it is not intended to prevent all flooding on private property.

E. Stormwater management.

1. To protect and maintain the chemical, physical and biological integrity of ground and surface water.
2. To prevent activities which adversely affect ground and surface waters;
3. To encourage the construction of stormwater management systems that aesthetically and functionally approximate natural systems.

SEPAC Concern: with Ordinance 21-04 there is no incentive to prevent runoff and conserve rainwater for ground water recharge and protecting natural water bodies from pollution.

3. Flood protection due to climate change/storm surge and stormwater runoff:

Comprehensive Plan Policy - CC.4.4.2 - The City will amend the Land Development Regulations to require vulnerability reduction measures for all new development, redevelopment and infrastructure in the Adaptation Action Areas. These measures will include additional hardening, higher floor elevations, and incorporation of natural infrastructure for increased resilience.

Comprehensive Plan Policy - Conservation of Natural Resources Goal - CC.2 - St. Augustine Beach shall conserve, utilize and protect the natural resources of the area, including air, water, wetland, waterwells, water bodies, soils, vegetative communities, wildlife, wildlife habitat and other natural and environmental resources.

Comprehensive Plan Policy - Sea Level Rise- CC1.4.1 - All development shall be designed and constructed to city specifications to minimize stormwater discharge and be designed to meet regulations of chapter 17-25 and 40 F - 4FC (retain the first one half inch of rainfall and in an off-line retention structure.

SEPAC Concern: that the goals of our new Climate Change element are not being considered by the new ordinance. SEPAC has recommended specific mitigation and adaptation of regulations which should be adopted prior to any major changes in the Land Use Plan or Land Development Regulations.

These include creating more on-site retention by the following:

Freeboarding Site Development within our floodplain

Capturing rainwater by use of rain barrels, and the use of underground French drains or cisterns.

Creating roadside swales and or rain gardens.

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 23, 2021

SUBJECT: Drug/ Alcohol Rehab and Medical Facilities: Review of Proposal of Where to Locate

INTRODUCTION

Attached as pages 1-4 are the minutes of your April 5, 2021, meeting when you discussed possibly regulating the location of drug/alcohol rehabilitation and medical facilities in the City. One of the outcomes of the discussion was the comment from Mr. Lex Taylor, the City Attorney, that he would research addiction treatments to address types of medical facilities in the City.

Attached as pages 5-10 is Mr. Taylor's review and analysis of two related issues:

1. Whether it's appropriate for a drug rehab facility to be located in a commercial zone in the City.
2. What limitations can the City put on Community Residence Homes that are located in residential zones in the City.

Mr. Taylor will present his report at your May 3rd meeting.

ACTION REQUESTED

It is that you discuss the information Mr. Taylor has presented and if, on the basis of it, you want him to prepare an ordinance to adopt regulations concerning drug/alcohol rehabilitation facilities in the City.

REGULAR COMMISSION MEETING

APRIL 5, 2021

17. Drug and Alcohol Rehabilitation Clinics: Consideration of Where They Can Be Located
(Presenter: Max Royle, City Manager)

Mayor England introduced Item 17 and asked for a staff report from City Manager Royle.

City Manager Royle advised he prepared a memo of suggestions but asked the Commission how they want to proceed.

Mayor England asked Building Official Law for a status report on this item.

Seagrove Town Center Association Notice of Approval letter (Exhibit 5).

Building Official Law advised that several months ago there was a complaint that a business was running without a Business Tax Receipt. Code Enforcement Officer Thompson and Building Official Law went to the business and advised that the business would have to comply with getting their license. The business did not meet the deadline for getting their Business Tax Receipts so the City brought them in front of the Code Enforcement Board and the Board gave the business a \$250 a day fine until the business tax receipt was received. The business did get their business tax receipt and paid the fines, and the Code Enforcement Board's case was closed. He explained that Sea Grove is a Planned Unit Development (PUD), and their PUD allows for outpatient medical and dental clinics. He advised that the owners advised that their business tax receipt is for administrative offices and yoga classes, not a medical clinic. The City has no proof of a medical clinic. He advised that code enforcement has no active case. There have been several complaints, but nothing that the City could verify.

Mayor England asked how many times have there been inspections at the business.

Building Official Law advised he thought once, and the Fire Marshall went another time.

Police Chief Carswell advised that they have been monitoring the business and have had 51 service calls in the area, but no calls related to that business.

Mayor England advised that since the property has is a PUD, and the Sea Grove Board wanted to act, they would have to modify their agreement.

Building Official Law advised yes, Sea Grove would have to modify their PUD agreement. He explained that Sea Grove has not contacted the City to modify the agreement.

Mayor England advised that the residents' concerns are how the City would define a community home or group home and medical clinics in their neighborhood.

Building Official Law read the Code of Ordinances on medical clinics, outpatient facilities, and self-preservation definitions.

Mayor England advised that under state and federal guidelines group homes are highly regulated.

City Attorney Taylor agreed.

Mayor England asked if the City tried to prohibit group homes, would the City be allowed under the fair housing regulations.

City Attorney Taylor advised no and will cause the City legal action.

Mayor England asked if the Land Development Codes gives definitions of medical clinics.

Building Official Law read the Land Development Regulations. Chapter 2 has no definitions for medical clinics.

Mayor England advised that that is something that should be researched. She advised that there is in the Florida Building Code and our City's Code of Ordinances. She advised that if we need to prohibit or have definitions where they are allowed in the City, that would be something to research.

Building Official Law advised that that would not change the Sea Grove business.

Commissioner George advised that the City adopted the Pharmacy Ordinance that was to have certain uses in certain locations.

Mayor England advised that the ordinance was very broad that all pharmacies would be on State Road A1A. She explained that the City needs a good definition and locations that of changing medical clinics.

Building Official Law advised that medical clinics are permitted in commercial districts and institutional.

Mayor England advised that the Commission is trying to encourage mixed-use district, so under that definition of medical facility there may be an office that the City would want to encourage on the mixed-use district.

Building Official Law advised that a conditional use could only be for hospitals. He explained that Sea Gove is a hybrid PUD. He has told the business not to operate outside of their business tax receipt. If there is evidence of operating outside of the business tax receipt, there would be another code enforcement case.

City Attorney Taylor advised that he sent a letter per the Code Enforcement Board to Department of Business and Professional Regulation (DBPR) and other licensing authorities to give heightened scrutiny for this business. He explained that DBPR would be a more appropriate authority to investigate.

Commissioner Samora asked if the property on 3rd Street has notified the Building Department of any building moving forward.

Building Official Law advised that CMS Holdings owns the title, and he has not been notified of any changes. He explained that if there was any proof of a group home, then he would start an investigation to ask the owners of their intentions and bring them to the Code Enforcement Board.

Mayor England advised that a medical clinic must be in a commercial district, not a residential district.

Mayor England opened the Public Hearing, and the following addressed the Commission:

Katie Duggan, 1144 Overdale Road, St. Augustine Beach, FL, advised that this business is an uncertified and unregulated treatment facility with the mission to make money instead of the outcome of the treatment. Residents have done research on this business and is other businesses owned by the same CEO and now trying to add St. Augustine to their long list of targeted cities. She explained the process of these treatment businesses.

Mayor England advised that the Commission has received Ms. Duggan's emails and articles.

Sarah Smith, 776 Tides End Drive, St. Augustine Beach, FL, asked if the Commission is considering the business a treatment facility.

Mayor England advised that the business tax receipt is for administrative offices and yoga classes only. There is no evidence of any medical facility.

Ms. Smith advised that on the PUD it does says the business is for private clubs limited to fraternal and membership organizations. She advised that this is not allowed according to the Commission.

Mayor England advised that it is a private matter under the PUD.

Ms. Smith said if Seagrove is not doing anything about it, she is encouraging the Commission to assist the citizens with this issue. If this business is part of Pearl of the Sea, then they should be considered part of their facility and the business tax receipt should be rehab clinic.

Colin Turner, 784 Tides End Drive, St. Augustine Beach, FL, advised that this business is a drug and alcohol detox center. He proposed that the community stop saying this business is a clinic and advised that the private clientele is concerning. He advised that he has a legal opinion from Doug Barnett that says that this is a drug and rehab facility, and it is not allowed under the Seagrove PUD and therefore it is a zoning issue and code enforcement issue.

Mayor England asked for the legal opinion be given to the City Clerk at any time.

Mary MacDonagh, 121 Sea Grove Main Street, St. Augustine Beach, FL, explained that a gentleman who lives in Sea Grove attempted to go into the business and was stopped by a guard and a guard dog and was told it was a private club. She advised that another person tried to come into the business, and they were told it was a private club. She also advised that there were six incidents where the Police Department had to respond after this business came to Seagrove. This is not the place for a drug rehab where children and a library are in the neighborhood.

Carol Oyenarte, 392 High Tide Drive, St. Augustine Beach, FL, thanked the Commission for allowing the residents to come back to discuss this issue, even though not much has changed. She advised that the Commission has received copious amounts of information on this business. She said the business has made the residents be in a reactive mode. The business is proactive and in 50 states, and the business is working the streets.

Leah Beck, 129 Sea Grove Main Street, St. Augustine Beach, FL, advised that she agrees with the community and asked where they are housing their clients and where are they receiving the medical detox. She advised that there are a lot of bars in the community and asked to stop putting their clients in harm.

Mayor England closed the Public Hearing and then asked for any further Commission discussion.

Commissioner Rumrell said that everyone wants to help the people, but not to exploit them. Personally, he does not feel that the City can support these types of businesses with the Police and Fire Departments and hospitals. He explained that he wants to take care of the community and to get proactive before it builds into more of a problem. He would like to look at the locations within the City that these businesses could be allowed.

Commissioner Torres advised that this was told in the code enforcement minutes that this was

not a clinic and asked why it is being called a clinic by the residents.

Building Official Law advised that the owner clearly stated that they are not a medical facility.

Commissioner George asked what the ramifications if the use is violated by the owners.

Building Official Law advised that the City Manager has the right to remove that business tax receipt. He advised that the City Attorney should be involved with that decision. He explained that only a judge could make them leave the property.

Commissioner George advised that the City cannot do anything on the PUD, but Sea Grove residents are fully empowered to lobby the Sea Grove HOA and if the Board members of the Sea Grove HOA are not responding to the resident's needs, the Board members could be voted off. She advised that the ordinances need to be updated and have the City be proactive regarding this issue. Staff is very sensitive to this issue and they live here as well.

Mayor England asked Building Official Law to research in the Land Development Codes on the definition of a medical facility and where they will be allowed within the City.

City Attorney Taylor advised that he would research addiction treatments to address these types of businesses within the City.

Commissioner Rumrell asked if the City cannot govern the PUD, and the residents should go back to Sea Grove HOA.

City Attorney Taylor advised that Sea Grove HOA could enforce an eviction on the business if there is a fraudulent use being done. He advised that the City has no evidence that the business is doing something wrong so the City cannot act on any zoning issues.

Commissioner Rumrell advised that in the future these businesses should have a certain requirement of licenses before opening the business in certain locations.

Vice Mayor Samora advised that the safety of the residents should be first and foremost. He thanked Commissioner Rumrell for putting this on the agenda and asked to get in front of this. He asked if anyone had proof of an unpermitted use, where would it go to be dealt with.

Building Official Law advised that it would go to the code enforcement officer to be investigated.

City Attorney Taylor advised that it also could go to the DBPR in order to act quicker than the City.

Mayor England moved to Item 12.

DOUGLAS LAW FIRM

Charles T. Douglas, Jr.
Christopher W. LoBianco
Lex Morton Taylor, III
Cindy Marvin
Dominic Piscitello

ATTORNEYS AND COUNSELORS AT LAW

6100 GREENLAND ROAD, UNIT 603, JACKSONVILLE, FL 32258
1 NEWS PLACE, STE. E, ST. AUGUSTINE, FL 32086
1301 ST. JOHNS AVENUE, PALATKA, FL 32177

Toll Free: (800) 705.5457
Office: (386) 530.2955
Fax: (386) 385-5914
www.DHClawyers.com

Memo on Drug Rehab Zoning

Dated: April 20, 2021
From: Douglas Law Firm
To: Max Royle, City Manager for City of Saint Augustine Beach

We have two separate but related issues at question in this memo.

1. Commercial -- Whether and where it is appropriate in the City for a Drug Rehab Facility to be run in Commercial Zoning
2. Residential -- What limitations can be placed upon Community Residence Homes in Residential Zoning

I. Zoning Amendments for Drug Rehab Facilities (Commercial)

My suggestion is to amend section 3.02.03 of the Land Development Regulations – Prohibited Uses- to include a definition for Drug Rehab Facilities as any business or organization which is required to be regulated under Fla. Stat. Chapter 397 -- Substance Abuse Services. This is going to be the easiest and most efficient route to prevent Drug Rehabilitation Facilities in the City. See Proposed Additional Prohibited Use Amendment in **Exhibit "A"**.

The other option is to amend and define in the Land Development Regulations Drug Rehabilitation Facilities. We would have to craft a definition for Drug Rehabilitation Facilities, which may have difficult issues separating it from other medical services. This option is much more complex and leaves the City open to more legal challenges.

The other question under this topic is whether there is a commercial district in the City of Saint Augustine Beach where we would find it appropriate to run a Drug Rehabilitation Facility. In my review of law, I could not find a reason that we could not place Drug Rehab Facilities as a prohibited use in all commercial zones in the City. It appears to me the limits on the City's power are not in commercial districts but in the residential area.

For clarity, while our interpretations of City zoning do have precedential value in our regulation of PUD's; however, the City does not control the zoning for the PUDs, themselves. The PUDs must adopt their own zoning requirements and it is the City's job to

enforce and interpret the PUDs zoning requirements. Additionally, a zoning change by SeaGrove, at this time, would affect future businesses coming into their PUD, but Resurgence may be grandfathered. Though we can evaluate the City's options if any new evidence is provided.

II. Community Residence Homes (Residential)

The answer on these is fairly clear. The legislature has preempted local regulation of Community Residence Homes in Fla. Stat. 419.001. It is defined as "a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents." Fla. Stat. 419.001 goes on to state,

"Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes are not located within a radius of 1,000 feet of another existing such home with six or fewer residents or within a radius of 1,200 feet of another existing community residential home. Such homes with six or fewer residents are not required to comply with the notification provisions of this section; provided that, before licensure, the sponsoring agency provides the local government with the most recently published data compiled from the licensing entities that identifies all community residential homes within the jurisdictional limits of the local government in which the proposed site is to be located in order to show that there is not a home of six or fewer residents which otherwise meets the definition of a community residential home within a radius of 1,000 feet and not a community residential home within a radius of 1,200 feet of the proposed home. At the time of home occupancy, the sponsoring agency must notify the local government that the home is licensed by the licensing entity. For purposes of local land use and zoning determinations, this subsection does not affect the legal nonconforming use status of any community residential home lawfully permitted and operating as of July 1, 2016.

There are still limitations within the statute. First and foremost, these facilities are required to obtain a permit from the Agency for Health Care Administration (AHCA). See https://ahca.myflorida.com/mchq/health_facility_regulation/hospital_outpatient/residential.shtml. If they do not have such a license, they are not only in violation of the law and compliance with AHCA, but they also have no zoning protection and could be found to be in violation of our zoning laws. Additionally, these Community Residence Homes may not be within 1,000 feet of another such home and 1,200 feet from a larger Community Residence

Home. These limitations hopefully will eliminate the unlicensed establishments of such homes without much difficulty from the City. If such a Community Residence Home is licensed with AHCA, then it would need to keep itself in compliance with AHCA.

The Fair Housing Act prohibits discrimination in residential housing against people with disabilities including individuals in recovery for drug addiction and alcoholism. Specifically, the law requires cities to provide "reasonable accommodation" in their land use regulations for people with these disabilities. In 2016, the U.S. Department of Justice in conjunction with the U.S. Department of Housing and Urban Development released updated guidelines for cities as several were completely prohibiting community residences in violation of the Fair Housing Act. Facilities commercially zoned do not have to comply with the Fair Housing Act, but Community Residence Homes that are residentially zoned do have to comply. I do not see any limitations created by the Fair Housing Act that are larger than the requirements by Fla. Stat. 419.001.

Yours truly,

/s/ Lex Morton Taylor III

Lex M. Taylor, III

Florida Bar Number: 0123365

LMT

EXHIBIT "A" - PROHIBITED USE AMENDMENT

Sec. 3.02.03. - Prohibited uses.

- A. In addition to the uses prohibited under section 3.02.02 and Table 3.02.02, and other provisions of this Code, the following uses are prohibited:
1. Keeping, breeding, or raising of bees, insects, reptiles, pigs, horses, cattle, goats, hogs, or poultry.
 2. The sale, offer for sale, rental, storage or display of any merchandise, outside of an enclosed building on the premises of any business except as provided herein.
 - a. As used herein the term "outdoor" shall mean any area which is outside of the heated or cooled area of a building and visible from a public street. Provided, however, that the outdoor display or sale of merchandise shall be permitted:
 - (1) In conjunction with and pursuant to any outdoor sale or display of merchandise authorized in conjunction with a special event pursuant to section 3.02.05 hereof:
 - (2) When the display is limited to merchandise identical to that actually in stock and available for purchase on the premises where the display is maintained, the display is limited in size to an area no greater than five (5) feet high, three (3) feet wide, and three (3) feet in length and is not located within six (6) feet of any other such display. No such display may be located within any public right-of-way, mandatory building setback under this chapter or so as to interfere with any fire exit required under any building code of the city. Any display rack, shelves or other device used in conjunction with the display of merchandise shall be made of wood which shall have either a natural finish or shall be painted only in colors which have been approved by the comprehensive planning and zoning board as a part of the supplemental criteria for community appearance standards or shall be made of brass, copper, bronze, nickel, tin or iron; provided, however, that painted, polished, anodized or chromed metals shall be prohibited.
 3. The sale, offer for sale, or rebuilding of secondhand merchandise on any business premises, including secondhand household and commercial goods, such as but not limited to: refrigerators, stoves, sinks, plumbing fixtures, carports, tents, air conditioners, windows, vehicle parts, and the like.
 4. The manufacture, assembly or preparation of any merchandise, food or beverages outside of an enclosed building on any business premises.
 5. The sale, offer for sale, or rental of any merchandise, food or beverages from a motorized or nonmotorized vehicle or trailer of any type on any business premises.
 6. The operation of a business from any temporary quarters, such as but not limited to: tents, pushcarts, sheds, carports, motor vehicles, and trailers.

7. Package stores; provided, however, that package stores having an area of less than eight thousand (8,000) square feet and located within a shopping center having greater than fifteen thousand (15,000) square feet under roof and package stores operated in conjunction with a restaurant having a 4-COP license as of the effective date of this section shall be an authorized use within commercially zoned areas.
 8. Pawn shops.
 9. Sewer treatment plants.
 10. Car wash, unless ancillary to a service station.
 11. Wireless communication towers in all districts; provided, however, that such towers may be allowed as a conditional use in commercial districts at locations more than three hundred (300) feet from residential uses upon a showing by the applicant that wireless telephone signals will not otherwise be adequately available within the corporate limits of the city from a site outside the corporate limits of the city. Nothing in this section shall be deemed to prohibit towers for governmental use such as fire, police and public works. To protect the vision and scenic beauty of A1A Beach Boulevard and the beaches, as set forth in various studies and reports conducted by the city, including the Visioning Plan, no tower greater than forty (40) feet in height may be located within three hundred (300) feet of the western boundary of A1A Beach Boulevard or east of A1A Beach Boulevard unless this requirement would result in a prohibition of communication service to a particular area of the city.
 12. Transient lodging establishments within low density residentially zoned areas.
 13. Any business or organization which is required to be regulated under Fla. Stat. Chapter 397 -- Substance Abuse Services
- B. The preceding paragraph A. does not prohibit the following uses when in conformity with all other provisions of this Code and with required city permits:
1. A temporary construction trailer is allowable in accordance with section 7.03.01 of this Code.
 2. Farmers markets, seasonal sale of Christmas trees, merchandise not visible from a public right-of-way, and nursery stock in containers, garden supplies and equipment, lawn and patio furniture and ornamental articles for use in garden or patio area, shall be permitted as a conditional use, provided further that the items are within an area other than the required setback or parking area and that such displays are accessory to a permitted use and adjacent to a permitted structure. All existing display or storage not permitted as a conditional use shall conform with this provision within six (6) months of the effective date hereon.
- C. Notwithstanding any provision within the definition of "Conditional Use Permit" as contained in section 2.00.00, any provision contained in section 10.03.02, or any provision of table 3.02.02, all of these land development regulations, a conditional use permit shall not be permitted for a residential use, multifamily, or a residential condominium use within a commercially zoned district without a specific finding by the city commission that, due to the size or configuration of

the property for which residential use is sought, a commercial use is not economically viable. The burden of proof of showing lack of economic viability shall be upon the applicant and not upon the city, there being a presumption of such viability.

{Ord. No. 18-07 , § 1(Exh. 1), 5-7-18; _____}

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: May 3, 2021

SUBJECT: Non-Ad Valorem Assessment to Construct
2nd Street Roadway Extension

BACKGROUND

The unopened portion of 2nd Street in St. Augustine Beach lies between Sea Oaks Subdivision to the west and an unopened portion of Second Avenue right-of-way to the east (see Figure 1). This unopened right-of-way abuts sixteen (16) medium density residential lots which are not currently developable due to lack of access.

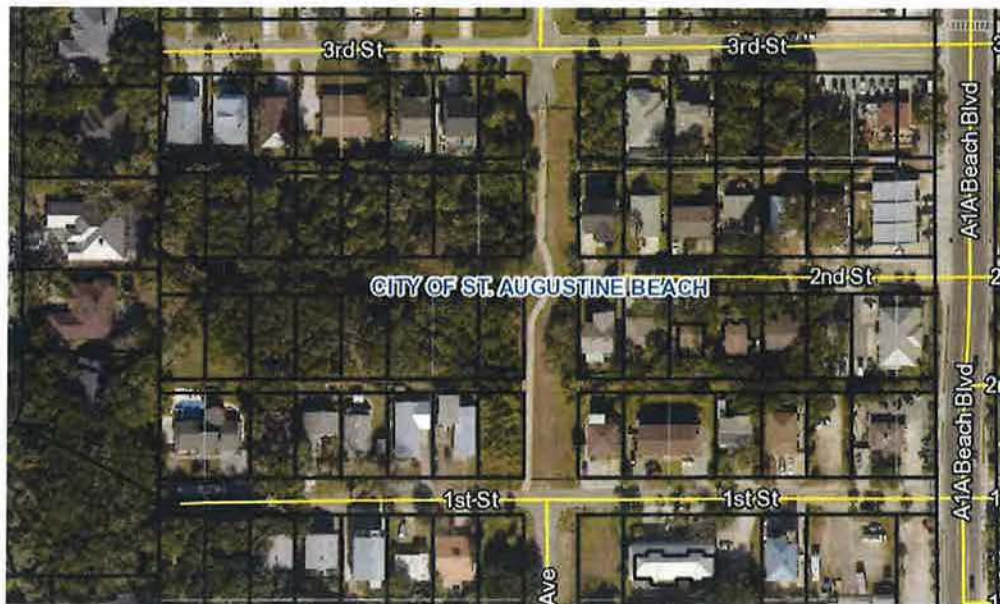


Figure 1 - Location of Unopened 2nd Street Right-of-Way

Over the years, there have been multiple discussions concerning the opening of the 2nd Street right-of-way. On August 4, 2014 the City Commission considered options for the opening of 2nd Street. A public meeting with property owners was held on Wednesday, November 12, 2014. No resolution was reached at the meeting and the City sent out letters requesting support of – or opposition to – the project from the property owners. At the time there was not property owner consensus, and the project failed to advance.

The issue resurfaced in 2019, when the City was contacted by a property owner requesting reconsideration. Letters were mailed and 11 of the 16 properties (68.75%) were in favor of opening the road. On July 6, 2020, the City Commission considered a proposal from Mr. Eric Kenny, who desired to purchase the easternmost lots on the north side of the unopened 2nd Street right of way. Mr. Kenny has offered to fund the design and construction of the extension of 2nd Street, meeting City standards, to the western property line of the lots he intended to purchase. The City Commission requested more information regarding different design options and asked that the item be brought back at the subsequent meeting.

On August 3, 2020, the City Commission again considered the item. The July proposal by Mr. Kenny was no longer a viable option as another buyer had purchased the two lots he had hoped to purchase. Three design options (north, south, and straight through) and their associated costs were presented to the City Commission for consideration. After discussion, the City Commission tabled the item by consensus until a new application for opening the roadway was received.

On September 14, 2020, the City Commission revisited the item and directed staff to continue moving forward with the opening of 2nd Street, directly westward, and develop a plan to finance the project. On November 9, 2020, the City Commission approved Resolution 20-21 to level a non-ad valorem assessment to open 2nd Street and asked staff to come back to the Commission with estimates, options and more detail. The City advertised the non-ad valorem assessment in November 2020 and on December 7, 2020 the City Commission reaffirmed its plans to move forward with the project and repassed Resolution 20-21. On February 1, 2021 the City Commission approved moving forward with design and permitting of the project.

In previous meetings the City Commission discussed the appropriate funding responsibility for the 2nd Street Improvements. It was decided that the roadway would be funded as follows:

Improvement	City Percentage	Lot Owner Percentage
Improvements east of 2 nd Avenue	100%	0%
2 nd Street Extension Road and Drainage	33.33%	66.67%
2 nd Street Extension Water and Sewer	0%	100%

City would pay thus 1/3 of the costs associated with the roadway extension of 2nd Street, less the Utility construction costs. The remaining 2/3 cost of the 2nd Street roadway extension – plus the full cost of the water and sewer extension – would be borne by the remaining property owners west of 2nd Avenue.

On December 7, 2020, the Public Works Director presented a preliminary opinion of probable cost for the 2nd Street Project. This estimate included costs for both the 2nd Street Widening east of 2nd Avenue and for the 2nd Street Extension west of 2nd Avenue. For the purposes of this analysis, the City's originally estimated cost of \$108,553 for work east of 2nd Avenue is not included in the following tables, as it is not proposed to be funded by non-ad valorem assessment. The estimated costs for the 2nd Street Extension west of 2nd Avenue were:

OPINION OF PROBABLE COST PRESENTED on 12/7/2020

Improvement	Total Cost	City Cost	Lot Owners' Cost
2 nd St. Extension Road and Drainage	\$211,714	\$70,571	\$141,143
2 nd St. Extension Water and Sewer	\$115,859	\$0	\$115,859
Total Costs	\$327,573	\$70,571	\$257,002

The City Commission stipulated that electrical utilities be placed underground as part of the roadway extension. The Public Works Director informed the Commission that underground utility costs were not in the opinion of probable costs, and that, based upon preliminary coordination with FPL, could be as high as \$40,000 for the extended portion of 2nd Street. Exact costs to place electric lines underground are not available until design is complete. Based upon this information, the opinion of probable cost is hereby revised as follows:

ESTIMATED COST OF IMPROVEMENTS WITH UNDERGROUND ELECTRIC

Improvement	Total Cost	City Cost	Lot Owners' Cost
2 nd St. Extension Road and Drainage	\$251,714	\$83,905	\$167,809
2 nd St. Extension Water and Sewer	\$115,859	\$0	\$115,859
Total Costs	\$367,573	\$83,905	\$283,668

The above estimate considers the \$40,000 underground electric cost to be subject to the same 1/3 City – 2/3 Lot Owner financial responsibility ratio.

The owners of the three easternmost lots on the north side of the unopened 2nd Street right-of-way (just west of 2nd Avenue) have stated their intention to dedicate their lots to the City for conservation. The lots would be placed under a conservation easement prior to being dedicated to prevent future development. The City Commission directed staff to calculate the assessment amount per lot by dividing the Total Lot Owners' Cost by the number of developable lots remaining after dedication of any lots to the City. Staff was recently informed that the adjacent "fourth" lot owner on the north side may also wish to dedicate their land to the City for Conservation. None of the conservation easements, however, have been finalized as of the time of this writing. Based upon assessment formula, and in anticipation that up to four lots may be placed into conservation and dedicated to the City, the potential assessments per lot owner are as follows:

INDIVIDUAL PROPERTY OWNER COST PER LOT

Lot Owners' Total Cost	Lots Dedicated to City	Lots to be Assessed	Individual Cost to Lot Owners
\$283,668	4	12	\$23,639
\$283,668	3	13	\$21,820

\$283,668	2	14	\$20,262
\$283,668	1	15	\$18,911
\$283,668	0	16	\$17,729

DISCUSSION

Per Florida Statute 125.011, the following remaining steps are necessary to enact a non-ad valorem assessment for 2nd Street Extension:

1. A local government shall adopt a non-ad valorem assessment roll at a public hearing held between January 1 and September 15. ***Note:** though September 15th is the "official" deadline, the need to enter into an agreement with the Tax Collector necessitates that the public hearing and adoption of the assessment roll be done earlier. Staff recommends that this be done at the June 7th City Commission meeting.*
2. At least 20 days prior to the public hearing, the local government shall notice the hearing by first-class United States mail and by publication in a newspaper generally circulated within each county contained in the boundaries of the local government. The notice by mail shall be sent to each person owning property subject to the assessment and shall include the following information: the purpose of the assessment; the total amount to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the local government will collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.
3. At the public hearing, the local governing board shall receive the written objections and shall hear testimony from all interested persons. The local governing board may adjourn the hearing from time to time. If the local governing board adopts the non-ad valorem assessment roll, it shall specify the unit of measurement for the assessment and the amount of the assessment. Notwithstanding the notices provided for in paragraph (b), the local governing board may adjust the assessment or the application of the assessment to any affected property based on the benefit which the board will provide or has provided to the property with the revenue generated by the assessment.
4. The City must enter into an agreement with the Tax Collector for his office to collect the assessment and remit it, less an administrative charge of 2%, to the City. The City will need to adopt a resolution no later than the August City Commission approving the agreement with the Tax Collector.

Per Step 2 above, the City must advertise, 20 days in advance of the public meeting, the amount of the assessment and the total revenue the City expects to collect. In order to

include these amounts in the advertisement for the public hearing, the City commission must establish a non-ad valorem assessment rate prior to the public hearing.

As mentioned earlier, the exact number of lots to be dedicated to the City remains uncertain as of this writing. The individual lot assessment is impacted by the number of lots which are dedicated to the City. Though the cost estimate contains contingency, future construction cost increases can often exceed predictions. Due to these factors – and to better ensure the sum of the individual lot assessments meets their proportionate share of the project – it is necessary to set a range for the non-ad valorem assessment. Staff recommends that the following range be established by the City commission for the 2nd Street Non-ad Valorem Assessment:

Minimum Total Assessment per lot: \$15,000
Maximum Total Assessment per lot: \$25,000

Past discussions have also addressed the duration of the non-ad valorem assessment, with consideration of earlier construction versus the desire to minimize the financial burden on the individual property owners. The following table shows the annual assessments per lot for the above recommended Minimum and Maximum Total Assessments (\$15,000 and \$25,000 respectively) as well as annual assessment per lot considering 4 lots to be dedicated to the City:

Assessment Period (Years)	Annual Assessment based upon Minimum	Annual Assessment based upon Maximum	Annual Assessment based upon 12 lots
1	\$15,000	\$25,000	\$23,639
2	\$47,599	\$12,500	\$11,820
3	\$5,000	\$8,333	\$7,880
4	\$3,750	\$6,250	\$5,910
5	\$3,000	\$5,000	\$4,728
6	\$2,500	\$4,167	\$3,940
7	\$2,143	\$3,571	\$3,377
8	\$1,875	\$3,125	\$2,955
9	\$1,667	\$2,778	\$2,627
10	\$1,500	\$2,500	\$2,364

A one-year to a five-year assessment period may create financial difficulty for some property owners. Staff thus recommends the Commission establish a six (6) year non-ad valorem assessment period. Though a longer term would reduce the annual financial burden on the property owners, it may also jeopardize other projects dependent upon the repayment of those funds to the City.

Due to the potential that the dedication to the City of the conservation lots will not be complete by the public hearing, staff recommends these lots be included in the non-ad valorem assessment at this time. Due to the likelihood, however, that up to 4 lots will be

dedicated to the City within the current calendar year, staff recommends that the 1st year assessment be based upon 12 lots and set at \$3,940 per lot. If one or more of these conservation lots are not dedicated to the City, the Commission has the option to reduce future years' assessment so as distribute the project costs evenly among the remaining lots.

Though it will not impact the implementation of the non-ad valorem assessment – nor the amount of assessment on each lot – staff recommends that the Commission consider the optimal time to initiate construction. At past meetings, the Commission discussed the appropriate amount of revenue to collect prior to commencing construction. Staff recommends, in order to minimize impacts on other projects competing for funding, the Commission consider not initiating construction until six (6) or more lot owners pay their proportionate share in full, or until the City has collected \$141,834 (50% of Lot Owners' Total Cost). Those properties who pay in full prior to submittal of the tax rolls to the property appraiser will not be subject to the non-ad valorem assessment.

Due to the uncertainty of the construction start date – in conjunction with the volatility of construction costs – staff recommends that the total revenue the local government will collect by the assessment be set at \$300,000, slightly more than the opinion of probable costs. If the total project cost comes in lower than anticipated, the remaining annual non-ad valorem assessments can be reduced accordingly, to be consistent with the established financial responsibility and actual project cost. Similarly, those properties which paid in full in advance will be entitled to reimbursement of the difference in financial responsibility. No interest will be paid by the City in such a circumstance.

ACTIONS REQUESTED

1. Establish the following cost range per lot for the non-ad valorem assessment
 - a. Minimum total assessment per lot \$15,000
 - b. Maximum total assessment per lot \$25,000
2. Set the total revenue the local government will collect by the assessment to \$300,000
3. Set the term of the non-ad valorem assessment for six (6) years
4. Set the 1st year non-ad valorem assessment to be \$3,940 per lot.
5. Set a date and authorize staff to advertise for a public hearing to adopt a non-ad valorem assessment roll of the properties that will be charged the assessment.

MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: April 23, 2021

SUBJECT: Presentation of Final Plan by Consultant
St. Augustine Beach Vulnerability Assessment and Adaptation Plan

BACKGROUND

In 2019, the City applied to the Florida Resilient Coastlines Program (FRCP) for financial assistance to conduct a Vulnerability Assessment and Adaptation Plan (the Plan). The purpose of the Plan was to identify and analyze the City's vulnerability to flooding due to storm surge and sea level rise and develop an adaptation plan to guide the City in future decision making. On March 3, 2020 the FRCP notified the City of the award of \$72,500 for the project in the State of Florida 2020-2021 fiscal year, beginning July 1, 2020. The grant did not require a City match. On July 31, 2020 the City entered into a grant agreement with the Florida Department of Environmental Protection (FDEP). On August 28, 2020, the City entered a contract with CMT to complete the Plan.

The Plan included the following three major tasks:

1. Update the City GIS system with Drainage and Topographic Mapping to determine areas vulnerable to sea level rise and storm surge.
2. Update the City Master stormwater model to include new data within the stormwater master plan area. An informational public workshop partnering with the Northeast Florida Regional Council was conducted at the completion of the modeling update.
3. Synthesize the results from the first two phases with the results of the analysis of the sea level rise scenarios evaluated based on implementation feasibility, public acceptance, effective sustainability, and cost.

PLAN PROGRESS

Tasks 1 and 2 of the Plan were completed on schedule and deliverables have been submitted to and approved by FDEP. A public workshop, facilitated by the Northeast Florida Regional Council was held via Zoom at the end of Task 2 on February 24, 2021.

During the February public workshop the results of Tasks 1 and 2 were presented and feedback was solicited from attendees. The Consultant has now synthesized feedback and the work product from Tasks 1 and 2 and developed the Task 3 Final Report with recommendations to be presented at the May 3, 2021 City Commission meeting.

The recommendations in the Plan will guide the City in the implementation of future resiliency projects. Approval and adoption of the plan – and the recommended improvements therein – strengthens the City's position when applying for future funding assistance for resiliency projects and allows the City to request their inclusion into the St. Johns County Local Mitigation Strategy Project List, making them eligible for future Hazard Mitigation funding opportunities as they arise.


Due to the short timeframe between the completion of Task 2 and Task 3, the Final Plan was not complete by printing of the May 3, 2021 City Commission agenda book. The Final Plan will be delivered electronically and made available to the public on the City web page in advance of the May 3, 2021 City Commission Meeting. Hard copies will also be provided to the City Commission in advance of the meeting.

ACTION REQUESTED

Approve and adopt the City of St. Augustine Beach Vulnerability Assessment and Adaptation Plan

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 19, 2021

SUBJECT: Pay for Commissioners: Consideration of Adjusting

You briefly discussed this topic at your April 5th meeting. In response, the Finance Director, Ms. Douylliez, has prepared a brief report that compares the current salary of mayors and commissioners for cities in our area.

Attached for your review I the following information:

- a. Pages 1-3, the minutes of that part of your April 5th meeting when you discussed adjusting the pay for City employees and the Mayor and Commissioners.
- b. Pages 4-5, a memo from the Finance Director and the pay comparison.

ACTION REQUESTED

It is that you discuss whether the pay for the Mayor and Commissioners needs to be adjusted to be in line with the pay provided to other elected officials in certain northeast Florida cities.

APRIL 5, 2021 REGULAR COMMISSION MEETING

XIII. NEW BUSINESS

16. Decisions for Fiscal Year 2022 Budget: Review of Pay Ranges for Employees and Adjustments of Pay for City Commission (Presenter: Patricia Douylliez, Finance Director)

Mayor England introduced Item 16 and asked the Commission if there were any questions or objections to the pay range methodology.

Vice Mayor Samora asked that the net amount of increase to be stated on the record.

Finance Director Douylliez advised \$27,576.93.

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

Commissioner Torres asked what the ranges are for the people who are not in the minimum pay ranges.

Finance Director Douylliez advised \$27,576.93.

Commissioner Rumrell asked if the figure includes the salaries for the Commission.

Finance Director Douylliez advised no.

Commissioner George asked when that discussion will take place.

Commissioner Torres asked where the money for this increase in this budget would come from.

Finance Director Douylliez advised that she makes budget adjustments through the year and she could move the money from those items that the City has not spent budgeted money. She advised that it could come out of unassigned funds.

Motion: to approve the new salary pay ranges for each position in the City. **Moved by** Mayor England, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England asked City Clerk Raddatz to call the vote.

COMMISSIONER RUMRELL	Yes
COMMISSIONER TORRES	Yes
MAYOR ENGLAND	Yes
VICE MAYOR SAMORA	Yes
COMMISSIONER GEORGE	Yes

Motion passes 5 to 0.

Motion: to bring the eleven employees up to the minimum salary pay range on July 1, 2021. **Moved by** Mayor England, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England asked City Clerk Raddatz to call the vote.

COMMISSIONER RUMRELL	Yes
COMMISSIONER TORRES	Yes
MAYOR ENGLAND	Yes
VICE MAYOR SAMORA	Yes
COMMISSIONER GEORGE	Yes

Motion passes 5 to 0.

Mayor England asked about the Commission's salaries.

Finance Director Douylliez advised that her report shows the average for the Commission's salaries. She explained that there has been a COLA every year, but not a pay adjustment.

Mayor England asked the Commission for a base salary amount.

Commissioner George advised that the methodology already has been adopted. Other Commissioners have forfeited their salary, which everyone is allowed to do. She advised that she reimbursed the City for health insurance benefits when the Commission had it for a few months and she has not sought money for travel expenses to conferences, etc. She stated that everyone could make their own decision for their personal and political reasons, but there should be a realistic adjustment.

Mayor England asked Commissioner George if she agrees with \$7,679 or another number.

Commissioner George advised that she does not understand the methodology of selecting two cities to get an average.

Motion: to increase the Commissioners salary to \$7,679 and the Mayor's salary to \$8,285 beginning July 1, 2021. **Moved by** Commissioner Torres. There was no second; the motion died.

Commissioner George opposed the vote and advised that the City of St. Augustine has similar issues, and this City meets as much as the City of St. Augustine. The salary is too low and she was sorry she did not have the numbers with her.

Commissioner Torres asked if his motion died because of a lack of a second.

Mayor England advised yes. She advised that the Commissioner's salary should come up at another meeting for discussion.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: PAY RANGES-UPDATE
DATE: 4/19/2021

During the Commission Meeting on April 5, 2021, it was decided that review of the Commissioner pay would be tabled until the meeting in May. I was requested to remove the outlier from the survey results to provide an average pay of the other cities from whom we received data.

Attached is the latest summary where the City of Daytona Beach (Volusia County) was removed providing new averages for both Mayor and City Commissioner. This information is provided for your review and action so the new pay can be used in the FY22 Budget.

Please let me know if more information is needed.

2020 PEPIE ANNUAL SALARY SURVEY

Mayor

Employer Name	County	Actual Salary	Comments	Population	
Town of Beverly Beach	Flagler County		\$500 stipend a month.	400	
City of Bunnell	Flagler County	\$10,908		2,820	
City of Flagler Beach	Flagler County	\$8,663		5,081	
City of St. Augustine Beach	St. Johns County	\$7,908		7,026	Average \$8,285
City of Atlantic Beach	Duval County	\$10,535		13,831	
City of St. Augustine	St. Johns County	\$23,374		14,576	
City of New Smyrna Beach	Volusia County	\$22,620		27,229	
City of Ormond Beach	Volusia County	\$18,118		43,475	
City of Daytona Beach	Volusia County			68,866	
Flagler County	Flagler County			115,081	
Avg Actual Salary					
\$14,589					

Agency Commissioner/Council Member

Employer Name	County	Actual Salary	Comments	Population	
Town of Beverly Beach	Flagler County		Stipend \$250 a month	400	
City of Bunnell	Flagler County	\$8,726	no ranges	2,820	
City of Flagler Beach	Flagler County	\$8,663	no ranges	5,081	
City of St. Augustine Beach	St. Johns County	\$6,694	Stipend	7,026	Average \$7,679
City of Atlantic Beach	Duval County	\$6,412	no ranges	13,831	
City of St. Augustine	St. Johns County	\$17,530	no ranges	14,576	
City of New Smyrna Beach	Volusia County	\$16,965	no ranges	27,229	
City of Ormond Beach	Volusia County	\$14,005	no ranges	43,475	
City of Daytona Beach	Volusia County		no ranges	68,866	
City of Palm Coast	Flagler County	\$9,600	no ranges	87,607	
Flagler County BOCC	Flagler County		No Ranges	115,081	
St. Johns County	St. Johns County		Milage Stipend	264,672	
Avg Actual Salary					
\$11,074					

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager df

DATE: April 21, 2021

SUBJECT: Upcoming Workshops: Discussion of When to Hold Them

INTRODUCTION

At your February 8th continuation meeting, you discussed selecting topics for workshops and when to hold them. You decided that your first workshop would be held on March 8th for the following topics:

- a. Review of employee salaries and pay ranges
- b. Restructuring of the Building Department
- c. History of the Police Department's budgets
- d. Review of repair and replacement of assets, such as vehicles, and projects, such as parking improvements
- e. Succession planning for the various departments and for the Police Chief and the City Manager

Other possible workshop topics discussed at your February 8th meeting were:

- Holding a joint meeting with the Comprehensive Planning and Zoning Board
- Holding a joint meeting with the Sustainability and Environmental Planning Advisory Committee
- Holding a joint meeting with St. Augustine's City Commission
- Holding a joint meeting with the St. Johns County Commission
- Reviewing the City's solid waste operations and recycling
- Discussing adopting a stormwater utility fee to pay for drainage projects and the maintenance of existing drainage facilities

The outcome of the discussion was:

1. That continuation of the review of employee salaries, pay ranges, and related matters is on the agenda for your April 5th regular meeting.
2. Because of the length of the agenda for your April 5th meeting, Mayor England's suggestion that the topics concerning solid waste/recycling and the stormwater utility fee can be scheduled for a workshop in May.

3. Commissioner George's suggestion that there needs to be an agenda for the joint meetings with St. Augustine's Commission and the County Commission and with the Planning Board and SEPAC.

Concerning a workshop for solid waste/recycling and the stormwater utility fee: We ask that you schedule a workshop in May for both of these topics. Sixty to 90 minutes could be devoted to one, with 60 to 90 minutes for the second. By the date of the May workshop, the vulnerability study will be done, and it could have a bearing on the stormwater utility fee discussion. Also, it is important that you give the City administration guidance on each topic before the Finance Director prepares the FY 2022 budget in June.

Concerning a joint meeting with the Planning Board and SEPAC: At its April 20, 2021, meeting, the Planning Board recommended that you hold a workshop with it and SEPAC concerning Ordinance 21-04, which reduces setbacks.

If you agree with this recommendation, then we suggest the workshop be held on the third Tuesday of May, which is the day the Planning Board usually meets. The date will be May 18th. The time could be 6:00 p.m.

We suggest the Chairs of each board be in the meeting room, while the other members of each board can attend by Zoom.

Concerning joint meetings with the County and St. Augustine: It would help if you discussed amongst yourselves topics for them and agree on the specific purpose for each joint meeting, i.e., why are you proposing it, what do you want it to accomplish. We suggest that your topics be few in number, perhaps three that you consider are most significant for each governmental agency. It's been our past experience with the County Commission that it prefers fewer rather than many topics.


ACTION REQUESTED

There are three:

1. That you decide whether to want to hold a workshop meeting in May with the Planning Board and SEPAC and, if so, the date of that workshop.
2. That you decide the date for a workshop in May to discuss the City's solid waste/recycling operations and whether to levy a stormwater utility fee.
3. That you discuss the topics you want for separate joint meetings with the County Commission and St. Augustine's City Commission. You could suggest to each that the joint meeting be held in June and leave it up to each commission to propose a date and location for the meeting.

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 15, 2021

SUBJECT: Public Parking: Discussion of Where to Allow and Not Allow Parking and Creating Five-Year Plan for Improvements

INTRODUCTION

We suggest that public parking in the City is in demand by the following: non-resident beach visitors; employees of businesses, especially in the vicinity of A Street, which do not have sufficient parking for both customers and employees; and residents who are unable to walk or bicycle to the beach and need a parking space for their vehicle.

At your March 2, 2020 meeting, the Public Works Director presented a PowerPoint, Discussion of Public Parking Issues. The outcome of your discussion was Mayor England's suggestion that if then-Vice Mayor Kostka wanted to bring the topic to the Planning Board and the Sustainability and Environmental Planning Advisory Committee, she could do so at their next meetings. Input from these boards would then be forwarded to the City Manager for the development of a five-year plan, which he would then present to the Commission. However, it appears from the record that Vice Mayor Kostka did not ask the Planning Board and SEPAC for their suggestions for the five-year plan.

We are bringing this topic back to you for three reasons:

1. Vice Mayor Samora's request to put the topic on the agenda for you to discuss and Commissioner Torres' request that the dirt plazas on the west side of the Boulevard between A and 1st Streets be paved.
2. Because of complaints from residents in the vicinity of 2nd Avenue between 3rd and 7th Street that parking by beach visitors is disrupting their neighborhood. As a result, No Parking signs have been put along this section of 2nd Avenue. Residents south of A Street have requested that No Parking signs be posted along 2nd Avenue between A and E Streets. However, a few counter-complaints have been received from persons against the No Parking signs between 3rd and 7th Streets.
3. The need for a five-year parking plan that will designate where improvements for on street rights-of-way and plazas are to be done and in what fiscal year.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-10, the PowerPoint presentation that Mr. Tredik provided at the March 2, 2020, Commission meeting.
- b. Pages 11-14, the minutes of that part of Commission's March 2nd meeting when public parking was discussed.

KEY CONSIDERATION

We suggest it is this: How much public property does the Commission want used for parking? The answer could range from no more than what is now available in the City (919 spaces) to having public parking on certain or every plaza along A1A Beach Boulevard, on certain or every side street where there's sufficient right-of-way for parking and on the east side of 2nd Avenue from E Street north to 10th Street.

PUBLIC PARKING CURRENTLY AVAILABLE

On page 2 (attached), Mr. Tredik lists the City property where designated public parking spaces are now available. Designated spaces are defined as those that are paved and striped. You'll note that there are 215 designated spaces. Not included in this number are parking spaces reserved for the handicapped.

There are also the following designated public parking spaces:

- East end of Pope Road owned by the County: 24
- County's pier park: 166*
- The beach between A Street and the City's southern end limit: 500**

* The 166 spaces do not include the park's handicapped spaces, the two spaces reserved for County pier staff, the nine reserved for Fire Department personnel and the six spaces west of the former city hall that are reserved for The Dance Company.

** Though there aren't paved and striped parking stalls on the beach, several years ago on Memorial Day, the City Manager between 1-2 p.m. counted the vehicles parked on the beach between A Street and the City's southern limit. Included in that count were spaces that were temporarily vacant.

Thus, in the City and on the beach, there are currently 905 designated public parking spaces.

PLEASE NOTE: Not included in the 905 spaces are the rights-of-way that aren't paved and striped but where beach visitors could park, as well as certain plazas where they cannot because the plazas are landscaped:

- 2nd Avenue, east side, between A and E Streets. Residents have requested that No Parking signs be posted. The signs haven't been put up because the City has had to order more signs to replenish its supply.
- 2nd Avenue east and west sides and the plazas between A and 1st Streets. You may remember that residents vehemently protested the use of the west side plazas as the site for a community garden. Beach visitors and business employees now park on the 2nd Avenue right-of-way between A and 1st Streets and the neighboring residents have not complained about the parking.

- 2nd Avenue between 8th and 9th Streets.
- 8th Street between the Boulevard and 2nd Avenue.
- 3rd and 5th Streets between the Boulevard and 2nd Avenue.
- Certain plazas along A1A Beach Boulevard.
- The east side of 2nd Avenue between 3rd and 7th Streets where No Parking signs have been posted.

If the areas listed above had designated parking spaces, we estimate that the number of spaces on public property in the City could total more than 1,200.

PUBLIC PARKING THAT COULD BE AVAILABLE

On pages 3-10, Mr. Tredik lists the streets and plazas where designated parking spaces could be put and the cost to construct those spaces. The total number of additional spaces is 162 and the estimated cost is \$455,000, or \$2,809 per space. At your meeting, Mr. Tredik will review this information with you.

Please note from the list that the following areas are not included:

- a. The four plazas between A and 1st Streets along 2nd Avenue because of likely strong neighborhood opposition to the use of them for parking.
- b. The plazas along D Street east and west of 2nd Avenue because the plazas are in residential areas where beach visitor parking could be disruptive.
- c. The east side of 2nd Avenue between 3rd and 7th Streets. This is the right-of-way where No Parking signs were recently put.
- d. The east side of 2nd Avenue between A and E Streets. As noted above, residents have requested No Parking signs, which will be put up once the City receives the signs unless the Commission directs that this not be done.
- e. The north side of Pope Road. The County, which owns Pope Road, could put parking spaces along it from the Boulevard west for a distance of 200-300 feet.

COMMISSIONER TORRES' REQUEST

In mid-April, Commissioner Torres asked the City Manager when he could bring up the topic of improvements to the plazas on the west side of the Boulevard between A and 1st Streets east of Jack's Bar-B-Q restaurant. The City Manager replied he would include the Commissioner's request in this report to you.

RECOMMENDATIONS

If your decision is that more designated parking spaces are needed, then the administration recommends the following five-year plan:

- For FY 22: enlarge the parking lot of Ocean Hammock Park as part of overall improvements to add amenities to the Park and improve with paver blocks the plazas on the Boulevard's west side between A and 1st Streets. We recommend the use of paver blocks rather than asphalt or concrete

because, though more expensive, the blocks allow runoff from rain to soak into the ground. Paver blocks have been used for improved parking areas along the north side of 16th Street west of the Boulevard, and the south side of 16th and 5th Streets east of the Boulevard. For the plazas on the east side of the Boulevard at 10th, 8th and A Streets, paver bricks have been used.

PLEASE NOTE: Improvements to these two plazas will require civil engineering expertise because the north plaza slopes to the west. The improvements must avoid flooding the adjacent business (Jack's Bar-B-Q). The owner of that business will be invited to participate in planning for the improvements.

- FY 23: improve with paver blocks the north side of 4th Street between the beach and the Boulevard.
- FY 24: improve with paver blocks the southwest plaza at 8th Street and the Boulevard by the auto repair business.
- FY 25: improve with paver blocks the plazas on the east side of the Boulevard north and south of 3rd Street.
- FY 26: Project or projects to be determined. There may be more areas where designated parking spaces could be put, such as along 4th and 5th Streets west of the Boulevard. Whether these rights-of-way are suitable for public parking will be known when the driveways for new houses are constructed. The spacing of the driveways may not allow public parking.

The above timetable is simply a proposal. You may want to make changes to it. Whether a project can be done in a particular fiscal year will depend on funding. If the County Commission approves the additional one-cent bed tax, perhaps money from it can be used to pay at least 50% of each project's cost and the projects can be done sooner than in five fiscal years.

You will note that we've not suggested certain plazas be converted to parking. This is because of the goal to have a balance between parking and beautification that improves the Boulevard's appearance. We suggest the following areas or plazas be left landscaped:

- The northwest corner of 16th Street and the Boulevard. This area is located in front of the condo complex. The driveway to it would be from 16th Street, very close to the intersection with the Boulevard. Also, the driveway would remove three or four of the designated parking spaces on 16th Street.
- The southeast and northwest corners of 8th Street and the Boulevard. The southeast plaza north of Cone Heads has already been landscaped by the City, and the northwest plaza has been landscaped by the owner of the adjacent motel, the Best Western.
- The plazas on the four corners of D Street and the Boulevard. One plaza is in front of a single-family residence, and one is on the east side of the Playa Chac-Mool restaurant.
- The plazas along 2nd Avenue between A and 1st Streets because of likely neighborhood opposition.

ACTIONS REQUESTED

There are two related decisions:

1. That you decide whether additional designated parking spaces are needed.
2. If your decision is that more spaces are needed, then based on the list provided by Mr. Tredik, we ask that you decide which plazas and street rights-of-way you want improved for parking and in what fiscal years.

Also, you can ask the County to develop a plan to construct parking spaces along the north side of Pope Road.

Based on your decisions, the City administration will create a plan for improvements for the next five fiscal years with funding for the first project or projects to be in the FY 22 budget.



CITY OF ST. AUGUSTINE BEACH

*Regular City Commission Meeting
Monday, March 2, 2020*

Item 10 – Public Parking: Discussion of Issues

William Tredik, P.E. Public Works Director

A1A BEACH BOULEVARD - EXISTING DESIGNATED PUBLIC PARKING



A.	Pier Park (Garage)	7
B.	16 th Street Parallel	40
C.	14 th Street Lot	21
D.	11 th Street Lot	8
E.	10 th Street Lot	25
F.	8 th Street Perp.	18
G.	8 th Street Lot	18
H.	5 th St. Parallel	15
I.	3 rd Street	3
J.	A Street Lot	24
K.	A Street Dirt Lot	16+
L.	Ocean Hammock Park	20

TOTAL EXISTING SPACES 215+



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING OCEAN HAMMOCK PARK

- Up to 20 additional spaces
- Estimated Cost \$20,000
- Additional Parking Included in Land and Water Conservation Fund grant application



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING



1.	16 th St. Plaza	10
2.	8 th St. Plazas	29
3.	4 th St. ROW Parallel	23
4.	3 rd St. Plazas	40
5.	A St. Plazas West	0*
6.	D St. Plazas	40
7.	Ocean Hammock Park	20

TOTAL 162*

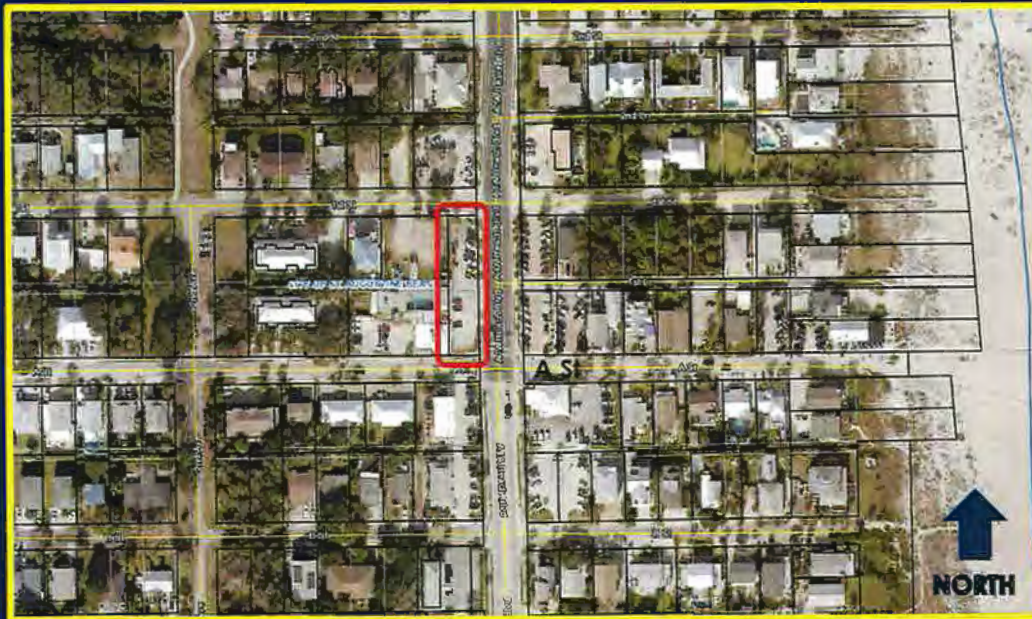
* Unpaved designated lot at A Street Plazas West currently parks 16+ vehicles. Improvement of this lot, though not adding spaces, will improve public safety, convenience and aesthetics and provide necessary space for the proposed future River to Sea Multipurpose Trail.



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING

A STREET & A1A BEACH BOULEVARD PLAZAS

- Paving of existing dirt lot
- Up to 16 spaces
- Estimated Cost \$ 70,000



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING

D STREET & A1A BEACH BOULEVARD PARKETTES

- Narrower than 3rd Street Parkettes
- Est. 10 spaces per parkette (one row only due to width)
- Est. \$40,000 per parkette
- Parkettes are currently landscaped and well maintained



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING

4TH STREET RIGHT-OF-WAY PARALLEL PARKING



- Up to 23 parallel spaces
- Estimated Cost - \$35,000
- Residences across street
- Possible more spaces on west if 4th Street opened



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING

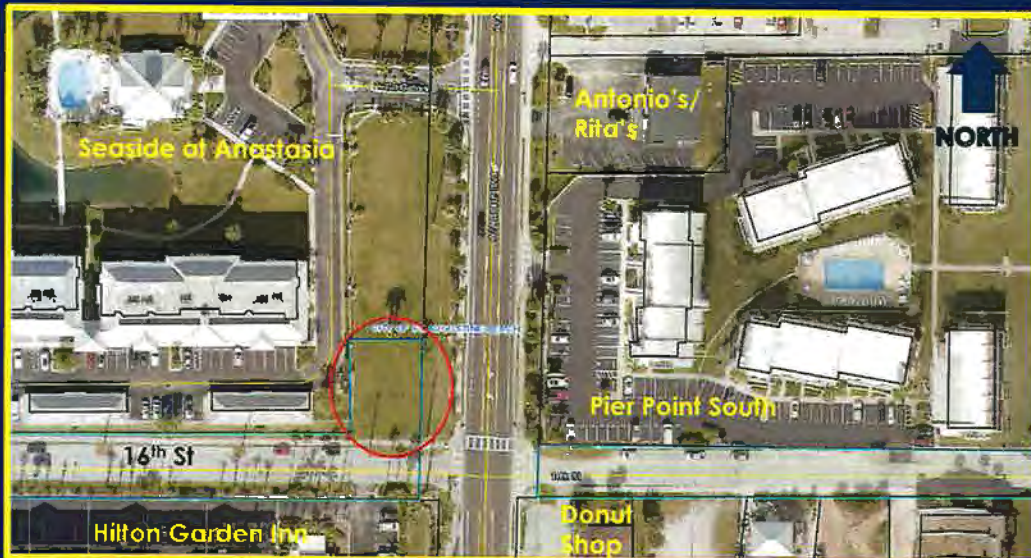
3RD STREET & A1A BEACH BOULEVARD PLAZAS

- Up to 40 spaces
- Estimated Cost \$120,000
- Ditch impacts



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING 16TH ST & A1A BEACH BOULEVARD PLAZA

- Up to 10 Spaces
- Estimated Cost - \$42,000



POTENTIAL LOCATIONS FOR ADDITIONAL PUBLIC PARKING

8TH ST & A1A BEACH BOULEVARD PLAZAS



- Up to 29 spaces
- Estimated Cost \$88,000
- NW Plaza currently maintained by Hotel



Regular Commission Meeting

March 2, 2020

10. Public Parking: Discussion of Possible Improvements (Presenter: Vice Mayor Maggie Kostka; Max Royle, City Manager)

Mayor England introduced Item 10 and asked Vice Mayor Kostka for a report.

Vice Mayor Kostka advised that she felt there was a few loose ends when it came to the parking issue. She explained that she met with Police Chief Hardwick, Public Works Director Tredik, emailed Building Official Law, and spoke with City Manager Royle about the issues that still need to be resolved. She asked Public Works Director Tredik to give a brief explanation about some parking improvements.

Public Works Director Tredik showed a PowerPoint Presentation regarding where parking improvements and spaces near A1A Beach Boulevard (Exhibit 5).

Commissioner Rumrell advised that he was also talking with Public Works Director Tredik about parking on the Boulevard on some of the parkettes that are rundown and spoke to a former St. Johns County employee on how the Tourist Development Council could help fund these improvements because it would allow more beach access. He also advised that the Port and Waterway would be able to give funding due to more beach access.

Vice Mayor Kostka advised that the Commission would need to know what the priority would be. She asked if the Commission wants to add more parking spaces or keep more greenspace or meet in the middle. She explained that City Manager Royle suggested a five-year parking plan to implement changes that the Commission feels are needed and would benefit the City. Some of the areas would be a concern for SEPAC because they would not want to take away all the greenspaces throughout the City. She suggested 4th Street's right-of-way and the 16th Street and 8th Street parkettes because they would create parking without sacrificing greenspace or developed parkettes.

Mayor England agreed with greenspaces but any parking that is directly adjacent to the Boulevard would require a buffer that hides the cars and would have to be part of the costs.

Vice Mayor Kostka agreed and said that on the corner of 8th Street on the east side. It changed the number of spaces because of the buffer, but it could be changed by having one-way in and one-way out. She pointed out from Commissioner Rumrell that TDC is not allowing allocations of monies for projects like this so the City may not have to plan for the total costs, but part of the costs. She commented that she is very aware of the budget restraints so this may be something the City could do within five years or not. She remarked that the Commission wants to have the community safer with better access for the people who come to the City. There may be a time when the City will have to say that we are full or that the visitors will have to go the next beach area.

Commissioner Samora applauded Vice Mayor Kostka for bringing this up to the Commission. He explained that the City does need more parking for the visitors, residents, and the communities that are surrounding us are growing. He thanked Public Works Director Tredik

for doing a good job on his presentation. He advised that he wouldn't want to be reliant on TDC funding, but to fund some of this yearly with City funding.

Vice Mayor Kostka advised that if the City doesn't give visitors places to park, they will park in places residents don't want them to park.

Commissioner Rumrell advised that he would like the Boulevard to be cleaned up or beautified as well when this is being done. He gave an example of the City of Jacksonville Beach where they put in a sculpture garden in that were paid by the University of Florida.

Vice Mayor Kostka advised that the enforcement of the parking would be to have clear and distinct parking rules and regulations. She commented that on a couple of streets, the way people park no emergency vehicles would be able to get through.

Police Chief Hardwick advised that the resident parking signs have helped on a couple of streets. He asked the Commission to have uniformity by ordinance and suggested west of the Boulevard it should be residential parking only except for businesses. He advised the main focus for parking enforcement is across the Boulevard, pier parking lot area, driveways within the 15-foot radius of the curves, fire hydrants, and blocking emergency vehicles on streets. He explained that it would fall on the residents to call if there is a problem. He explained that on 15th Street the entire street was littered with "No Parking" signs. He requested uniformity.

Vice Mayor Kostka advised that the "Residents Only" signs are working so she requested not requiring 60% of the street to sign a petition to put signs up. She requested to leave it up to the Police Department to identify the streets that are being abused which are the streets that directly access the Boulevard on the west side behind the businesses.

Police Chief Hardwick advised that between the Police Department and Public Works they could identify the streets that need the signs. He advised that the residents have been happy in the last year with the signs and advised that the residents are self-policing and call the Police Department if there is an issue, which worked out extremely well.

Public Works Director agreed.

Vice Mayor Kostka advised that she spoke with staff regarding hang tags or stickers for transient rentals and staff advised that this would not be a good idea. She advised that tags or stickers were not necessary. It would be added time and expense for the City and if the staff makes it more uniform with signs, that would be good enough.

Commissioner Samora asked Police Chief Hardwick if that would be an enforcement issue if officers don't have a way to know residents' vehicles.

Police Chief Hardwick advised that the residents police it and call when there is an unknown vehicle. He said 15th Street behind Sunset Grill they call, and the officers can run the tag to see if someone lives there or not. Transient rentals west of the Boulevard could have a problem but will be addressed in the future. He advised that he is not a fan of the stickers or tags and believes it would be a waste of taxpayers' dollars.

Commissioner Rumrell asked what happens if a ticket is done, but the person lives in the City.

Police Chief Hardwick advised that the ticket would be voided and there would be no problem.

Vice Mayor Kostka advised that the parking codes regarding the number of parking spaces for businesses, buildings, and commercial entities, such as Embassy Suites that fit the code by the number of rooms but didn't account for parking spaces for the meeting rooms, banquet rooms, restaurant and bar. She advised that parking spaces should be calculated by the fire code for the maximum building occupancy. She explained that the existing businesses would not be able to comply, but future businesses or businesses that were destroyed by a storm or catastrophe would need to comply to the new code.

Mayor England advised that the City is encouraging retail use and commercial use for more revenue so the City will have a balance because that could stop some of the businesses from opening in the City.

Vice Mayor Kostka advised that the retail would not change and would be based on square footage; however, restaurants or hotels with restaurants and banquet rooms would because they have to have enough accommodation for parking.

Mayor England advised that shared parking is something that the City could consider. She explained that there are businesses that are only open during the week and then their parking lot sits empty on the weekend.

Building Official Law advised in an assembly area it is usually per person per 15 square feet, but storage rooms are one person for every 300 square feet. He explained that the City's code does track closely to what the occupancy is. He advised that if the Commission wants to track it per occupant that is acceptable way. He explained that St. Johns County calculates one parking spot for every three occupants, but the designer of the building will specify the occupant load and the Fire Marshall, and the Building Official will follow that.

Commissioner Samora asked how does the Fire Marshall and Building Official treat outdoor spaces.

Building Official Law advised that they count the tables and chairs as an alternative method. He commented that he did complete an inventory in the City to help the Utility Department and gave it to Deputy City Clerk Fitzgerald to make sure staff has all the building tax receipts every year. Plan review would have the occupant loading on it. He explained that the Building Department separates the outside from inside because it affects the way we egress. He explained that the outside and inside would be based on the total occupancy of the building and advised that the Fire Department will count the chairs. He commented that he was in favor to changing the restaurants to a factor that corresponds to the surrounding jurisdictions, just to limit the gross floor area.

Vice Mayor Kostka wants a five-year plan and should prioritize the areas that are available to improve parking areas but would stay away from any areas that are already improved or beautified. Then to add codes to address the new restaurant parking spaces going forward and allow the Police Department to monitor the streets and establish streets that need additional or new signage on the west side of the Boulevard for residential parking only and asked for the Comprehensive Planning and Zoning Board for more input on the five-year plan.

Mayor England asked when the five-year plan should be drafted.


Vice Mayor Kostka advised that it should go to the Comprehensive Planning and Zoning Board first to gather input with the help of Public Works Director Tredik to prioritize the parking areas based on east turning into parking based on the cost factor.

Mayor England asked if Vice Mayor Kostka would like to have this on the next Comprehensive Planning and Zoning Board and SEPAC meetings. Then when the input is completed it would go to City Manager Royle to put together the five-year parking plan and then to the Commission.

Commission agreed.

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 23, 2021

SUBJECT: Ordinance 21-05, First Reading, to Vacate Alley between B and C Streets, West of A1A Beach Boulevard to 2nd Avenue (Lots 1-16, Block 40, Coquina Gables Subdivision)

BACKGROUND

Block 40 is bordered on the north of B Street, on the south by C Street, on the east by A1A Beach Boulevard, and on the west by 2nd Avenue. A majority of the owners of the adjacent lots have requested that the alley be vacated.

The Comprehensive Planning and Zoning Board reviewed the vacation request at its March 16, 2021, meeting and by unanimous vote recommended to the Commission that the alley be vacated, subject to the condition that a standard utility and drainage easement for maintenance and future use of utility and drainage facilities be included in the ordinance to vacate the alley.

At its April 5th meeting, the City Commission held a public hearing on the request to vacate the alley and by unanimous vote approved the request. The City Attorney then prepared an ordinance for first reading at the Commission's May 3rd meeting.

ATTACHMENTS

Attached for your review is the following information:

- a. Page 1, a memo to the Planning Board from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she provides information concerning the vacation request.
- b. Page 2, a memo from Ms. Miller in which she states the Planning Board's recommendation and vote that the alley be vacated.
- c. Pages 3-5, the Ordinance, 21-05, prepared by the City Attorney.

ACTION REQUESTED

It is that you review Ordinance 21-05 and that you pass it on first reading. The Ordinance will then be scheduled for a public hearing and final reading at your June 7th meeting.

City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGBCH.COM

BLDG. & ZONING (904) 471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official; Max Royle, City Manager
Date: 03-08-2021
Re: Vacating Alley File No. V 2021-01, for the 15-foot wide alley lying between B and C Streets in Block 40, Coquina Gables Subdivision, west of A1A Beach Boulevard

Vacating Alley File No. V 2021-01 is an application requesting the vacation of the 15-foot-wide alley lying west of A1A Beach Boulevard in Block 40, Coquina Gables Subdivision, directly west of A1A Beach Boulevard between B Street and C Street, to incorporate from the centerline of the alley the 7.5-foot-wide portions of the vacated alley into the square footage of the adjacent property owners. There are 13 lots and 20 property owners adjacent to Block 40, which has the Ford Surf Plaza Condo commercial building occupied by various commercial uses in 8 individually-owned units on the corner of B Street and A1A Beach Boulevard. To the west of the Ford Surf Plaza Condo on the south side of B Street are 6 residential lots adjacent to the alley. Also adjacent to this alley on the north side of C Street at 731 A1A Beach Boulevard is a commercial building owned by one owner and leased to various commercial tenants. Running west from this building on the north side of C Street are 5 residential lots adjacent to the alley. Per City of St. Augustine Beach Ordinance No. 15-05, applicants are required to submit the written consent of a minimum of 70% of adjacent property owners who support the vacation of the alley. The applicant, Blake Kozol, 100 South Matanzas Boulevard, St. Augustine Beach, Florida, 32080 has submitted the written consent of 16 out of 20 property owners, which constitutes 80% of the adjacent property owners.

The attached plat map of the 15-foot-wide alley requested to be vacated shows the 7 lots on the south side of B Street and the 6 lots on the north side of C Street adjacent to the 15-foot-wide in Block 40, Coquina Gables Subdivision. Each lot and address is marked with a "YES" or "NO" designating if the written consent of the property owner has been obtained and submitted by the applicants. Per Ordinance No. 15-05, "If 100% of the real property owners do not sign written consent, then a minimum of 70% of the real property owners must sign a written consent and the applicant must demonstrate that the vacation will not adversely affect nor negatively impact those property owners who have not signed a written consent, which demonstration may necessitate the applicant obtaining the opinion of a traffic engineer, surveyor or other professional."

The vacating alley application requires a recommendation from the Comprehensive Planning and Zoning Board to the City Commission to approve or deny the applicant's request to vacate the alley. Per Section 18-53 of City Code, the application has been forwarded to the City's Public Works Director, Police Department, St. Johns County Fire Rescue Headquarters, St. Johns County Utility Department, and Florida Power & Light. Comments from these agencies and utility companies are included with the application information copied to the Board. The Building and Zoning Department has no objection to the proposed vacation of this alley concurrent with the Public Works Director's request that an appropriate utility and drainage easement is recorded over the vacated portion of the alley to allow access for drainage and utility maintenance.

Sincerely,

Bonnie Miller

Executive Assistant
Building and Zoning Department

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Vacating Alley File No. V 2021-01
Date: Wednesday, March 17, 2021

Please be advised that at its regular monthly meeting held Tuesday, March 16, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve an application to vacate the 15 (fifteen)-foot-wide alley in Block 40, Coquina Gables Subdivision, lying west of A1A Beach Boulevard between B Street and C Street.

The application was filed by Blake Kozol, 100 South Matanzas Boulevard, St. Augustine, Florida, 32080, per Article III, Sections 18-50--18-56 of St. Augustine Beach Code, as amended by Ordinance No. 15-05, PERTAINING TO THE 15 (FIFTEEN)-FOOT-WIDE STRIP OF LAND BETWEEN B STREET AND C STREET, ADJACENT TO AND WEST OF A1A BEACH BOULEVARD AND ABUTTING LOTS 1-16, BLOCK 40, COQUINA GABLES SUBDIVISION, ALL IN SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 3, PAGE 30, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

The motion to recommend the City Commission approve the vacation of the 15 (fifteen)-foot-wide alley described above was made by Ms. Odom, subject to the condition that a standard utility and drainage easement for maintenance and future use of utility and drainage facilities be included in the ordinance to vacate the alley. Ms. Odom's motion was seconded by Mr. Babbitt and passed 7-0 by unanimous voice-vote.

ORDINANCE NO. 21-05

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; VACATING A PORTION OF THE PUBLIC ALLEY LOCATED ON THE WEST SIDE OF A1A BEACH BOULEVARD BETWEEN B AND C STREETS ADJOINING LOTS 1-16, BLOCK 40, COQUINA GABLES SUBDIVISION, WITHIN THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

WHEREAS, on April 5, 2021 the City of Saint Augustine Beach heard a request to vacate the Alley on the West Side of A1A Beach Boulevard between B and C Streets adjoining lots 1-16, Block 40, Coquina Gables Subdivision.

WHEREAS, the City Commission finds that it is in the best interests of the citizens of Saint Augustine Beach, Florida that the alley on the West Side of A1A Beach Boulevard between B and C Streets adjoining lots 1-16, Block 40, Coquina Gables Subdivision be vacated, subject to the reservation of a public utility and drainage easement over the entire alley to be vacated;

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. The City Commission does hereby find that the alley on the West Side of A1A Beach Boulevard between B and C Streets adjoining lots 1-16, Block 40, Coquina Gables Subdivision, within the city limits of Saint Augustine Beach, Florida, as more particularly described and shown on Exhibit "A", attached hereto and made a part hereof, is hereby vacated, subject to the reservation by the City of Saint Augustine Beach of a public utility easement over the entire alley to be vacated.

SECTION 3. The City Clerk is authorized and directed to forward a certified copy of this Ordinance to the Clerk of the Circuit Court for recordation.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this 5th day of April 2021.

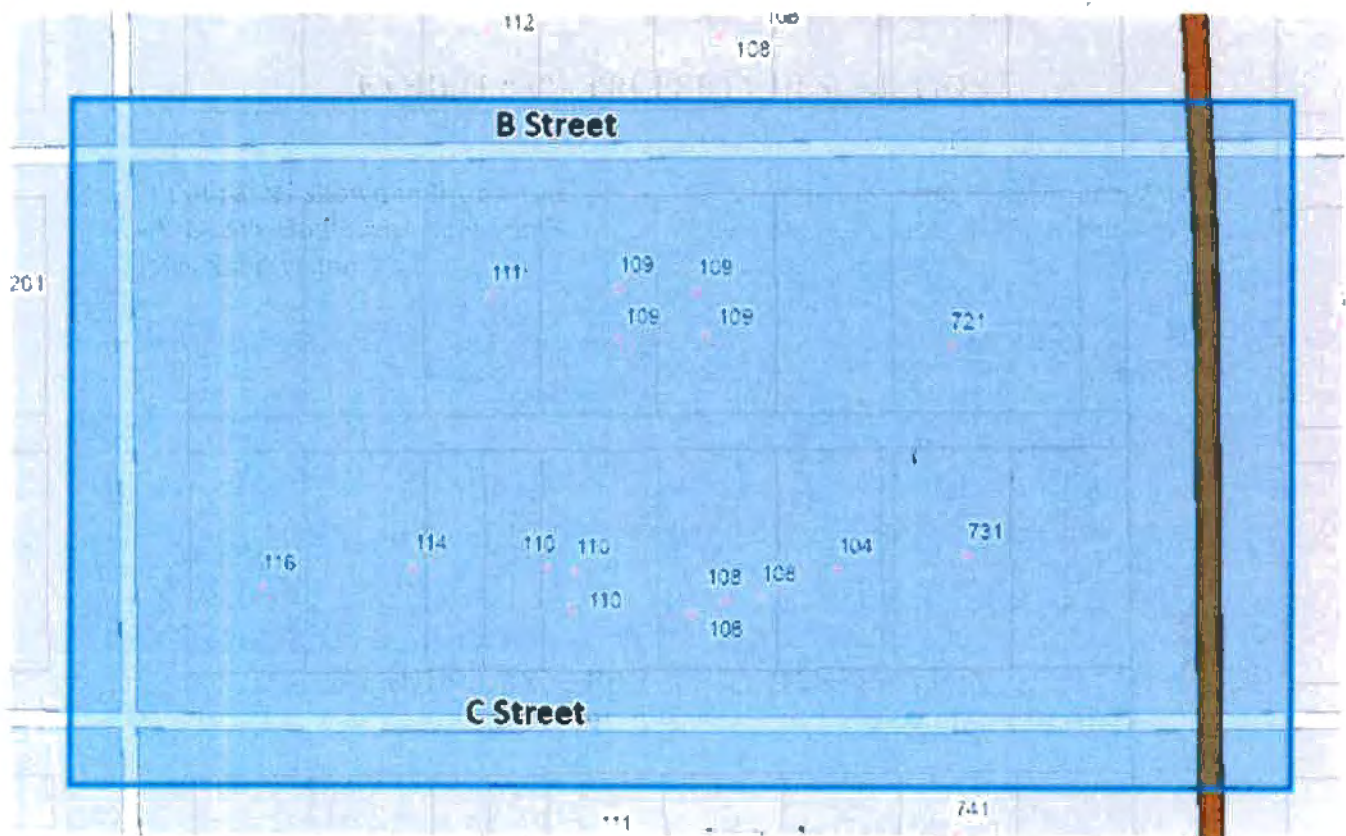
MAYOR

ATTEST:

CITY CLERK


EXHIBIT "A" – PROPERTY DESCRIPTION

A portion of parcel shown in the map below: the fifteen (15) foot wide Alley on the West Side of A1A Beach Boulevard between B and C Streets adjoining lots 1-16, Block 40, Coquina Gables Subdivision.



MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 23, 2021

SUBJECT: Ordinance 21-06, First Reading, to Vacate Alley between A and B Streets, between 3rd and 4th Avenues (Lots 1-16, Block 49, Coquina Gables Subdivision)

BACKGROUND

Block 49 is bordered on the north by A Street, on the south by B Street, on the east by 3rd Avenue, and on the west by 4th Avenue. A majority of the owners of the adjacent lots have requested that the alley be vacated.

The Comprehensive Planning and Zoning Board reviewed the vacation request at its March 16, 2021, meeting and by unanimous vote recommended to the Commission that the alley be vacated, subject to the conditions that the applicants submit at least one more letter of written consent from an adjacent property owner so that the vacating alley application is in compliance with Ordinance 15-05, which requires written consent agreeing to the vacating of the alley from a minimum of 70 percent of adjacent owners and that a standard utility and drainage easement for maintenance and future use of utility and drainage facilities be included in the ordinance to vacate the alley.

The letter that the Planning Board requested was submitted to the City.

At its April 5th meeting, the City Commission held a public hearing on the request to vacate the alley and by unanimous vote approved the request. The City Attorney then prepared an ordinance for first reading at the Commission's May 3rd meeting.

ATTACHMENTS

Attached for your review is the following information:

- a. Page 1, a memo to the Planning Board from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she provides information concerning the vacation request.
- b. Page 2, a memo from Ms. Miller in which she states the Planning Board's recommendation and vote that the alley be vacated.
- c. Pages 3-5, the Ordinance, 21-06, prepared by the City Attorney.

ACTION REQUESTED

It is that you review Ordinance 21-06 and that you pass it on first reading. The Ordinance will then be scheduled for a public hearing and final reading at your June 7th meeting.

City of St. Augustine Beach Building and Zoning Department

2200 A1A SOUTH ST. AUGUSTINE BEACH, FLORIDA 32080

WWW.STAUGBCH.COM

BLDG. & ZONING (904)471-8758 FAX (904) 471-4470

To: Comprehensive Planning & Zoning Board
From: Bonnie Miller, Executive Assistant
CC: Brian Law, Building Official; Max Royle, City Manager
Date: 03-08-2021
Re: Vacating Alley File No. V 2021-02, for the 15-foot wide alley lying between A and B Streets lying west of 3rd Avenue and east of 4th Avenue in Block 49, Coquina Gables Subdivision, west of A1A Beach Boulevard

Vacating Alley File No. V 2021-02 is an application requesting the vacation of the 15-foot-wide alley lying west of A1A Beach Boulevard in Block 49, Coquina Gables Subdivision, west of 3rd Avenue, east of 4th Avenue, between A Street and B Street, to incorporate from the centerline of the alley the 7.5-foot-wide portions of the vacated alley into the square footage of the adjacent property owners. There are 16 lots, 8 on the south side of A Street and 8 lots on the north side of B Street, adjacent to this alley. Per City of St. Augustine Beach Ordinance No. 15-05, applicants are required to submit the written consent of a minimum of 70% of adjacent property owners who support the vacation of the alley. The applicants, Jason and Laurie Collins, 307 A Street, St. Augustine Beach, Florida, 32080, have submitted the written consent of 11 out of 16 property owners, which constitutes 68.75% of the adjacent property owners.

The attached plat map of the 15-foot-wide alley requested to be vacated shows the 8 lots on the south side of A Street and the 8 lots on the north side of B Street adjacent to the 15-foot-wide in Block 49, Coquina Gables Subdivision. Each lot and address is marked with a "YES" or "NO" designating if the written consent of the property owner has been obtained and submitted by the applicants. Per Ordinance No. 15-05, "If 100% of the real property owners do not sign written consent, then a minimum of 70% of the real property owners must sign a written consent and the applicant must demonstrate that the vacation will not adversely affect nor negatively impact those property owners who have not signed a written consent, which demonstration may necessitate the applicant obtaining the opinion of a traffic engineer, surveyor or other professional."

The vacating alley application requires a recommendation from the Comprehensive Planning and Zoning Board to the City Commission to approve or deny the applicant's request to vacate the alley. Per Section 18-53 of City Code, the application has been forwarded to the City's Public Works Director, Police Department, St. Johns County Fire Rescue Headquarters, St. Johns County Utility Department, and Florida Power & Light. Comments from these agencies and utility companies are included with the application information copied to the Board. The Building and Zoning Department has no objection to the proposed vacation of this alley concurrent with the Public Works Director's request that an appropriate utility and drainage easement is recorded over the vacated portion of the alley to allow access for drainage and utility maintenance.

Sincerely,

Bonnie Miller

Executive Assistant
Building and Zoning Department

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Vacating Alley File No. V 2021-02
Date: Wednesday, March 17, 2021

Please be advised that at its regular monthly meeting held Tuesday, March 16, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve an application to vacate the 15 (fifteen)-foot-wide alley in Block 49, Coquina Gables Subdivision, lying west of 3rd Avenue and east of 4th Avenue, between A Street and B Street.

The application was filed by Jason and Laurie Collins, 307 A Street, St. Augustine Beach, Florida, 32080, per Article III, Sections 18-50--18-56 of St. Augustine Beach Code, as amended by Ordinance No. 15-05, PERTAINING TO THE 15 (FIFTEEN)-FOOT-WIDE STRIP OF LAND BETWEEN A STREET AND B STREET, ADJACENT TO AND WEST OF 3RD AVENUE, ADJACENT TO AND EAST OF 4TH AVENUE, ABUTTING LOTS 1-16, BLOCK 49, COQUINA GABLES SUBDIVISION, ALL IN SECTION 3, TOWNSHIP 8, RANGE 30, AS RECORDED IN MAP BOOK 3, PAGE 30, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

The motion to recommend the City Commission approve the vacation of the 15 (fifteen)-foot-wide alley described above was made by Mr. Kincaid, subject to the conditions that the applicants submit at least one more letter of written consent from an adjacent property owner so that the vacating alley application is in compliance with Ordinance No. 15-05, which requires written consent agreeing to the vacating of the alley from a minimum of 70% percent of adjacent property owners, and also that a standard utility and drainage easement for maintenance and future use of utility and drainage facilities be included in the ordinance to vacate the alley. Mr. Kincaid's motion was seconded by Ms. Odom and passed 7-0 by unanimous voice-vote.

ORDINANCE NO. 21-06

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; VACATING A PORTION OF THE PUBLIC ALLEY LOCATED ON THE WEST SIDE OF A1A BEACH BOULEVARD BETWEEN A AND B STREETS ADJOINING LOTS 1-16, BLOCK 49, COQUINA GABLES SUBDIVISION, WITHIN THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

WHEREAS, on April 5, 2021 the City of Saint Augustine Beach heard a request to vacate the Alley on the West Side of A1A Beach Boulevard between A and B Streets adjoining lots 1-16, Block 49, Coquina Gables Subdivision.

WHEREAS, the City Commission finds that it is in the best interests of the citizens of Saint Augustine Beach, Florida that the alley on the West Side of A1A Beach Boulevard between A and B Streets adjoining lots 1-16, Block 49, Coquina Gables Subdivision be vacated, subject to the reservation of a public utility and drainage easement over the entire alley to be vacated;

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. The City Commission does hereby find that the alley on the West Side of A1A Beach Boulevard between A and B Streets adjoining lots 1-16, Block 49, Coquina Gables Subdivision, within the city limits of Saint Augustine Beach, Florida, as more particularly described and shown on Exhibit "A", attached hereto and made a part hereof, is hereby vacated, subject to the reservation by the City of Saint Augustine Beach of a public utility easement over the entire alley to be vacated.

SECTION 3. The City Clerk is authorized and directed to forward a certified copy of this Ordinance to the Clerk of the Circuit Court for recordation.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect immediately upon passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this 5th day of April 2021.

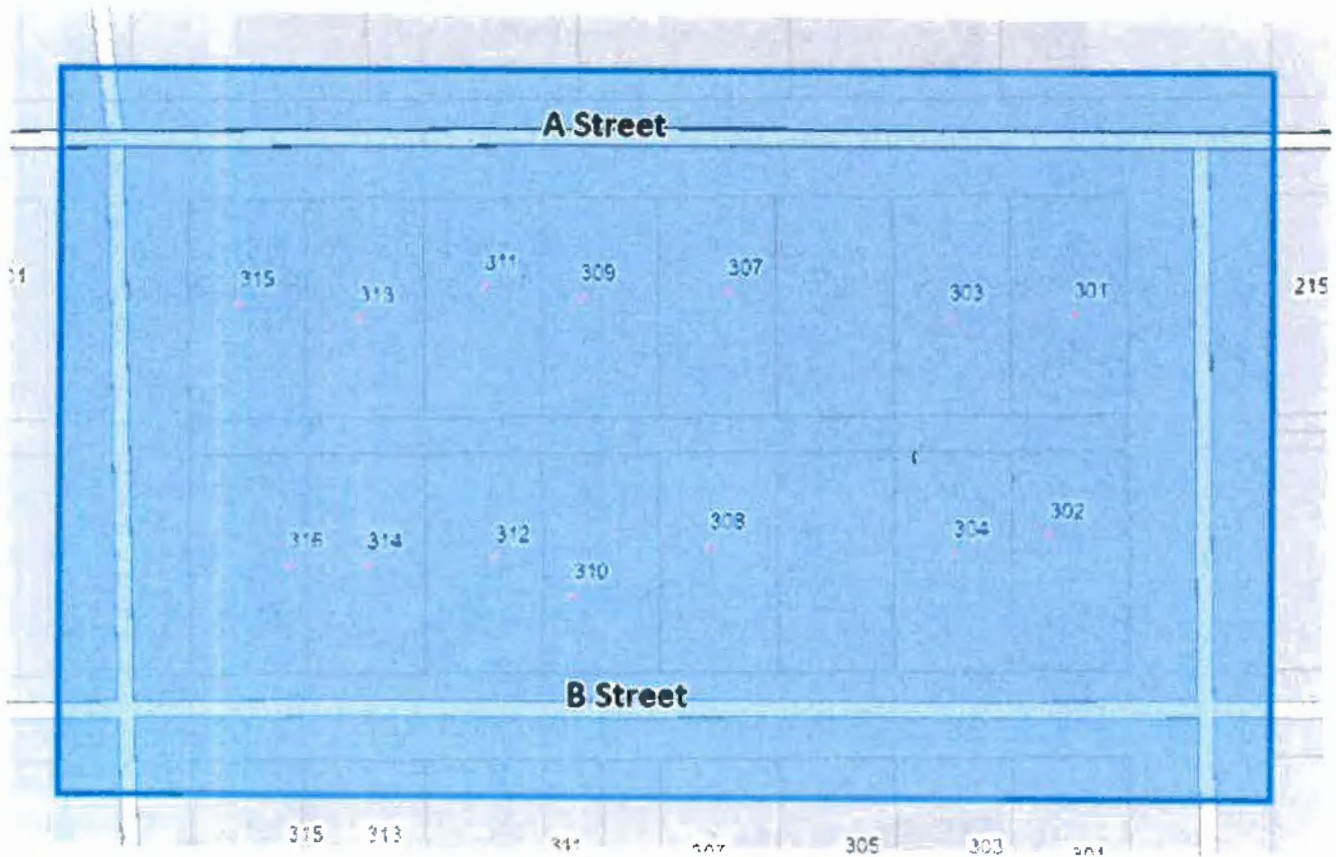
MAYOR

ATTEST:

CITY CLERK

EXHIBIT "A" – PROPERTY DESCRIPTION

A portion of parcel shown in the map below: the fifteen (15) foot wide Alley on the West Side of A1A Beach Boulevard between A and B Streets adjoining lots 1-16, Block 49, Coquina Gables Subdivision.



MEMORANDUM

TO: Max Royle, City Manager

FROM: William Tredik, P.E. Public Works Director

DATE: May 3, 2021

SUBJECT: Phase 1 LED Streetlight Conversion

BACKGROUND

The City currently has 386 existing high-pressure sodium (HPS) streetlights. Florida Power and Light (FPL) currently has a program to convert HPS lights to light emitting diode (LED) lights for no cost to the customer. On June 10, 2019, Florida Power and Light (FPL) gave a presentation to the City Commission regarding the potential conversion of City streetlights from HPS to LED. The FPL presentation discussed the benefits of LED streetlights, including:

- High color rendering index
- More natural colors than HPS
- Up to 50% more energy efficient than HPS
- Variety of fixture choices

The FPL presentation showed various photographs comparing the appearance of LED versus HPS lights, including the following:

70 Watt HPS vs 26 Watt 4000K RSW



Figure 1 - 70 Watt HPS versus 4000K LED

FPL offers lights in a variety of “Temperatures”, with 4000 kelvin (K) being the most commonly used. The 4000K light is shifted toward the blue end of the visible light spectrum with color rendering much closer to natural daylight than HPS. FPL presented the following photograph to demonstrate the difference appearances between light “temperatures:”

Color Temperature Comparison



Figure 2 - Light Temperature Comparisons

As mentioned above, 4000K light is shifted more toward the blue end of the visible light spectrum with color rendering closer to natural daylight. 3000K light contain less blue light and create a softer light while still significantly improving color rendering over HPS lights. There has been much published discussion regarding the appropriateness of the 4000K versus 3000K light for residential neighborhoods. Some find the 4000K color to create more glare and argue it can disrupt sleep cycles due to the higher blue light content. In consideration of these viewpoints, staff met with FPL to discuss options and recommends phasing the LED conversion, beginning with the 4000K lights only on the City's arterial and collector roadways. The more daylight-like color rendering on major roadways is intended to maximize visibility and increase security. Phase 1 of the Streetlight Conversion will replace 183 HPS streetlights (47% of the City total) with LED fixtures on the following arterial and collector roads:

- State Road A1A
- A1A Beach Boulevard
- Mickler Boulevard
- Pope Road
- 16th Street
- 11th Street
- A Street

Figure 3 below shows the locations of the streetlights to be replaced in Phase 1. The green dots indicate locations where LED streetlights were recently installed on A1A. Figure 3 does not include the 10 new LED lights on A1A Beach Boulevard, as they were not installed at the time of this writing. Future phases will move into the neighborhoods and may incorporate "warmer" 3000K LED streetlights.

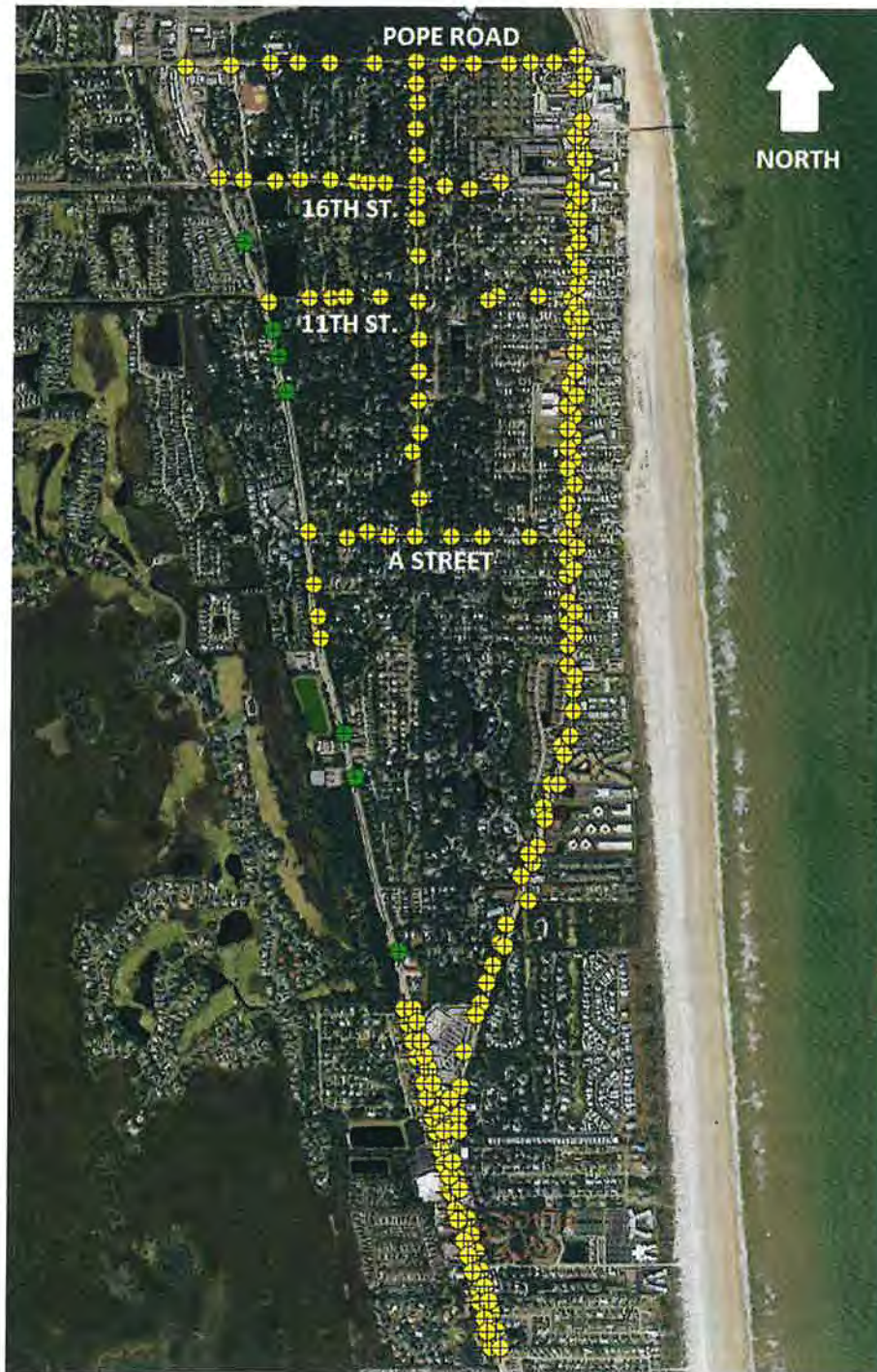


Figure 3 - Phase 1 LED Conversion Locations

DISCUSSION

The City has a variety of different wattage HPS lights on arterial and collector roads throughout the City, including:

- 70 watts Minor collector roadways
- 100 watts Collector roadways (e.g. Beach Boulevard)
- 150 watts Collectors and arterial roadways
- 200 watts Arterial roadways (e.g. A1A South)

One of the goals of the LED streetlight replacement is to increase illumination and public safety in areas currently lit by streetlights, without over-lighting the City. The LED conversion is intended to provide an illumination level similar to that currently enjoyed. The superior color rendering of LED streetlights improves visibility without increasing light power. Additional streetlights have been added (and will continue to be added as necessary) in poorly lit areas in need of increased illumination.

Another aspect to LED streetlights is that they only emit light in a 180 degree arc below the lamp (versus 360 degrees for HPS bulbs). This allows targeted illumination downward and eliminates the upcasting of light, helping reduce urban sky glow and light pollution. City staff worked with FPL to determine the appropriate replacement fixtures for the City's HPS streetlights for Phase 1. To provide a similar level of illumination to that currently enjoyed, FPL recommended the following (Option 1) replacement fixtures:

Fixtures to be Replaced	Existing	Replacement
36	70-watt HPS	26-watt LED
90	100-watt HPS	41-watt LED
6	150-watt HPS	76-watt LED
50	200-watt HPS	133-watt LED
1*	400-watt HPS	76-watt LED

Table 1 - Option 1 (Similar Illumination Levels to Existing)

**The streetlight at the intersection of A Street and Sunfish Drive is listed as having a 400-watt HPS bulb. A 400-watt equivalent LED streetlight at this location is deemed to be excessively bright. Other streetlights along A Street are typically 100-watt HPS. Due to it being the first intersection east of A1A, a 76-watt LED replacement is recommended.*

Though energy savings and maintenance costs are realized in the conversion to LED streetlights, this savings is offset by the higher initial cost of the LED fixtures. Due to this tradeoff, savings to the City are small. Based upon the above replacement schedule, the City is estimated to save \$50 per month (\$600 per year).

During coordination with FPL, the possibility of increasing the illumination of City streetlights was also discussed. FPL recommended the following replacement schedule if the City desired to increase the illumination of City streetlights:

Fixtures to be Replaced	Existing	Replacement
36	70-watt HPS	41-watt LED
90	100-watt HPS	76-watt LED
6	150-watt HPS	118-watt LED
50	200-watt HPS	182-watt LED
1	400-watt HPS	268-watt LED

Table 2 - Option 2 (Increased Illuminations Levels)

Option 2 is estimated to cost the City an additional \$244 per month (just under \$3,000 per year). Since Option 1 met the goals of improving visibility and public safety while reducing cost to the City, staff requested FPL to provide a LED lighting Agreement to replace the 183 HPS streetlights on arterial and collector roads with the City as shown in Table 1 – Option 1.

ACTION REQUESTED

Authorize the City Manager to execute a LED Lighting Agreement with FPL to convert 183 existing HPS streetlights to LED streetlights per the replacement schedule listed as Option 1.



FPL Account Number: **8061507532**

FPL Work Request Number: _____

LED LIGHTING AGREEMENT

In accordance with the following terms and conditions, CITY OF ST AUGUSTINE BEACH (hereinafter called the Customer), requests on this 20th day of April, 2021, from FLORIDA POWER & LIGHT COMPANY (hereinafter called FPL), a corporation organized and existing under the laws of the State of Florida, the following installation or modification of lighting facilities at (general boundaries) Streetslights, located in Saint Augustine Beach, Florida.

- (a) Installation and/or removal of FPL-owned facilities described as follows:

<u>Poles</u>				
Pole Type	Existing Pole Count (A)	# Installed (B)	# Removed (C)	New Pole Count (A+B-C)
Wood				
Standard Concrete				
Standard Fiberglass				
Decorative Concrete				
Decorative Fiberglass				

<u>Underground Conductor</u>				
Type	Existing Footage (A)	Feet Installed (B)	Feet Removed (C)	New Footage (A+B-C)
Under Pavement		N/A ⁽¹⁾		
Not Under Pavement				

- (1) All new conductor installed is in conduit and billed as Not Under Pavement

Fixtures ⁽²⁾

[illegible]

(2) Catalog of available fixtures and the assigned billing tier for each can be viewed at www.fpl.com/partner/builders/lighting.html

- (b) Modification to existing facilities other than described above (explain fully): _____

That, for and in consideration of the covenants set forth herein, the parties hereto covenant and agree as follows:

FPL AGREES:

1. To install or modify the lighting facilities described and identified above (hereinafter called the Lighting System), furnish to the Customer the electric energy necessary for the operation of the Lighting System, and furnish such other services as are specified in this Agreement, all in accordance with the terms of FPL's currently effective lighting rate schedule on file at the Florida Public Service Commission (FPSC) or any successive lighting rate schedule approved by the FPSC.

THE CUSTOMER AGREES:

2. To pay a contribution in the amount of **\$0.00** prior to FPL's initiating the requested installation or modification.
3. To purchase from FPL all of the electric energy used for the operation of the Lighting System.
4. To be responsible for paying, when due, all bills rendered by FPL pursuant to FPL's currently effective lighting rate schedule on file at the FPSC or any successive lighting rate schedule approved by the FPSC, for facilities and service provided in accordance with this agreement.
5. To provide access, final grading and, when requested, good and sufficient easements, suitable construction drawings showing the location of existing and proposed structures, identification of all non-FPL underground facilities within or near pole or trench locations, and appropriate plats necessary for planning the design and completing the construction of FPL facilities associated with the Lighting System.
6. To perform any clearing, compacting, removal of stumps or other obstructions that conflict with construction, and drainage of rights-of-way or easements required by FPL to accommodate the lighting facilities.

IT IS MUTUALLY AGREED THAT:

7. Modifications to the facilities provided by FPL under this agreement, other than for maintenance, may only be made through the execution of an additional lighting agreement delineating the modifications to be accomplished. Modification of FPL lighting facilities is defined as the following:
 - a. the addition of lighting facilities;
 - b. the removal of lighting facilities; and
 - c. the removal of lighting facilities and the replacement of such facilities with new facilities and/or additional facilities.

Modifications will be subject to the costs identified in FPL's currently effective lighting rate schedule on file at the FPSC, or any successive schedule approved by the FPSC.

8. Lighting facilities will only be installed in locations that meet all applicable clear zone right-of-way setback requirements.
9. FPL will, at the request of the Customer, relocate the lighting facilities covered by this agreement, if provided sufficient right-of-ways or easements to do so and locations requested are consistent with clear zone right-of-way setback requirements. The Customer shall be responsible for the payment of all costs associated with any such Customer-requested relocation of FPL lighting facilities. Payment shall be made by the Customer in advance of any relocation.
10. FPL may, at any time, substitute for any luminaire installed hereunder another luminaire which shall be of at least equal illuminating capacity and efficiency.
11. This Agreement shall be for a term of ten (10) years from the date of initiation of service, and, except as provided below, shall extend thereafter for further successive periods of five (5) years from the expiration of the initial ten (10) year term or from the expiration of any extension thereof. The date of initiation of service shall be defined as the date the first lights are energized and billing begins, not the date of this Agreement. This Agreement shall be extended automatically beyond the initial the (10) year term or any extension thereof, unless either party shall have given written notice to the other of its desire to terminate this Agreement. The written notice shall be by

certified mail and shall be given not less than ninety (90) days before the expiration of the initial ten (10) year term, or any extension thereof.

12. In the event lighting facilities covered by this agreement are removed, either at the request of the Customer or through termination or breach of this Agreement, the Customer shall be responsible for paying to FPL an amount equal to the fixture, pole, and conductor charges for the period remaining on the currently active term of service plus the cost to remove the facilities.
13. Should the Customer fail to pay any bills due and rendered pursuant to this agreement or otherwise fail to perform the obligations contained in this Agreement, said obligations being material and going to the essence of this Agreement, FPL may cease to supply electric energy or service until the Customer has paid the bills due and rendered or has fully cured such other breach of this Agreement. Any failure of FPL to exercise its rights hereunder shall not be a waiver of its rights. It is understood, however, that such discontinuance of the supplying of electric energy or service shall not constitute a breach of this Agreement by FPL, nor shall it relieve the Customer of the obligation to perform any of the terms and conditions of this Agreement.
14. The obligation to furnish or purchase service shall be excused at any time that either party is prevented from complying with this Agreement by strikes, lockouts, fires, riots, acts of God, the public enemy, or by cause or causes not under the control of the party thus prevented from compliance, and FPL shall not have the obligation to furnish service if it is prevented from complying with this Agreement by reason of any partial, temporary or entire shut-down of service which, in the sole opinion of FPL, is reasonably necessary for the purpose of repairing or making more efficient all or any part of its generating or other electrical equipment.
15. **This Agreement supersedes all previous Agreements** or representations, either written, oral, or otherwise between the Customer and FPL, with respect to the facilities referenced herein and constitutes the entire Agreement between the parties. This Agreement does not create any rights or provide any remedies to third parties or create any additional duty, obligation or undertakings by FPL to third parties.
16. In the event of the sale of the real property upon which the facilities are installed, upon the written consent of FPL, this Agreement may be assigned by the Customer to the Purchaser. No assignment shall relieve the Customer from its obligations hereunder until such obligations have been assumed by the assignee and agreed to by FPL.
17. This Agreement shall inure to the benefit of, and be binding upon the successors and assigns of the Customer and FPL.
18. The lighting facilities shall remain the property of FPL in perpetuity.
19. This Agreement is subject to FPL's Electric Tariff, including, but not limited to, the General Rules and Regulations for Electric Service and the Rules of the FPSC, as they are now written, or as they may be hereafter revised, amended or supplemented. In the event of any conflict between the terms of this Agreement and the provisions of the FPL Electric Tariff or the FPSC Rules, the provisions of the Electric Tariff and FPSC Rules shall control, as they are now written, or as they may be hereafter revised, amended or supplemented.

IN WITNESS WHEREOF, the parties hereby caused this Agreement to be executed in triplicate by their duly authorized representatives to be effective as of the day and year first written above.

Charges and Terms Accepted:

CITY OF ST AUGUSTINE BEACH
Customer (Print or type name of Organization)

By: _____
Signature (Authorized Representative)

(Print or type name)

Title: _____

FLORIDA POWER & LIGHT COMPANY

Chris Venoy
Digitally signed by Chris Venoy
DN: cn=Chris Venoy, o=FPL, ou=LED Lighting
Solutions, email=chris.venoy@fpl.com, c=US
Date: 2021.04.22.16:45:47 -04'00'

By: _____
(Signature)

Chris Venoy

(Print or type name)

Title: FPL LT-1 Representative



LED Lighting Plan

St. Augustine Beach LED Conversion (Main Roads)

Going Green

This plan reduces power consumption by:
and that eliminates:
or removing:

67,152 kWh / year
47 metric tons of CO₂ every year¹
10 cars from the road²

EPA: U.S. annual non-ferrous CO₂ output emission 1960, year 2012 data
US Environmental Protection Agency

TOTAL	183		\$ 1,819.90	\$ 1,789.99	\$ 2,064.31	\$ -
--------------	------------	--	--------------------	--------------------	--------------------	-------------

Installation Details		Existing	Option 1	Option 2	Option 3
1 70W CH	select fixture:	SL1 - HPS0070	RSW 26 Watt 4000K	RSW 41 Watt 4000K	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 149.04	\$ 229.14	\$ 229.14	
	Pole				
Quantity:	36				
FPL Conversion:	Yes	Maintenance \$ 71.28	\$ 46.44	\$ 46.44	
Full/Hybrid:	Full	Energy** \$ 68.04	\$ 15.09	\$ 26.77	
Monthly Total		\$ 278.36	\$ 290.67	\$ 302.35	

Installation Details		Existing	Option 1	Option 2	Option 3
2 100W CH	select fixture:	SL1 - HPS0100	RSW 41 Watt 4000K	ATBS 76 Watt	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 378.90	\$ 572.85	\$ 572.85	
	Pole				
Quantity:	90				
FPL Conversion:	Yes	Maintenance \$ 179.10	\$ 116.10	\$ 116.10	
Full/Hybrid:	Full	Energy** \$ 205.28	\$ 66.92	\$ 129.82	
Monthly Total		\$ 783.28	\$ 755.87	\$ 618.77	

Installation Details		Existing	Option 1	Option 2	Option 3
3 150W CH	select fixture:	SL1 - HPS0150	ATBS 76 Watt	ATBM 116 Watt	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 26.04	\$ 38.19	\$ 38.19	
	Pole				
Quantity:	6				
FPL Conversion:	Yes	Maintenance \$ 12.12	\$ 7.74	\$ 7.74	
Full/Hybrid:	Full	Energy** \$ 20.00	\$ 6.65	\$ 13.30	
Monthly Total		\$ 58.16	\$ 54.58	\$ 59.23	

Installation Details		Existing	Option 1	Option 2	Option 3
4 200W CH	select fixture:	SL1 - HPS0200	ATB2 133 Watt, Gray	Verdeon 182 Watt	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 329.00	\$ 468.25	\$ 618.25	
	Pole				
Quantity:	50				
FPL Conversion:	Yes	Maintenance \$ 128.50	\$ 64.50	\$ 64.50	
Full/Hybrid:	Full	Energy** \$ 244.08	\$ 127.02	\$ 179.43	

*Includes fixture fee and monthly conversion fee where applicable
**Includes Non-Fuel Energy charge, Fuel, Conservation, Capacity, Environmental, and Storm Charges.
Based upon FPL bill rates as of 05/01/20

		Monthly Total	\$	701.56	\$	659.77	\$	862.18	
Installation Details		Existing		Option 1		Option 2		Option 3	
5	400W CH	select fixture		SL1 - HPS0400		ATBS 76 Watt		ATB2 268 Watt, Gray	
		fixture / pole:		1		1		1	
		select pole:							
		Fixture*	\$	6.64	\$	6.37	\$	15.37	
		Pole							
Quantity:	1	Maintenance	\$	2.58	\$	1.29	\$	1.29	
FPL Conversion:	Yes	Energy**	\$	9.32	\$	1.44	\$	5.14	
Full/Hybrid:	Full	Monthly Total	\$	18.54	\$	9.10	\$	21.79	
Installation Details		Existing		Option 1		Option 2		Option 3	
6		select fixture							
		fixture / pole:		1		1		1	
		select pole:							
		Fixture*							
		Pole							
Quantity:		Maintenance							
FPL Conversion:		Energy**							
Full/Hybrid:		Monthly Total							
Installation Details		Existing		Option 1		Option 2		Option 3	
7		select fixture							
		fixture / pole:		1		1		1	
		select pole:							
		Fixture*							
		Pole							
Quantity:		Maintenance							
FPL Conversion:		Energy**							
Full/Hybrid:		Monthly Total							
Installation Details		Existing		Option 1		Option 2		Option 3	
8		select fixture							
		fixture / pole:		1		1		1	
		select pole:							
		Fixture*							
		Pole							
Quantity:		Maintenance							
FPL Conversion:		Energy**							
Full/Hybrid:		Monthly Total							
Installation Details		Existing		Option 1		Option 2		Option 3	
9		select fixture							
		fixture / pole:		1		1		1	
		select pole:							
		Fixture*							
		Pole							
Quantity:		Maintenance							
FPL Conversion:		Energy**							
Full/Hybrid:		Monthly Total							

Quantity:		Fixture*				
FPL Conversion:		Pole				
Full/Hybrid:		Maintenance				
		Energy**				
		Monthly Total				

Installation Details		Existing	Option 1	Option 2	Option 3
10	select fixture:				
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*				
	Pole				
Quantity:					
FPL Conversion:					
Full/Hybrid:					
		Monthly Total			

SUB TOTAL	183		\$ 1,819.90	\$ 1,769.99	\$ 2,064.31	\$ -
------------------	------------	--	-------------	-------------	-------------	------

Installation Details		Existing	Proposed
Wire	select wire:	SL-1 UCNP	SL-1 UCNP
	Footage		
	select wire:	SL-1 UCUP	SL-1 UCUP
	Footage		
	select wire:		LT-1 UC
	Footage		
Total		\$ -	\$ -

TOTAL	183		\$ 1,819.90	\$ 1,769.99	\$ 2,064.31	\$ -
--------------	------------	--	-------------	-------------	-------------	------

**CITY OF ST. AUGUSTINE BEACH**

Date: April 16, 2021

To: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

From: Beverly Raddatz, MMC, City Clerk *BR*

Subject: Amending Sections XI Through XIV of the Personnel Manual

Background:

Resolution 21-17, Section X1.1, has minor changes regarding shift work for the Police Department. Resolution 21-18, Section XIII the Standards of Conduct of Discipline, has been modified with some minor changes. Resolution 21-19, Section XIV the Disciplinary Action, deletes employees making personal long-distance telephone calls on a City phone and changing the sequence of numbers. Resolution 21-20, Sections XI.6 and XI.17 Sick Incentive and Holidays, deletes sick incentive and adds a birthday holiday. Resolution 21-21, Section X1.7 Sick Time Donations, has changes in the criteria of employees who can donate their time and who can be a recipient of the donation.

I reviewed these policies with Assistant City Attorney Taylor and all the Department Heads.

Staff Impact:

None.

Budget Analysis:

Attached to this memorandum is the budget analysis for Resolution 21-20. It shows that the costs for a birthday holiday is \$12,020.69. The cost for the sick incentive plan in FY20 shows \$17,065.18. In FY21 to date the cost of the sick incentive plan is \$7,860.70. It would save the City approximately \$5,045 to delete the sick incentive plan and add only one birthday holiday.

Recommendation:

Staff recommends to the Commission to approve the proposed resolutions.

Employee Cost per Holiday

12 Hours-PD

RATES

8 Hours

<u>DEPT</u>	<u>LAST NAME</u>	<u>RATE</u>		<u>DEPT</u>	<u>LAST NAME</u>	<u>RATE</u>	
521	ABEL	28.8609	346.33	521	KELLY	27.9808	335.77
513	ADAMS	22.0754	176.60	534	LARGE	25.7518	206.01
521	ADERHOLD	16.2482	129.99	524	LAW	40.7582	326.07
534	ANDREWS	17.8636	142.91	521	LEWIS	21.9744	263.69
521	BROWN	28.9951	231.96	521	MARTINEZ	25.4490	305.39
524	BRYANT	20.4708	245.65	515	MCNETT	20.2404	242.88
521	CADWALLADER	16.7714	134.17	513	MILLER	30.3459	242.77
513	CARSWELL	43.2692	346.15	534	MOORE	13.6981	109.58
521	CLINE	26.4033	316.84	521	MUDRICK	16.4892	131.91
521	COLBERT	14.9038	119.23	521	ORLANDO	26.3306	210.64
534	CONLON	18.8083	150.47	524	PARRISH	22.0673	176.54
513	CROSS	16.1505	129.20	534	PIEROTTI	20.6880	165.50
521	DOUYLLIEZ	35.5341	284.27	534	PINDZIA	15.0688	120.55
534	EVANS	20.3266	243.92	521	PORTER	15.6156	124.92
513	FITZGERALD	17.2739	138.19	513	POWELL	20.4327	245.19
534	FOWLER	13.4824	107.86	534	RADDATZ	33.4819	267.86
534	GAMBILL	20.7186	248.62	512	RAYMOND	19.6304	157.04
521	GATCHELL	37.3472	298.78	521	ROYLE	58.8564	470.85
521	GIANNOTTA	21.7297	260.76	534	SIMPSON	13.6881	109.50
534	GILLESPIE	30.1041	361.25	524	TEDDER	17.7050	141.64
521	GRAY	26.3536	210.83	534	THOMPSON	19.1530	153.22
534	GREEN	21.0579	252.69	534	TICHY	19.7326	157.86
521	HAMMONDS	29.0951	349.14	534	TIMMONS	18.2325	145.86
521	HARRELL	36.5385	292.31	513	TREDIK	48.6179	388.94
521	HASKINS	20.4840	163.87	524	VAN NEST	13.6881	109.50
534	JENSEN	28.1250	337.50	534			0.00
521	JOHNS	32.1985	257.59	521			0.00
513	JONES	25.7498	206.00	521			0.00
534	KAMMER	18.9904	227.88				
			6,710.97				5,309.72

Total Cost of 1 Floating Holiday	\$12,020.69
----------------------------------	-------------

FY20 SLIP COST

FY20 Expenses							
12/31/2019		3/31/2020		6/30/2020		9/30/2020	
Abel	214.32	Abel	214.32	Abel	214.32	Aderhold	121.46
Andrews	138.67	Adams	171.50	Adams	171.50	Andrews	138.67
Brown	222.02	Aderhold	121.46	Aderhold	121.46	Brown	222.02
Cadwallader	130.23	Andrews	138.67	Brown	222.02	Bryant	154.08
Cline	205.21	Brown	222.02	Cline	205.21	Fitzgerald	138.19
Cross	125.18	Cline	205.21	Fitzgerald	138.19	Giannotta	163.99
Fitzgerald	138.19	Fitzgerald	138.19	Giannotta	163.99	Gillespie	229.79
Gianotta	163.99	Giannotta	163.99	Gillespie	229.79	Green	158.70
Gillespie	229.79	Gillespie	229.79	Green	158.70	Hammonds	221.46
Green	158.70	Green	158.70	Hammonds	221.46	Jensen	170.46
Hammonds	221.46	Hammonds	221.46	Jensen	170.46	Kelly	193.03
Jensen	170.46	Kelly	193.03	Kelly	193.03	Large	200.45
Kelly	193.03	Large	200.45	Large	200.45	Martinez	194.03
Lewis	170.46	Martinez	194.03	Martinez	194.03	Miller	236.07
Martinez	194.03	Miller	236.07	Miller	236.07	Orlando	205.01
Miller	236.07	Orlando	205.01	Orlando	205.01	Padgett	208.08
Orlando	205.01	Padgett	208.08	Padgett	208.08	Pierotti	153.59
Padgett	208.08	Parrish	138.28	Parrish	138.28	Porter	121.24
Parrish	138.28	Pindzia	111.45	Pierotti	153.59	Thompson	144.62
Pindzia	111.45	Preston	163.99	Pindzia	111.45	Tichy	153.06
Porter	121.24	Thompson	144.62	Porter	121.24	Wright	170.63
Preston	163.99	Tichy	153.06	Tedder	137.61	Youngblood	154.08
Tedder	137.61	White	111.45	Thompson	144.62		3,852.70
Tichy	153.06	Wright	170.63	Tichy	153.06		
Youngblood	154.08	Youngblood	154.08	Wright	170.63		
			4,369.54	Youngblood	154.08		
	4,304.61				4,538.33		

YTD FY21 Expenses			
12/31/2020		3/31/2021	
Adams	176.60	Abel	230.89
Aderhold	129.99	Cline	211.23
Andrews	142.91	Fitzgerald	142.52
Bryant	159.15	Gambill	165.75
Cline	211.23	Gillespie	240.83
Cross	129.20	Hammonds	232.76
Fitzgerald	142.52	Jensen	225.00
Fowler	111.32	Kelly	223.85
Giannotta	169.22	Large	206.01
Gillespie	236.99	Lewis	175.80
Gray	210.83	Martinez	203.59
Hammonds	228.53	Miller	242.77
Jensen	225.00	Orlando	210.64
Kelly	223.85	Pierotti	165.50
Large	206.01	Pindzia	120.55
Martinez	199.75	Porter	124.92
Miller	242.77	Raymond	157.04
Orlando	210.64		3,279.66
Padgett	214.93		
Pierotti	157.81		
Pindzia	120.55		
Porter	124.92		
Thornton	111.32		
Tichy	157.86		
Wright	175.99		
Youngblood	161.13		
	4,581.04		

Annual Expense-FY20 **\$17,065.18**

YTD Expense-FY21 **7,860.70**

Annual Savings Estimate **5,044.49**

RESOLUTION NO. 21-17

CITY OF ST. AUGUSTINE BEACH

**RE: AMENDING SECTION XII, WAGES AND
COMPENSATION TO THE CITY ST.
AUGUSTINE BEACH PERSONNEL
MANUAL**

ST. JOHNS COUNTY

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on May 3, 2021, resolves as follows:

To amend Section XII, Wages and Compensation, to the Personnel Manual for the City of St. Augustine Beach is hereby added as shown in **Exhibit A** of this resolution and such language shall be incorporated into the Personnel manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida Section XII, Wages and Compensation, to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of May 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

XII WAGES AND COMPENSATION

XII.1 CHANGES IN REGULAR PAYROLL DATES

Changes in regular payroll may be required by holidays. In such cases, the Finance Office City Manager/Chief of Police will inform the various departments as to any change in the payroll dates.

XII.2 PAYROLL DEDUCTIONS

The ~~City Commission~~ City has authorized the following deductions along with federally mandated taxes:

- ~~1. Income Withholding Tax – Mandatory~~
- ~~2. Social Security (F.I.C.A.) – Mandatory~~
3. Florida Retirement System – Mandatory 3%
4. City-Sponsored Employee Group Medical, Dental and Vision Plans paid by the City and employees.
5. Any authorized legal or court ordered garnishments – Mandatory attachment.
6. Employee portion of dependent coverage for group insurance plan.
7. Credit union deductions.
8. Optional insurance plans not paid by the City.
- ~~9. Optional dental, accident, legal or other insurance plans not City sponsored, but approved by the City for payroll deduction with employee authorization.~~
- ~~10. Credit union deductions and other plans authorized by the City Commission.~~

XII.3 WORK WEEK

1. The normal work week for non-police employees is forty (40) hours worked in a period from midnight Wednesday through midnight Wednesday. Those police employees who have 12-hour shift schedules will instead have a work period consisting of ~~eighty (80) hours~~ eighty-four 84 hours worked in a fourteen-day period from midnight Wednesday through midnight Wednesday.
- ~~2. B. A work day will be defined as the employees' regularly assigned shift, e.g., for police employees working a 12-hour shift, the work day will be twelve (12) hours.~~
3. ~~C.~~ Each department is required to keep an accurate record of all hours worked by each employee.
4. ~~D.~~ Leave records shall be processed, checked for accuracy, and kept for all departments in a the Finance Office ~~central place, the City Manager's office~~, except Police Department records, which will be kept in the Police Department.
5. ~~E.~~ Work hours of shift employees shall be calculated in accordance with the Fair Labor Standards Act.
6. F. Employees may be allowed to work a flextime schedule upon approval of the City Manager/Chief of Police, provided the flextime scheduled causes no inefficiencies or loss of City services or otherwise does not violate the requirements of the Fair Labor Standards Act.

XII.4 BI-WEEKLY PAYROLL

1. All employees in the departments administered by the City Manager/Chief of Police shall be paid bi-weekly.
2. All employees shall record their hours of work by means of time sheets.
3. City Department Heads ~~departments or individual employees who use time sheets instead of a time clock for the recording of work hours~~ shall be responsible for reviewing and ~~tabulating~~ approving the hours worked by the employees. The time sheets shall then be submitted to the ~~City Manager's office~~ Finance Department for verification and payroll purposes.

XII.5 OVERTIME PAY

1. All overtime shall be authorized in advance by the appropriate department head or by the City Manager/Chief of Police. However, this provision shall not apply in instances of emergencies or when overtime needs cannot be foreseen. Claims for emergency and/or unforeseen use of overtime will be reviewed by the City Manager/Chief of Police and must be approved in writing before pay for such overtime is issued.
2. Non-shift employees eligible for overtime who are required to work in excess of their normal forty (40) hour work week shall be compensated for all hours worked in excess of forty (40) hours at a rate equal to one and one-half (1 ½) times the employee's regular hourly rate of pay.
3. Shift employees who work 12-hour shift schedules shall be compensated for all hours worked in excess of eighty (80) hours during one (1) fourteen-day work period at a rate equal to one and one-half (1 ½) times the employee's regular hourly rate of pay.
4. In computing overtime, only those hours ~~actually worked or charged as approved leave with pay~~ will be used to satisfy the basic requirement of ~~eighty (80) hours~~ eighty-four (84) hours for 12-hour shift workers as defined in Section XII.3.A and forty (40) hours for all others. Pay will be computed by the quarter hour. ~~However, sick leave will not be used to satisfy any part of the basic requirement (Res 12-5).~~ Holiday hours will count towards hours worked for City sponsored events.
5. Temporary full-time, regular, and ~~regular and temporary~~ part-time ~~and seasonal~~ employees shall be entitled to overtime pay only if they work more than forty (40) hours in a regular pay period.
6. Salaried employees shall not be entitled to overtime pay.
7. Overtime hours for shift employees shall be calculated in accordance with the Fair Labor Standards Act.

XII.6 CALL BACK PAY

1. Whenever an employee, having completed his scheduled work time and departed the workplace is called back to work for unscheduled overtime, he shall be paid for a minimum of two (2) hours at the overtime rate.
2. Regular and temporary part-time employees called back to work after having completed their work schedule and departed the workplace, will be paid a minimum of two (2) hours at straight time rate.

XII.7 COMPENSATORY TIME

1. Each department head is authorized to give employees compensatory time off in lieu of immediate overtime pay at a rate of not less than one and one-half (1½) hours for each hour

of overtime worked. The maximum compensatory time which the City Manager/Chief of Police or department head may authorize any affected employee to accrue without prior consent of the City Commission is forty-eight (48) hours. In the event of a city-wide emergency, the City Commission may grant affected employees the ability to accrue up to a maximum of four hundred eighty (480) hours of compensatory time.

2. An employee shall be permitted to use accrued compensatory time within a reasonable period after it is requested by the employee, if to do so would not unduly disrupt the operations of the City.
3. ~~Payment for accrued compensatory time upon termination of employment shall be calculated at the average regular rate of pay for the final three (3) years of employment, or the final regular rate received by the employee, whichever is the higher.~~
4. Salaried employees shall not be entitled to compensatory time.

XII.8 PROMOTION OF EMPLOYEES

1. The following procedures shall be followed in the promotion of employees to positions in a higher pay grade:

The department head shall determine that the employee being considered for the promotion possesses the minimum required education and/or experience set forth in the ~~Position Description~~ Job Description for the position to which the promotion is being made.

This promotion is to be approved by the City Manager/Chief of Police. ~~who shall inform the City Commission at the next meeting.~~

In an emergency, the City Manager/Chief of Police may approve changes in responsibilities for an employee. ~~and will inform the City Commission at the next meeting.~~

Promoted employees shall, upon assuming their new duties have appropriate adjustments made to their salary. Said adjustments to be made by the City Manager/Chief of Police only after verification that said increase in salaries is within authorized budget limits.

XII.9 INTERIM PAY INCREASES

1. ~~No pay raises for full and part-time regular employees are to be granted during the fiscal year, unless promoted without prior Commission approval.~~
2. Full and part-time regular employees shall not be eligible to receive merit pay during their probationary period. However, they shall be eligible to receive merit pay if they complete their probationary period satisfactorily.

XII.10 POLICE INCENTIVE PAY

1. Police incentive pay shall be provided to the City's police officers in accordance with Section 943.22, Florida Statutes.
2. Police incentive pay is not to be considered a raise in pay. ~~and does not require City Commission approval.~~
3. Upon approval by the Chief of Police, incentive pay can begin retroactive to the date of certification and/or when the officer is entitled to receive it and can be forwarded monthly.

4. Incentive pay shall be included in the regular rate for purposes of computing overtime rate for police officers to which it is applicable. This provision is in accordance with Section 7 of the Federal Fair Labor Standards Act.

XII.11 EMPLOYEE PAY

Pay increases for City employees shall be based on the following:

1. The Consumer Price Index (CPI) for all urban consumers in the South from June 1st to May 31st.
2. Work performance as determined by a score on the work performance evaluation form for the employee's department. Pay increases based on performance. Will be as determined by the City Commission.
 - A. ~~When an employee reaches the top of the pay range for his or her position, then he or she shall be entitled to a bonus of from 0% to 4% of the employee's current pay, with the bonus to be determined by the score on the employee's work performance evaluation.~~
 - B. By August 20th of each year, each department head and the Police Chief and City Manager shall evaluate the work performance of each employee under their supervision. The results of the evaluations shall be given to the City Manager, who will use them to determine the amount of money that is to be provided for the raises in each department's budget.

XII.12 MERIT PAY FOR PROBATIONARY EMPLOYEES

~~Full and part time regular employees shall not be eligible to receive merit pay during their probationary period. However, full and part time regular employees who complete their probationary period satisfactorily shall be eligible to receive merit pay.~~

XII.13 12 MERIT PAY

The pay plan as adopted by the City Commission was formulated in accordance with the following criteria:

1. Provide for pay rates comparable to those of other Florida municipalities of similar population.
 - B. Establish minimum and maximum starting salaries.
 - C. Assign a pay range for each position.
 - D. Described the basic duties and required education, skills, and experience for each position.
 - E. Apply impartially to all municipal employees regardless of department status, race, creed, origin, age, or sex.
 - F. Establish precise implementation procedures with proper documentation.

RESOLUTION NO. 21-18

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: AMENDING SECTION XIII IN THE CITY ST.
AUGUSTINE BEACH PERSONNEL MANUAL**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on May 3, 2021, resolves as follows:

To amend Section XIII of the Personnel Manual for the City of St. Augustine Beach is hereby amended as shown in **Exhibit A** of this resolution and such language shall be incorporated into the Personnel manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida amended Section XIII to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of May 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

XIII. STANDARDS OF CONDUCT AND DISCIPLINE

XIII.5 NO POLITICAL RECOMMENDATIONS

No recommendations for or against any applicant, competitor, or person eligible for employment which involves the disclosure of his political opinions or affiliations shall be received, filed, or considered by the ~~City Commission~~, Chief of Police and/or City Manager.

XIII.7 COOPERATION OF CITY EMPLOYEES

All City employees shall cooperate with the City Commission, Chief of Police and City Manager in conducting the inquiries specified in these rules; shall permit inspection by the ~~City Commission~~, Chief of Police; and City Manager of all books, papers and documents belonging, or in any way concerning their respective positions and duties; shall also produce said books, papers; and shall attend and testify before the City Commission, the City Manager or the Chief of Police when required to do so.

XIII.9 POLITICAL ACTIVITY

- D. No employee shall solicit any contributions or services for any political party from any City employee while on duty.

XIII.12 EMPLOYEE CONDUCT

- A. Employees of the City are expected to keep in mind that they are public employees and to conduct themselves accordingly. Every employee should have a deep commitment to serve the City and make every effort to be loyal to the City and its programs. This means loyalty to the employee's fellow workers, superiors, the City Commission, and the ~~general~~ public.
- B. While on duty, either in or out of uniform, employees shall not consume alcoholic beverages unless required in performance of their duty.

XIII.13 DRESS AND APPEARANCE

- A. Dress shall be appropriate for proper performance of assigned duties. When uniforms are provided for an employee, they will be required to wear the uniform when on duty unless otherwise directed by their department head. Safety is the utmost concern for all City employees and for this reason, flip flops are not permitted.

XIII 15 OFFICE AND WORK HOURS

- A. City Hall will be open Monday through Friday from 8:00 A.M. to 5:00 P.M., except for announced holidays or closures.
- B. All other City offices and departments will maintain the hours and work schedules required by the City Commission the City Manager / Chief of Police to serve the public. These hours and work schedules are the responsibility of the department head.
- C. Time records will be maintained on each employee. At the end of each work week, the employee will sign a time sheet, which will be certified by the department head.
- D. Absence or unavoidable late arrival must be reported to the supervisor or City Manager's office prior to 8:15 a.m. or within 15 minutes of the beginning of the employee's scheduled workday.

XIII 17 CITY PROPERTY USAGE

- A. Telephone Usage:
 - ~~1. Long distance calls in any department will only be made by personnel authorized by the department head.~~
 - ~~2.~~ 1. Excessive personal telephone calls of an employee will not be permitted, or disciplinary action will be taken.
 - ~~3.~~ 2. The City's telephone number shall not be used in any advertising media for the benefit of any employee.
 - ~~4. In the event of an emergency, personal long distance telephone calls will be allowed. The employee will notify the City immediately of the call or calls, and will reimburse the City.~~
 - ~~5.~~ 3. Use of City-owned cell phones is intended to help the employee perform his or her work responsibilities. However, limited personal use of a City cell phone is permitted so long as such use does not interfere with City business or create expense to the City.
 - ~~6.~~ 4. Use of a cell phone while an employee is operating equipment, or a vehicle is prohibited.
 - ~~7. Because of reported health concerns regarding extended use of cell phones, employees should restrict the use of City cell phones to essential business and should use earphones whenever possible.~~

B. Assignment of City Vehicles

City vehicles may be assigned to City employees and used by the employees for both City business and to commute to and from the employee's residence. Such assignment of vehicles shall be subject to the following restrictions:

1. At the discretion of the Police Chief/City Manager, City employees who live within a forty (40) mile radius of the City. (*Res. 07-19, 12-3-07*).
2. Only the employee is to drive the vehicle.
3. No non-City employees ~~or officials~~ are to be in the vehicle as passengers except in cases of emergency.
4. The vehicle is not to be used for personal errands or purposes.
5. The employee shall keep the vehicle and its equipment locked when the vehicle is not being used.
6. If the employee is absent because of vacation or illness, the vehicle is to be returned to city hall or the Public Works garage for use by other employees.

RESOLUTION NO. 21-19

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: AMENDING SECTION XIV IN THE CITY ST.
AUGUSTINE BEACH PERSONNEL MANUAL**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on May 3, 2021, resolves as follows:

To amend Section XIV of the Personnel Manual for the City of St. Augustine Beach is hereby amended as shown in **Exhibit A** of this resolution and such language shall be incorporated into the Personnel manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida amended Section XIV to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of May 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

XIV. DISCIPLINARY ACTION

XIV.1 INTENT

XIV.2 TYPES OF OFFENSES

The three (3) groups of offenses and a guide for standard penalties recommended are as follows:

A. GROUP I OFFENSES

11. Failure to report an accident or personal injury in which the employee was involved immediately while on the job.

B. GROUP II OFFENSES

- ~~6.~~ ~~Making a personal long distance telephone call on a City phone, except in an emergency, subject to Section XIII.17(A)(4) of this manual.~~
- ~~7.~~ 6. Carelessness which affects the safety of City personnel and/or the public, and which causes damage to City and/or private equipment, tools, or property.
- ~~8.~~ 7. Making false or malicious statements concerning any City employee, supervisor, elected official, the City or its operations.
- ~~9.~~ 8. Distributing or causing to be distributed, during normal working hours, written matter of any kind on City premises, unless authorized by the City Manager/Chief of Police. The purpose of this provision is to prohibit employees interfering with the work of other employees and/or with the City's operations.
- ~~10.~~ 9. Provoking or instigating a fight on City property.
- ~~11.~~ 10. Absent without permission or taking leave without permission (AWOL).

C. GROUP III OFFENSES

29. Driving a motor vehicle while on duty without a valid State of Florida driver's license, or failure to report the loss or suspension of a driver's license when an employee is required to drive while on duty to his department head or supervisor.

RESOLUTION 21-20

CITY OF ST. AUGUSTINE BEACH

ST. JOHNS COUNTY

**RE: TO REMOVE PART OF SECTION X1.6 AND ADD TO
SECTION XI.17 IN THE PERSONNEL MANUAL OF ST.
AUGUSTINE BEACH**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on May 3, 2021, resolves as follows:

That Sections X1.6 and X1.17 of the Personnel Manual for the City of St. Augustine Beach is hereby changed as shown in **Exhibit A** of this resolution and such language shall be incorporated into the Personnel Manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida changed Sections X1.6 and X1.17, to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of May 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida. **Effective date begins October 1, 2021.**

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT 1

IX.1 TYPES OF LEAVE

A. XI.6 SICK LEAVE

- ~~C. As a reward to those employees who accrue sick leave but do not use it within a three month period, the City will provide a short term sick leave incentive award. This award will be subject to the following conditions:~~
- ~~1. If an employee does not use any sick leave within a consecutive three month period for himself/herself or to care for a family member in accordance with Section XI.6.A.3 of the Personnel Manual, the employee shall be entitled to eight (8) hours of leave or eight (8) hours (Res. 12-5) pay.~~
 - ~~2. If the employee elects to use eight (8) hours (Res. 12-5) of leave, the time off must first be approved by the employee's supervisor before it is taken. The time off must be scheduled within the three month period following the period during which the award was earned.~~
 - ~~3. Employees must be employed by the City during the entire three months. Employees who are on leave without pay status at any time during the three month period shall not be entitled to this benefit.~~
 - ~~4. Neither probationary nor salaried employees shall be entitled to receive this award.~~

XI.17 HOLIDAYS

The City shall consider the days listed below as paid holidays but reserves the right to schedule work on these days when required by City business. Employees who work a holiday will be paid at their normal straight time rate of pay for the actual hours worked on the holiday.

All floating and birthday holidays must be approved by employee's supervisor prior to taking this holiday. Floating and birthday holidays must be used annually and will not be carried over to the next calendar year.

- | | | |
|----|-----------------------------------|-----------------------------|
| A. | New Years' Day | - January 1 |
| | Martin Luther King Jr.'s Birthday | - As Established by Federal |

Presidents Day	- As Established by Federal Policy
Good Friday	- Friday Before Easter
Memorial Day	- As Established by Federal Policy
Independence Day	- July 4
Labor Day	- First Monday in September
Veterans Day	- November 11 th
Thanksgiving Day	- Fourth Thursday in November
Day After Thanksgiving	- For all other Employees
Floating Holiday	- For Public Works Employees
Christmas Eve	- December 24 th
Christmas Day	- December 25 th
<u>Birthday Holiday</u>	<u>- Approved Time Off by Supervisor Yearly</u>

RESOLUTION NO. 21-21

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: AMENDING SECTION XI.7 IN THE CITY ST.
AUGUSTINE BEACH PERSONNEL MANUAL**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on May 3, 2021, resolves as follows:

To amend Section XI.7 of the Personnel Manual for the City of St. Augustine Beach is hereby amended as shown in **Exhibit A** of this resolution and such language shall be incorporated into the Personnel manual.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida amended Section XI.7 to the City of St. Augustine Beach Personnel Manual to read as shown in Exhibit A, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 3rd day of May 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Margaret England, Mayor

ATTEST:

Max Royle, City Manager

EXHIBIT A

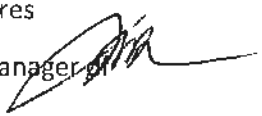
XI.6 SICK LEAVE

- B. Seasonal employees and temporary full and part-time employees and regular part-time employees shall not be entitled to sick leave with pay and shall not be covered by the City's health insurance.

7. Any regular full-time employee, in good standing determined by the City Manager or Chief of Police, who has used all of his his/her accrued sick leave, or has not accrued sufficient sick leave, but who is otherwise entitled to sick leave due to illness or injury and who requests it, shall be allowed to use any accrued vacation leave. Once this is exhausted, the sick employee shall be entitled to use up to two hundred forty (240) hours (*Res. 12-5*) of additional paid sick leave, which shall be taken as donated leave from other City employees. Such donated leave for a sick employee must first be approved by the ~~City Commission~~ City Manager or Chief of Police. The donated sick leave must be from the accrued sick leave of other City employees who have a balance of 300 hours or more. An employee can only give up to 100 hours of donated sick leave, and the donated sick leave can be used by the sick or injured employee only for a personal illness or injury (and not for taking care of a sick or injured family member) and can be used only for a particular purpose, which must be stated in writing by the employee when applying for the donated leave. If circumstances change so that the donated sick leave is not needed for the particular purpose specifically requested, then the donated leave automatically is returned to the donor employee(s). Once the donated leave is exhausted, and should the sick employee require additional leave, he shall be placed on leave without pay status, if he so requests, for up to six (6) calendar months. Beyond six (6) months, if a state licensed medical doctor states that the employee cannot return to work, then the employee shall be terminated.

MEMORANDUM

TO: Mayor England
Vice Mayor Samora
Commissioner George
Commissioner Rumrell
Commissioner Torres

FROM: Max Royle, City Manager 

DATE: April 21, 2021

SUBJECT: Long-Range Financial Plan: Review of Report

Section 2-106 of the General City Code requires that a long-range financial plan be prepared and submitted to you at your May regular meeting each year.

Attached as pages 1-3 is an explanation prepared by the Finance Director, Ms. Douylliez, followed by pages 4-8, which provide an overview of revenues and expenditures for the past five fiscal years and the projected revenues and expenditures for the next five fiscal years.

Ms. Douylliez will explain the report and answer your questions.

City of St. Augustine Beach Long-Range Financial Planning Fiscal Year 2021

Introduction

Per City's Code, in May of each year, a financial plan is to be submitted to the City Commission and is to contain estimated revenues and proposed expenditures for a minimum of five (5) years. The following information will illustrate where the City has been for the past five years, and where we project the City to be over the next five years.

The revenues and expenditures are broken down into groups also known as functions. Below is an outline of what is comprised of each group or function.

Revenues

- **Taxes**
 - Ad Valorem Taxes
 - Utility Taxes
 - Telecommunication Tax
 - Business Tax Receipts
 - Local Option Gas Tax
- **Licenses & Permits**
 - Building Permits
 - Other Permits
 - Franchise Fees
 - Impact Fees
- **Intergovernmental Revenue**
 - Grants (State, Federal & Local)
 - State Revenue Sharing
 - ½ Cent Sales Tax
 - Alcoholic Beverage Licenses
 - County Business Tax Receipts
 - Fuel Tax Refund
- **Charges for Services**
 - Zoning Fees
 - Plan Review/Plat Fees
 - Sales of Maps
 - Impact Fee Administrative Charge,
 - Solid Waste Disposal Fees
 - Beach Patrol
 - Police Reports
 - Certification and Copying Fees
- **Fines and Forfeitures**
 - Court Fines
 - Parking Tickets

- Other Fines and Forfeitures
- Code Enforcement Fines
- **Miscellaneous**
 - Scrap Sales
 - Discounts Earned
 - Refunds of Prior Year Expenditures
 - Other Miscellaneous Revenues
 - Contractor License/Special Permits

Expenditures

- **General Government**
 - City Commission
 - City Manager
 - Finance/Administration
 - Comprehensive Planning
 - Other Governmental Services
- **Public Safety**
 - Police
 - Building (Protective Inspections)
- **Physical Environment**
 - Garbage/Solid Waste
 - Infrastructure
- **Economic Environment**
 - Advertising in conference programs/community publication
- **Human Services**
 - Dog registration tags
- **Culture & Recreation**
 - Maintenance of Parks
 - Park Projects

With planning for the future, the capital improvements plan is incorporated into the projected expenditures, as well as the actual debt service payments. As stated above we begin with the past and move into the future on the following pages.

Historical

The graphs on the next three pages depict historical revenues, expenditures and fund balance. Taxes, mainly property taxes, are the City's primary source of revenue used to provide its services. Over the prior five years there has been a steady income from licenses and permits, reflecting the permit and impact fees from the building department. Intergovernmental revenues have also been steady, with the exception of FY18, which included money from FEMA for storm reimbursement.

Expenditures also show slow but steady growth over the same time. There is a large spike with the Capital Outlay function in Fiscal Year (FY) 16 which is the lease/purchase of the

remaining 4.5 acres of the Maratea property. The debt function also saw an increase due to the refunding of the two bond issues.

Fund Balance has been a concern for the City over the past few years. As the third slide shows, improvements are being made to bring this balance back into compliance at 20%. As of the FY20 audit, we are 19.5%.

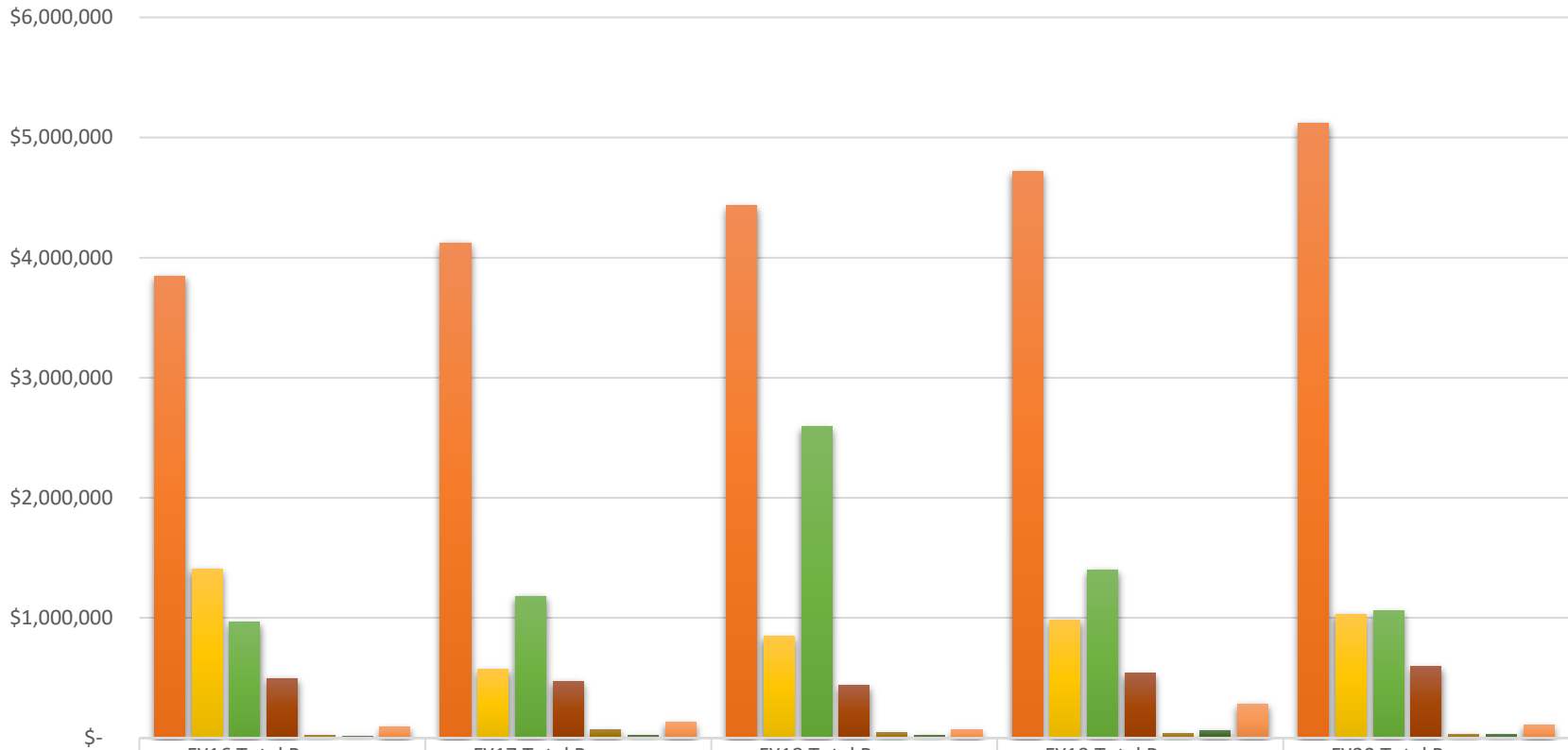
Projected

The last two pages are illustrating the projected revenues and expenditures from FY21 through FY25. Only slight growth is expected on the next five years in both revenues and expenditures. This growth curve was calculated using historical data as well as known economic factors. While tax revenues are estimated to increase steadily over the next five years, there is a significant increase projected in Intergovernmental revenues coming from grant proceeds for projected capital projects.

There is a large increase in the expenditures for capital projects based on the five-year capital plan presented to the Commission on March 8, 2021. Many of these projects will be offset by grant funds and impact fee reserves.

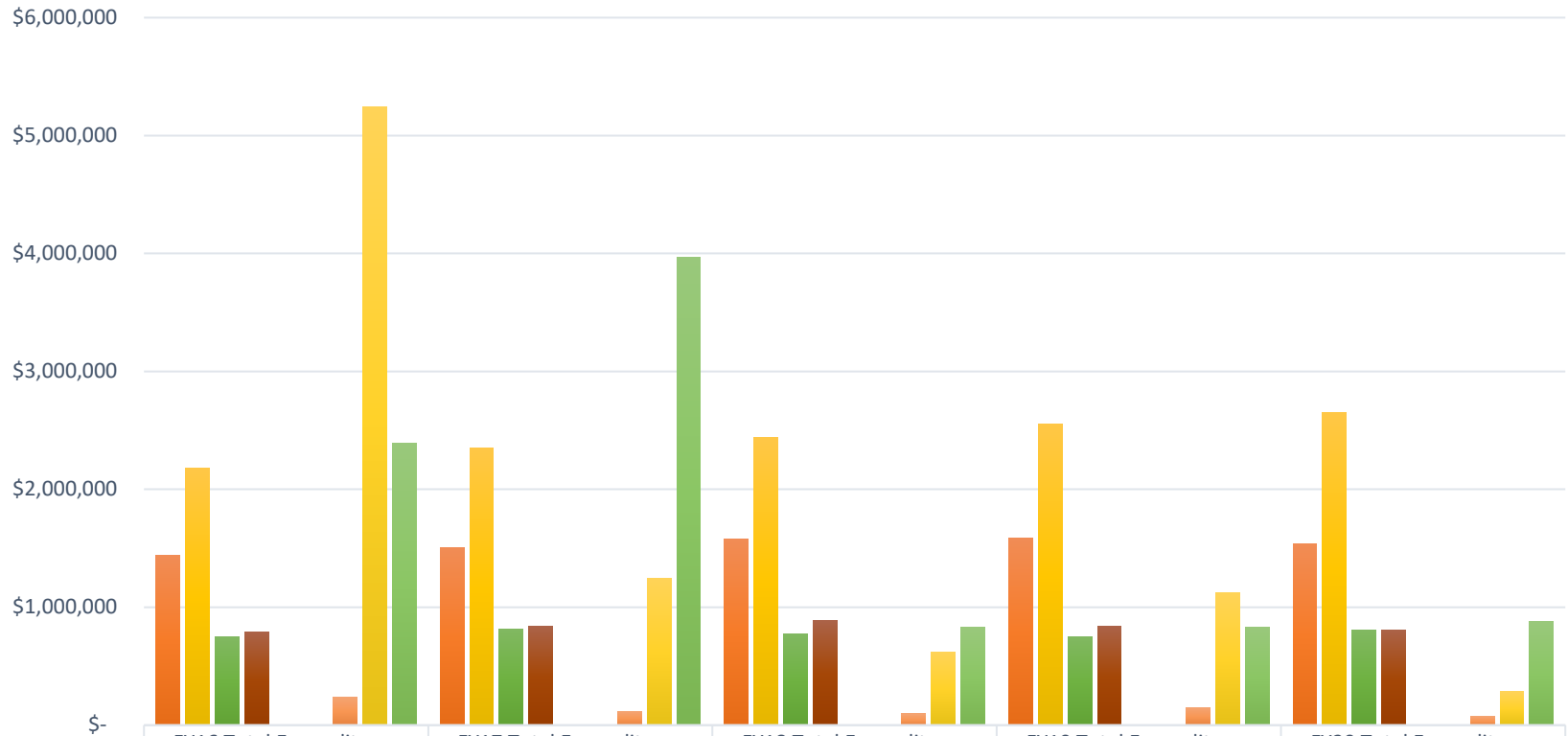
The information presented are one of the many tools utilized when preparing the annual budgets, however, it should be noted that most of the revenue estimates are provided to the Finance Office from the Florida State Office of Economic and Demographic Research in June and July of each year.

Historical Revenues FY16 - FY20



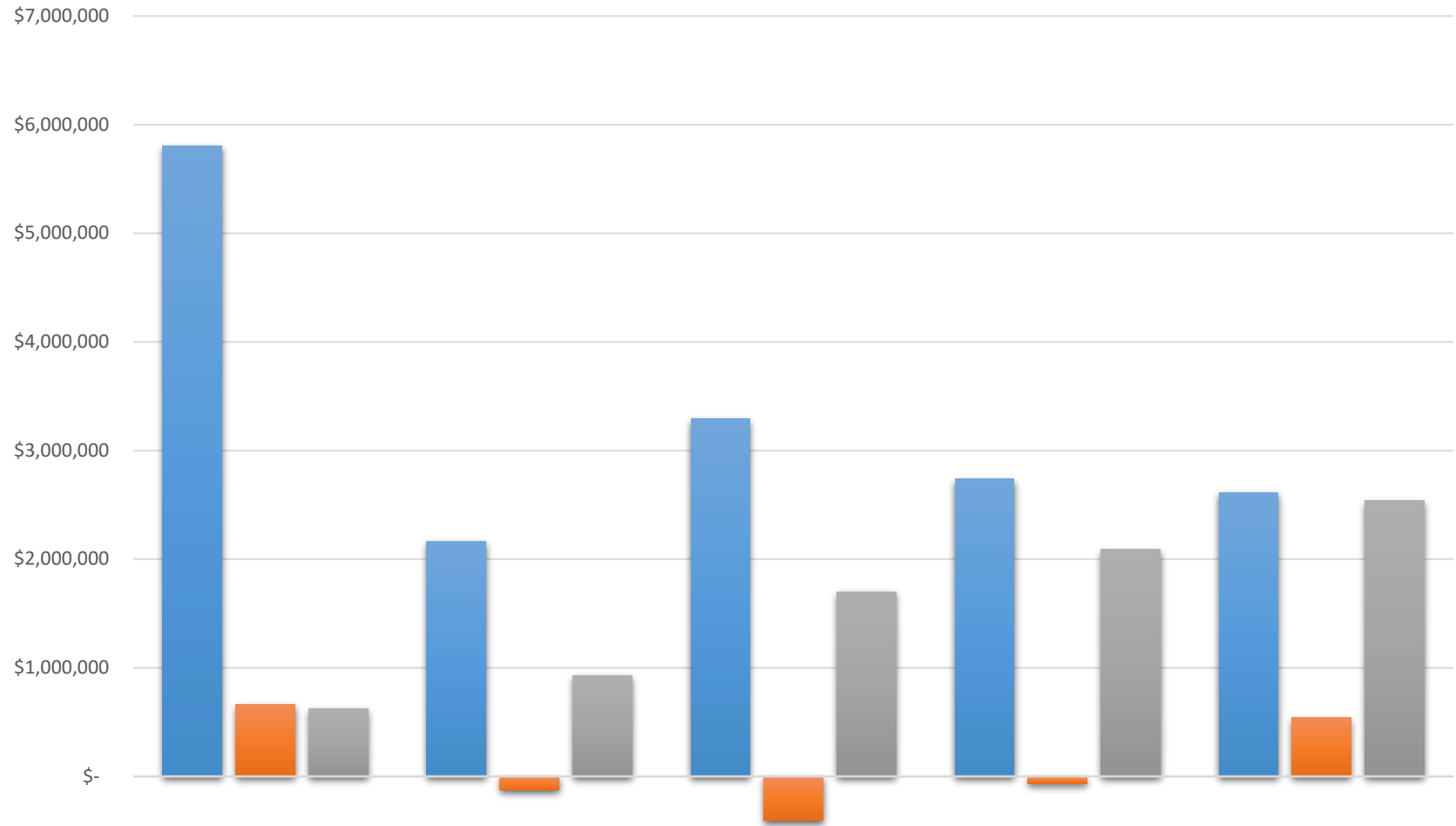
	FY16 Total Revenues \$6,845,609	FY17 Total Revenues \$6,565,741	FY18 Total Revenues \$8,443,809	FY19 Total Revenues \$8,025,568	FY20 Total Revenues \$7,971,100
■ Taxes	\$3,847,957	\$4,121,909	\$4,431,370	\$4,721,217	\$5,122,281
■ Licenses & Permits	1,406,442	572,939	846,493	984,100	1,029,482
■ Intergovernmental	962,833	1,178,965	2,592,828	1,399,147	1,056,676
■ Charges for Services	496,652	470,719	437,507	538,392	595,870
■ Fines & Forfeitures	24,177	68,876	42,994	36,350	32,687
■ Interest	16,464	23,739	24,274	62,491	29,271
■ Miscellaneous	91,084	128,594	68,343	283,871	104,834

Historic Expenditures FY16-FY20



	FY16 Total Expenditures \$13,029,945	FY17 Total Expenditures \$10,846,492	FY18 Total Expenditures \$7,225,649	FY19 Total Expenditures \$7,830,602	FY20 Total Expenditures \$7,039,161
General Government	\$1,442,292	\$1,502,863	\$1,576,424	\$1,585,139	\$1,540,563
Public Safety	2,177,136	2,351,855	2,438,502	2,555,841	2,651,814
Physical Environment	750,608	817,064	777,854	752,681	804,128
Transportation	788,250	835,419	884,545	837,727	805,624
Economic Environment	-	5,250	-	250	-
Human Services	54	49	53	-	-
Culture & Recreation	238,093	115,844	96,121	146,018	77,683
Capital Outlay	5,244,913	1,248,857	623,489	1,123,160	283,146
Debt	2,388,599	3,969,291	828,661	829,786	876,203

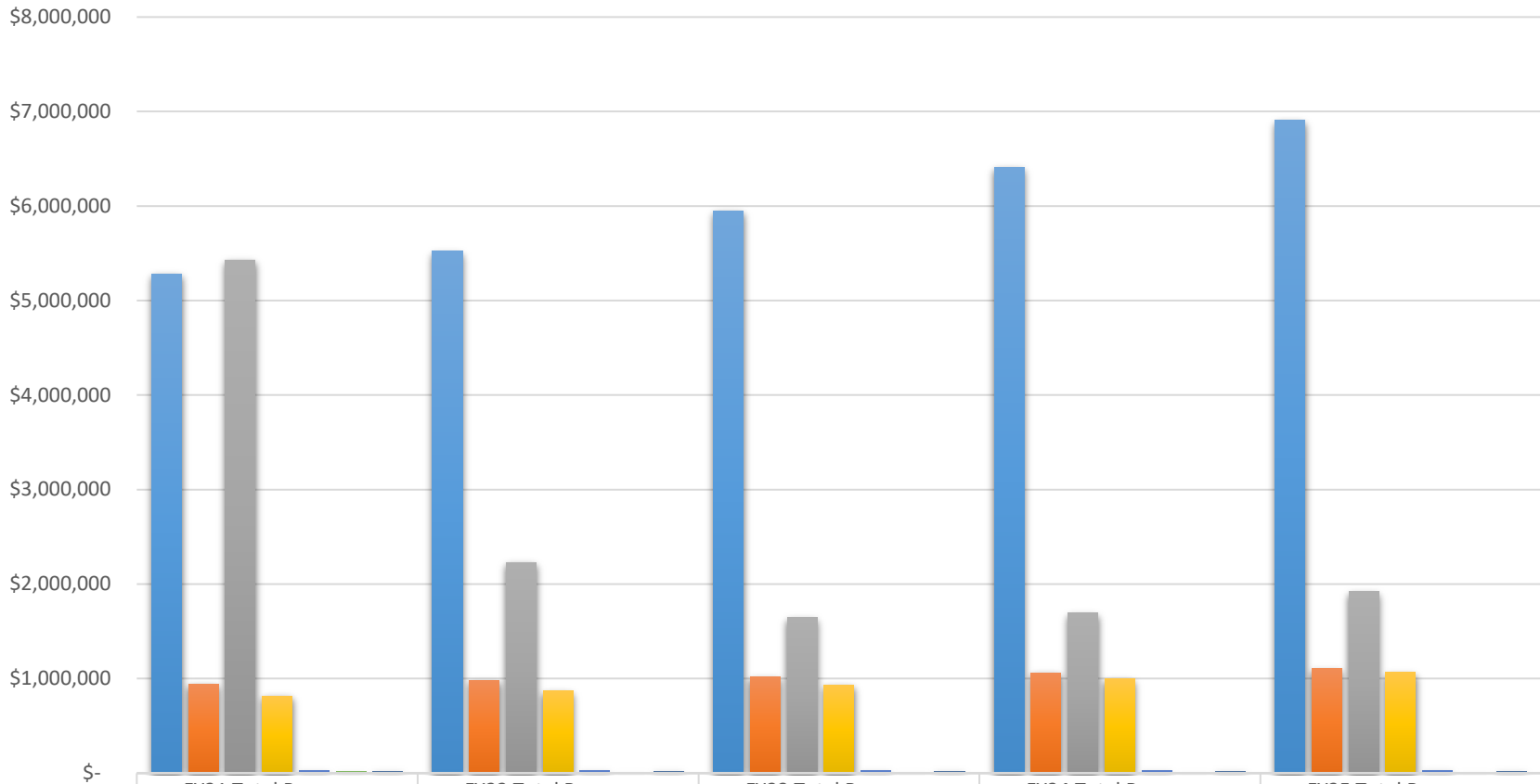
Historical Fund Balance FY16-FY20



\$(1,000,000)

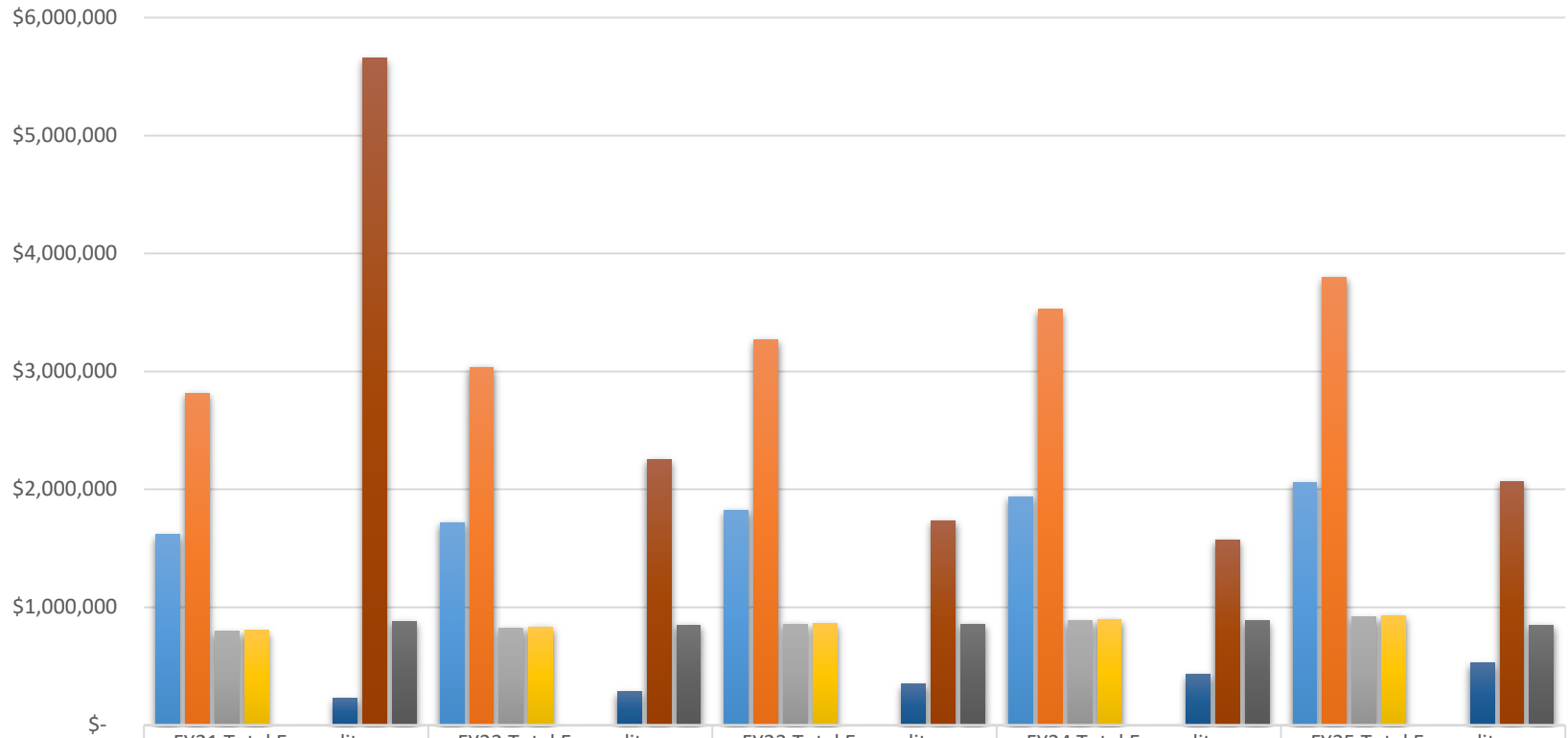
	FY16	FY17	FY18	FY19	FY20
General Fund	\$5,804,522	\$2,165,890	\$3,290,190	\$2,737,922	\$2,615,359
Road & Bridge Fund	662,991	(124,002)	(404,775)	(63,432)	541,262
Debt Service	623,237	930,591	1,700,125	2,089,268	2,539,074

Projected Revenues FY21 - FY25



	FY21 Total Revenues \$12,534,396	FY22 Total Revenues \$9,657,381	FY23 Total Revenues \$9,603,995	FY24 Total Revenues \$10,218,299	FY25 Total Revenues \$11,053,691
Taxes	\$5,284,255	\$5,520,283	\$5,949,209	\$6,411,463	\$6,909,634
Licenses & Permits	942,905	980,621	1,019,846	1,060,640	1,103,066
Intergovernmental	5,431,349	2,230,364	1,647,578	1,693,398	1,918,281
Charges for Services	816,027	872,333	932,524	996,868	1,065,652
Fines & Forfeitures	26,700	26,967	27,237	27,509	27,784
Interest	14,210	7,105	7,105	7,105	7,105
Miscellaneous	18,950	19,708	20,496	21,316	22,169

Projected Expenditures FY21-FY25



	FY21 Total Expenditures \$12,799,256	FY22 Total Expenditures \$9,797,241	FY23 Total Expenditures \$9,758,729	FY24 Total Expenditures \$10,133,403	FY25 Total Expenditures \$11,151,291
General Government	\$1,616,493	\$1,717,685	\$1,825,212	\$1,939,470	\$2,060,881
Public Safety	2,816,098	3,034,909	3,270,721	3,524,856	3,798,737
Physical Environment	798,107	826,440	855,779	886,159	917,618
Transportation	802,797	832,822	863,970	896,282	929,803
Economic Environment	250	250	250	250	250
Human Services	-	-	-	-	-
Culture & Recreation	229,007	282,229	347,819	428,652	528,271
Capital Outlay	5,656,006	2,254,081	1,736,000	1,570,500	2,066,000
Debt	880,497	848,825	858,978	887,234	849,731

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
MAY 3, 2021**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-20.

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's March 16, 2021 meeting are attached as pages 21-30.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The minutes of the Committee's March 10, 2021, meeting are attached as pages 31-43.

POLICE DEPARTMENT

Please see page 44.

PUBLIC WORKS DEPARTMENT

Please see pages 45-49.

FINANCE/ADMINISTRATION

Please see page 50.

CITY MANAGER

1. Complaints

A. City Trimming Vegetation

In response to a resident's complaint that vegetation was obscuring the view of drivers exiting E Street onto Coquina Boulevard, Public Works employees trimmed the vegetation on the northeast side of the intersection. The owner of the adjacent private property has complained that the City trespassed on her property and trimmed vegetation that belongs to her. The Public Works Director is investigating her complaint.

B. Signage for New Driveway and Dumpster Enclosure/Fence

A Versaggi Drive resident has asked that signs for the new Alvin's Island driveway be erected and that Alvin's have a dumpster enclosure and a new fence. Since the complaint about the signs concerned the right-of-way, it was forwarded to the Public Works Director. For the dumpster and the fence, the owner of Alvin's told the Code Enforcement Officer that the complaints would be addressed during the week of April 19-23rd.

C. Condition of Ocean Hammock Park Walkway

A Bermuda Run subdivision said the walkway has mold on it and needs to be cleaned. His complaint was forwarded to the Public Works Director.

2. Major Projects

A. Road/Sidewalk Improvements

1) Opening 2nd Street West of 2nd Avenue

There has been no action by the owners of the lots on 2nd Street west of 2nd Avenue to open that street. The owners would have to sign an agreement and pay in advance the costs to construct the utilities and the road, just as the owners of the lots adjacent to 8th Street between the Boulevard and 2nd Avenue did. The Public Works Director has sent a letter to the owners of the lots along this section of 2nd Street, asking them if they would support the opening of 2nd Street and providing the utilities, knowing that they would be assessed the costs for the project. Thus far, the owners of 11 out of 16 lots have agreed to pay the costs, the owners of two lots have said no, and the remaining three owners haven't responded. A possible solution may be for the City to construct the road and charge the property owners a special assessment in accordance with the long-standing policy that adjacent property owners must pay the cost of a new road that will benefit their properties. The Commission discussed this option at its September 14, 2020, meeting as well as the request of two property owners that their lots have a dedicated conservation easement on them administered by the North Florida Land Trust. Though the Commission did not approve a motion, the general consensus was for the City to proceed with plans for opening this section of 2nd Street, with the lot owners paying two-thirds of the cost and the City paying the remaining third. On October 21st, the City Manager met with representatives of the North Florida Land Trust about the conservation easement for the three lots. The representatives brought the proposal to their Board of Directors in November. It declined to provide the easement for the lots. At its November 9th meeting, the City Commission passed a resolution stating the City's intent to levy a non-ad valorem assessment as the means to get money from the lot owners to pay their share of the costs to open the street. At its December 7th meeting, the Commission reviewed cost estimates and other information provided by the Public Works Director and decided to have a hybrid plan: some lot owners could pay their share of the costs now or in the near future; owners of other lots would pay the costs by means of an assessment on their yearly property tax bills. The public hearing for the assessment was advertised for the Commission's December 7th meeting and the resolution stating the Commission intent to levy the assessment was passed again. At the Commission's February 1, 2021, meeting, the Commission approved an amendment to the contract with the City's civil engineering consultant for it to do design work and approved a budget resolution to appropriate money for the consultant's services. The design phase was started in March and will be completed by the end of September or earlier.

At its May 3rd meeting, the Commission will discuss the City administration's request to approve the levying of a non-ad valorem assessment on those lot owners who decide not to pay the City upfront their share of costs to construct the road.

2) Sidewalk on A Street

A resident has suggested that a sidewalk is needed on A Street between the beach and the Boulevard because of the traffic and number of pedestrians and bicyclists along that section of A Street. This project may become part of the one to solve the flooding problem along the north side of the street.

B. Beach Matters

1) Off-Beach Parking

As the City Commission has decided for the time being not to have paid parking in the City, the focus concerning off-beach parking has shifted to improving the City's existing rights-of-way and plazas to improve the rights-of-way and areas where people can park. At its March 2, 2020, meeting, the Commission reviewed a report prepared by the Public Works Director of City-owned streets and plazas where parking improvements could be made. The Public Works Director and the City Manager asked the Tourist Development Council at its March 16th meeting for funding to improve three parking areas. However, as one TDC member said, revenue from the bed tax will likely decline significantly because of the coronavirus pandemic and the City is not likely to receive at this time any bed tax funds for the improvements. Possibly, road impact fees may be used for improving the right-of-way of certain streets for visitor parking. At a workshop in the spring of 2021, the Commission will again discuss a parking plan and whether to have paid parking. In the meantime, in response to the resident requests, the City staff posted No Parking signs along the east side of 2nd Avenue between 3rd and 7th Streets.

At its May 3rd meeting, the City Commission will discuss where to have a five-year parking improvements plan.

C. Parks

1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill. What remains to be done are improvements to the Park, such as restrooms. The Public Works Director is applying to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms. The City has received the grant. Construction of the restrooms will begin in early 2021. The City also requested money from the County's \$15.5 million surplus. However, the County Commission at its November 5, 2020 meeting decided to use the surplus money for County capital projects that have been delayed from previous fiscal years. For other improvements to the park, the City has applied for funding from a state grant and from a Federal grant from the National Oceanic and Atmospheric Administration. The Public Works Director's master plan for improvements to the Park was reviewed and by the Commission at its October 5, 2020, regular meeting. The plans for the interior park improvements (observation deck, picnic pavilion and trails) are now in the design and permitting phase. Construction may begin by mid-July 2021.

2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park.

D. Changes to Land Development Regulations

The first is to allow mobile food vending or sales, such as food trucks, in the City. A new state law requires that cities and counties allow such sales. At this time, food trucks are allowed in the City only in connected with City-sponsored events, such as Beach Blast Off. The ordinance to amend the regulations was discussed at the Commission's January 4th meeting. As a result of the discussion, the City Attorney prepared a new draft, which the Commission passed on first reading at its February 1st meeting. The Comprehensive Planning and Zoning Board reviewed the ordinance at its February 16th meeting and recommended its approval, subject to three changes. The Commission held a public hearing and second reading at its March 1st meeting and approved it on second reading. At its April 3rd meeting, the Commission held the second public hearing and approved the ordinance on final reading. This topic will no longer be included in this Report.

The second is to change building setbacks in the older subdivisions and to delete the overlay district from the Regulations. An ordinance for these changes was on the agenda for the Commission's April 5th meeting. The Commission made several amendments and passed the ordinance on first reading. The ordinance will have its first public hearing and second reading at the Commission's May 3rd meeting. However, the Comprehensive Planning and Zoning Board at its April 20th meeting asked the Commission to XXXXXX.

3. Finance and Budget

A. Fiscal Year 2020 Budget

September 30, 2020, marked the end of Fiscal Year 2020. The audit report was presented to the Commission at its April 5, 2021, meeting. This topic will no longer be included in this Report.

B. Fiscal Year 2021 Budget

FY 21 began on October 1, 2020 and will end on September 30, 2021. March 31, 2021 marked the end of the first half of the Fiscal Year. The March monthly financial report shows that for the General Fund, the City had received \$5,197,049 by the halfway point in the Fiscal Year and had spent \$3,245,563. The year-to-date surplus is \$1,951,486. A year earlier at the end of March 2020, the surplus was \$931,136. The surplus will gradually diminish over the remaining months of the fiscal year as money from the City's major revenue source, property taxes, declines. The City receives most of the revenue from property taxes between November and April. By the end of March 2021, the City had received \$3,204,344 from property taxes, or 94% of the total projected for the entire fiscal year. At the end of March 2020, the amount

received from property taxes was \$2,839,673, or \$364,671 less than was received by March 30, 2021. Also, other significant revenue sources by the end of March 2021 were communication services tax (\$381,498), electric utility tax (\$273,045), building permits (\$177,029), half-cent sales tax (\$157,322) electric franchise fee (\$138,694) and solid waste fee (\$439,983).

C. Alternative Revenue Sources

The City Commission has asked the administration to suggest potential sources of money. At its October 5th meeting, the Commission discussed a preliminary proposal from the Public Works Director to levy a stormwater fee. The Commission decided not to levy the fee but to review the proposal again at a workshop in the spring of 2021. At the October 5th meeting, a Commissioner suggested considering paid parking again. The topic could be discussed at a workshop meeting this spring.

D. Preparations for Fiscal Year 2022 Budget

City staff has begun the preparations. In late June or early July, meetings will be scheduled with individual Commissioners for a preliminary review of revenues and expenditures and to provide answers to any questions about the proposed budget.

4. Miscellaneous

A. Permits for Upcoming Events

In April, the City Manager approved the following permits: a) the Ancient City Strongman Classic at the pier pavilion on Saturday, April 17, 2021; b) the Eastern Surfing Association's surf contests on various dates, starting on Saturday, May 1st; c) St. Augustine Dance Academy's Beach Clean Up on Sunday, May 2, 2021.

The Police Chief and the City Manager denied the permit for a music event at the pier pavilion on every Sunday from 4 p.m. to 8 p.m. because of limited parking at pier park, congestion in the park, which is a major beach access point, and no plan by the organizers to provide off-site parking and a shuttle bus service.

B. Strategic Plan

The Commission decided at its January 7, 2019, meeting that it and the City staff would update the plan. The Commission agreed with the City Manager's suggestions for goals at its June 10th meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. The responses were reviewed by the Commission at its August 5th meeting. The Commission decided to have a mission statement developed. Suggestions for the statement were provided to the Commission for consideration at its September meeting. By consensus, the Commission asked the City Manager to develop a Mission Statement and provide it at a future meeting. This has been done along with a Vision Statement, a Values Statement, and a list of tasks. The City Commission reviewed the proposed plan at its January 14, 2020, continuation meeting, provided comments and asked that the plan be submitted for another review at the City Commission's April 6th meeting. However, because of the need to shorten the Commission meetings because of the pandemic, review of the strategic plan was postponed. The Commission reviewed the plan at its February 8th

continuation meeting. Commissioner George suggested changes to the Vision Statement. She will work with the City Manager on the wording.

In the meantime, the City administration will propose from time to time that the Commission review specific strategic plan goals. The first goal, Transparent Communication with Residents and Property Owners, was reviewed at the Commission's April 5, 2021, meeting. The Commission discussed having residents sign up for information; authorizing the use of the City's phone system for event information; purchasing an electronic message board to replace the old-fashioned manual sign on the west side of the city hall by State Road A1A; and the costs of mailers and text messages, etc.

C. Workshops

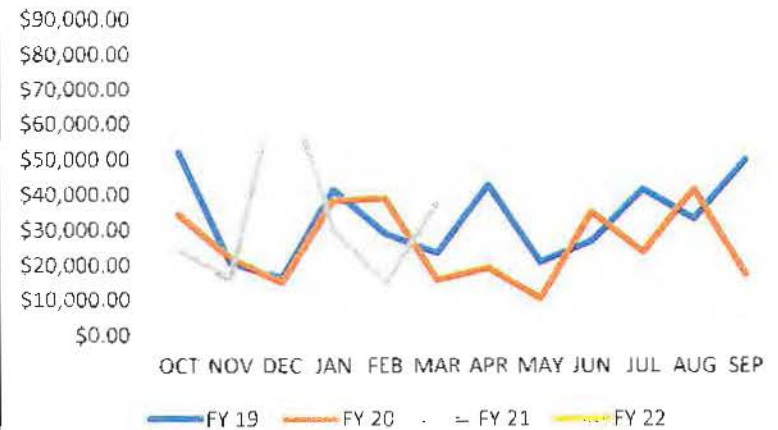
On March 8, 2021, the Commission held a workshop on the following topics: 1) review of employee salaries and pay ranges, 2) restructuring of the Building Department; 3) history of the Police Department budgets; 4) repair and replacement of City assets, such as vehicles; 5) succession planning for the departments and for the positions of Police Chief and City Manager. At its April 5th meeting, the Commission approved the City administration's proposal to bring up the pay of those employees that a study showed were below the average for comparable cities in the northeast Florida area. The adjustments will go into effect on July 1, 2021. At its May 3rd meeting, the Commission will discuss whether the pay for the Commission needs to be adjusted. Also, at that meeting, the Commission can decide when to hold in May two workshops: a joint one with the Planning Board and the Sustainability and Environmental Planning Advisory Committee, and a workshop to review options concerning the City's solid waste/recycling operations and whether to have a stormwater utility.

CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$51,655.01	\$34,277.62	\$24,139.90	
NOV	\$20,192.42	\$21,844.58	\$15,910.52	
DEC	\$16,104.22	\$14,818.54	\$76,639.68	
JAN	\$40,915.31	\$37,993.58	\$30,011.51	
FEB	\$28,526.70	\$38,761.13	\$14,706.76	
MAR	\$22,978.53	\$15,666.80	\$37,447.22	
APR	\$42,292.91	\$19,092.61		
MAY	\$20,391.12	\$10,194.02		
JUN	\$26,445.26	\$34,939.40		
JUL	\$41,120.86	\$23,555.36		
AUG	\$32,714.82	\$41,455.38		
SEP	\$49,543.66	\$17,169.56		
TOTAL	\$392,880.82	\$309,768.58	\$198,855.59	

BUILDING PERMIT FEE GRAPH



MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$4,819.09	\$3,593.67	\$2,574.62	
NOV	\$2,541.44	\$2,160.00	\$1,963.00	
DEC	\$2,633.64	\$2,409.62	\$2,738.04	
JAN	\$3,338.69	\$2,768.47	\$1,891.99	
FEB	\$2,601.00	\$2,044.08	\$5,505.00	
MAR	\$2,515.33	\$2,237.73	\$3,163.00	
APR	\$3,801.26	\$1,716.00		
MAY	\$2,736.33	\$1,809.00		
JUN	\$3,844.54	\$3,417.00		
JUL	\$3,286.00	\$2,917.93		
AUG	\$2,663.49	\$3,430.11		
SEP	\$1,579.42	\$1,621.00		
TOTAL	\$36,360.23	\$30,124.61	\$17,835.65	

MECHANICAL PERMIT FEE REPORT



CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$1,860.32	\$1,765.00	\$1,718.00	
NOV	\$1,872.66	\$1,475.00	\$2,115.00	
DEC	\$1,622.32	\$1,495.00	\$1,770.00	
JAN	\$2,151.66	\$1,380.00	\$2,418.00	
FEB	\$1,425.32	\$1,375.00	\$1,413.00	
MAR	\$1,203.33	\$1,843.00	\$1,740.00	
APR	\$743.00	\$600.00		
MAY	\$1,805.00	\$1,215.00		
JUN	\$1,065.00	\$955.00		
JUL	\$690.00	\$1,443.00		
AUG	\$1,460.00	\$1,910.00		
SEP	\$1,310.00	\$895.00		
TOTAL	\$17,208.61	\$16,351.00	\$11,174.00	

ELECTRICAL PERMIT FEE REPORT



PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$3,016.37	\$2,786.00	\$1,844.00	
NOV	\$3,867.41	\$2,221.00	\$1,133.00	
DEC	\$2,783.10	\$1,869.00	\$1,062.00	
JAN	\$3,031.40	\$3,256.00	\$628.00	
FEB	\$2,440.44	\$1,395.00	\$3,449.00	
MAR	\$2,037.24	\$1,125.00	\$2,579.00	
APR	\$3,015.00	\$1,430.00		
MAY	\$2,110.00	\$1,459.00		
JUN	\$1,590.00	\$1,432.00		
JUL	\$1,525.00	\$1,218.00		
AUG	\$1,550.00	\$1,356.00		
SEP	\$1,706.00	\$2,270.00		
TOTAL	\$28,671.96	\$21,817.00	\$10,695.00	

PLUMBING PERMIT FEE REPORT



CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

	FY 19	FY 20	FY 21	FY 22
OCT		\$3,657,414.56	\$2,313,298.53	
NOV		\$2,242,421.52	\$1,440,841.88	
DEC		\$1,449,915.40	\$9,160,479.89	
JAN		\$3,789,363.81	\$3,088,758.57	
FEB		\$5,519,900.00	\$2,010,259.40	
MAR		\$1,321,570.04	\$4,010,607.80	
APR	\$6,338,617.35	\$1,803,157.19		
MAY	\$2,731,410.75	\$1,003,140.58		
JUN	\$2,792,442.43	\$3,519,844.50		
JUL	\$4,717,293.00	\$2,300,478.87		
AUG	\$3,393,250.74	\$5,175,949.96		
SEP	\$4,502,737.63	\$1,475,857.57		
TOTAL	\$24,475,751.90	\$33,259,014.00		

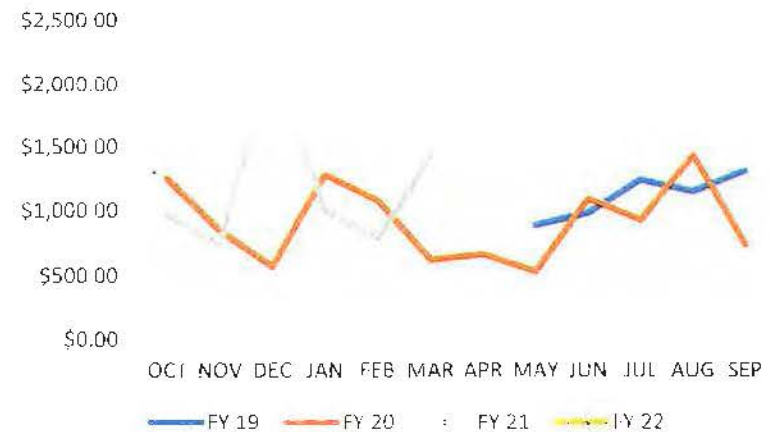
ALTERATION COST



STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT		\$1,247.45	\$973.01	
NOV		\$845.65	\$729.40	
DEC		\$569.37	\$2,225.95	
JAN		\$1,277.63	\$1,006.45	
FEB		\$1,079.31	\$776.87	
MAR		\$623.46	\$1,417.90	
APR		\$666.54		
MAY	\$881.45	\$537.83		
JUN	\$972.50	\$1,093.02		
JUL	\$1,230.25	\$928.44		
AUG	\$1,141.48	\$1,437.49		
SEP	\$1,303.66	\$740.55		
TOTAL	\$5,529.34	\$11,046.74		

STATE SURCHARGE PERMIT FEE REPORT



CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22
OCT	158	174	147	
NOV	140	127	137	
DEC	129	129	128	
JAN	167	134	110	
FEB	139	122	124	
MAR	129	126	184	
APR	195	98		
MAY	155	114		
JUN	120	126		
JUL	132	139		
AUG	143	163		
SEP	122	131		
TOTAL	1729	1583	830	

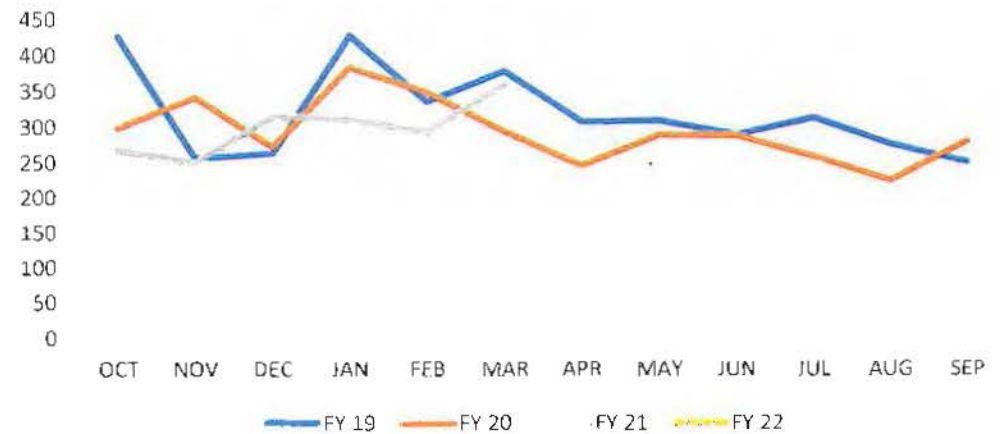
OF PERMITS ISSUED



OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22
OCT	424	298	268	
NOV	255	341	250	
DEC	262	272	315	
JAN	426	383	311	
FEB	334	348	293	
MAR	377	294	360	
APR	306	246		
MAY	308	289		
JUN	288	288		
JUL	312	259		
AUG	275	225		
SEP	250	281		
TOTAL	3817	3524	1797	

OF INSPECTIONS PERFORMED



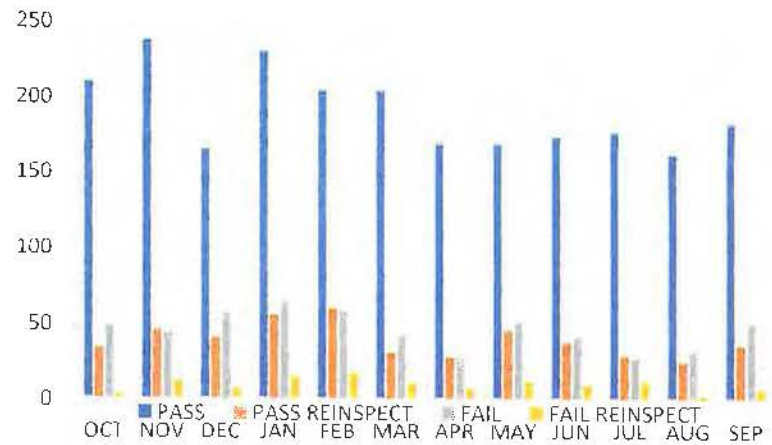
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 20 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	210	34	49	3
NOV	238	46	44	12
DEC	165	41	58	7
JAN	230	56	65	15
FEB	204	60	58	17
MAR	204	31	43	10
APR	169	28	28	7
MAY	169	46	52	12
JUN	174	38	42	9
JUL	177	29	28	12
AUG	162	25	32	2
SEP	183	36	51	7
TOTAL	2285	470	550	113

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 20 INSPECTION RESULTS

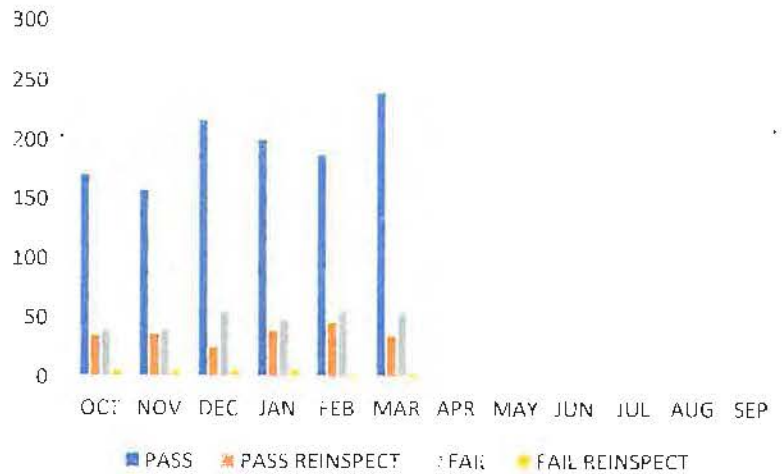


FY 21 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	170	35	40	5
NOV	157	36	41	5
DEC	216	25	56	6
JAN	200	39	49	6
FEB	187	46	57	3
MAR	240	35	55	3
APR				
MAY				
JUN				
JUL				
AUG				
SEP				
TOTAL	1170	216	298	28

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 21 INSPECTION RESULTS



CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PLAN REVIEW ACTIVITIES PERFORMED BY BLDG. DEPT.

	FY 19	FY 20	FY 21	FY 22
OCT	0	72	73	
NOV	0	67	72	
DEC	0	37	71	
JAN	0	62	50	
FEB	0	63	55	
MAR	0	57	77	
APR	0	49		
MAY	45	57		
JUN	40	72		
JUL	89	62		
AUG	42	47		
SEP	39	51		
TOTAL	255	696	398	

OF PLAN REVIEW ACTIVITIES

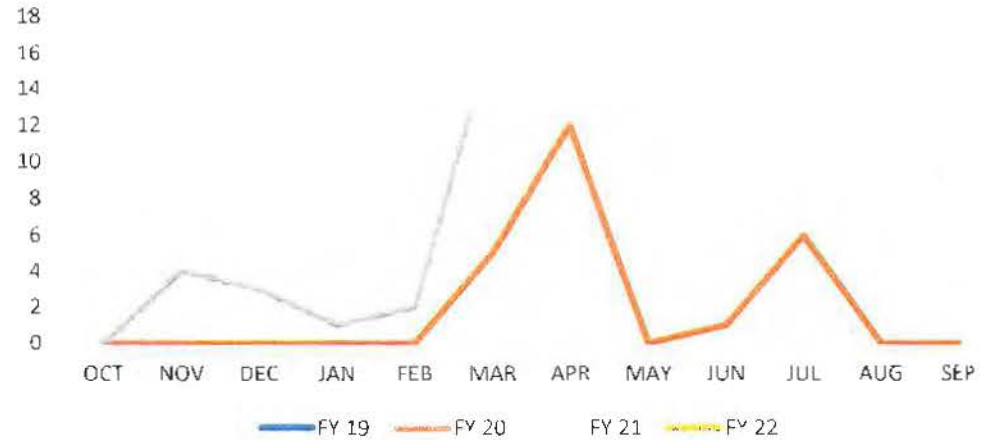


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT		0	0	
NOV		0	4	
DEC		0	3	
JAN		0	1	
FEB		0	2	
MAR		5	17	
APR		12		
MAY		0		
JUN		1		
JUL		6		
AUG		0		
SEP		0		
TOTAL	0	24		

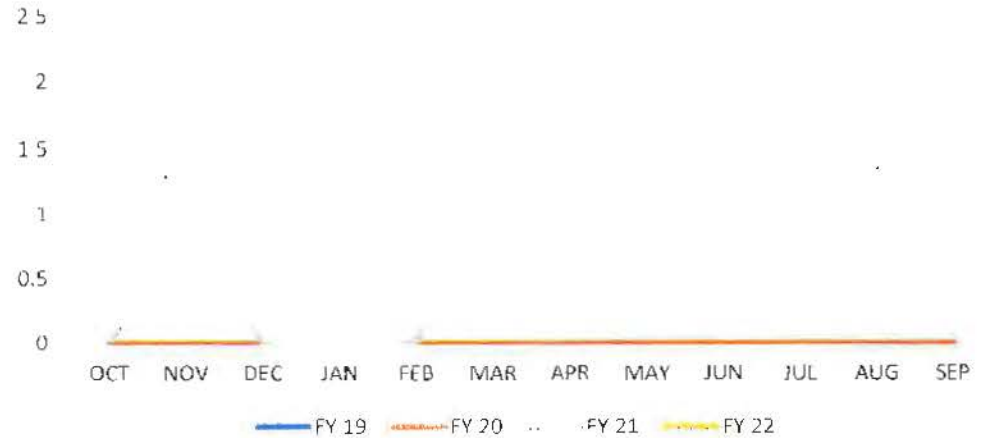
OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER



OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT	0	0	0	
NOV	0	0	1	
DEC	0	0	0	
JAN	0	0	0	
FEB	0	0	0	
MAR	0	0	2	
APR	0	0		
MAY	0	0		
JUN	0	0		
JUL	0	0		
AUG	0	0		
SEP	0	0		
TOTAL	0	0	3	

OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER



COSAB NEW CONSTRUCTION SFR LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
814	612 OCEAN PALM WAY	P1915252	SFR-D	9/10/2019		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
924	108 8TH ST	P1915316	SFR-D	9/23/2019		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1312	0000 A1A SOUTH	SFR00001	SFR-D	12/4/2019		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1341	1004 ISLAND WAY	P2000359	SFR-D	2/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1414	473 OCEAN FOREST DR	P2000426	SFR-D	1/14/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1619	77 HIGH DUNE DR	P2000615	SFR-D	2/27/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1775	101 SPANISH OAKS LN	P2000766	SFR-D	6/15/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1955	522 A ST	P2000944	SFR-D	10/5/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1965	392 RIDGEWAY RD	P2000954	SFR-D	6/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1966	378 RIDGEWAY RD	P2000955	SFR-D	5/21/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2095	138 WHISPERING OAKS CIR	P2001973	SFR-D	12/18/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2177	339 RIDGEWAY RD	P2001288	SFR-D	7/30/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2221	24 EWING ST	P2001260	SFR-D	7/17/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2339	434 RIDGEWAY RD	P2001477	SFR-D	9/3/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2372	26 SABOR DE SAL RD	P2001362	SFR-D	8/6/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2480	14 5TH STREET	P2001691	SFR-D	10/15/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2598	7 6TH ST	P2100089	SFR-D	1/28/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2635	314 B ST	P2001690	SFR-D	10/15/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2826	138 RIDGEWAY RD	P2001927	SFR-D	12/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2827	394 OCEAN FOREST DR	P2001921	SFR-D	12/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2956	31 VERSAGGI DR	P2002022	SFR-D	1/26/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3066	484 OCEAN FOREST DR	P2100066	SFR-D	1/21/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3070	115 D ST	P2100133	SFR-D	2/4/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3173	534 RIDGEWAY RD	P2100306	SFR-D	3/16/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3319	736 OCEAN PALM WAY	P2100390	SFR-D	3/26/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3372	957 DEER HAMMOCK CIR	P2100397	SFR-D	3/30/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3510	315 RIDGEWAY RD	P2100462	SFR-D	4/13/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

Application Id Range: First to Last

Issue Date Range: 10/01/18 to 04/19/21

Expiration Date Range: First to 09/15/23

Applied For: Y Open: Y

Application Date Range: First to 04/19/21

Use Type Range: First to Last

Hold: Y

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: Y

Work Type Range: SFR-A to SFR-D

User Code Range: RES to RES

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description
594	12 13TH STREET	P1915242	COMMERCIAL NEW	9/9/2019		MIXED USE BUILDING--2 OFFICE SUITES BOTTOM FLOOR WITH 2 RESIDENTIAL SUITES ON THE SECOND FLOOR
1740	116 SEA GROVE MAIN ST	P2000906	COM BUILD OUT	6/9/2020		COMMERCIAL INTERIOR BUILD-OUT FOR OFFICE SPACE/FUTURE TENANT SPACE
1827	581 A1A BEACH BLVD	P2000843	COMMERCIAL NEW	4/7/2020		BUILDING-COMMERCIAL NEW BUILDING--BREWERY 1ST FLOOR AND STORAGE 2ND FLOOR
1942	300 A1A BEACH BLVD	P2001952	COMMERCIAL NEW	12/14/2020		LATERAL ADDITION FOR 42 ROOMS TO AN EXISTING 175 UNIT OCEAN FRONT HOTEL
2141	3930 A1A SOUTH	P2001353	COMMERCIAL NEW	8/7/2020		BUILDING ADDITION - SHELL CONSTRUCTION 4987 SQUARE FEET 6 UNITS
2766	300 A1A BEACH BLVD	P2001725	COMMERCIAL NEW	10/23/2020		DEVELOPMENT OF SOUTH EAST PARKING LOTS AND OTHER IMPROVEMENTS AS PER FINAL DEVELOPMENT ORDER 2019-02

Application Id Range: First to Last

Issue Date Range: 10/01/18 to 04/19/21

Expiration Date Range: First to 09/15/23

Applied For: Y Open: Y

Application Date Range: First to 04/19/21

Use Type Range: First to Last

Hold: Y

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: Y

Work Type Range: COM BUILD OUT to COMMERCIAL NEW

User Code Range: COM to COM

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

COSAB FY'21 TREE INSPECTIONS

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
2754	1144 OVERDALE RD	P2001707	TREE REMOVAL	10/16/2020	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
2802	3900 A1A SOUTH	P2001752	TREE REMOVAL	11/2/2020	RESIDENTIAL-TREE REMOVAL INSPECTION	COM
2803	1200 MAKARIOS DR	P2001751	TREE REMOVAL	10/29/2020	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
2900	685 POPE RD	P2001848	TREE REMOVAL	11/16/2020	19 INCH OAK TREE AND 18 IN MAGNOLIA	RES
3167	115 14TH ST	P2100067	TREE REMOVAL	1/15/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
3465	703 POPE RD	P2100364	TREE REMOVAL	3/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
3481	24 DEANNA DR	P2100362	TREE REMOVAL	3/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES

Application Id Range: First to Last

Issue Date Range: 10/01/20 to 04/19/21

Application Date Range: First to 04/19/21

Building Code Range: TREE to TREE

Work Type Range: First to Last

Expiration Date Range: First to 09/15/23

Use Type Range: First to Last

Contractor Range: First to Last

User Code Range: First to Last

Void: Y

Applied For: Y Open: Y

Hold: Y

Completed: Y

Denied: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

COSAB FY'21 ZONING REPORT

Application Id	Parcel Id	Property Location	Owner Name	Building Code	Activity Type	Inspector	Date	Status
2394	1684200040	9 10TH ST	ORLANDO DISTRESSED ASSET RECOVERY I	ZONING	Z-VARIANCE	BONNIE M	9/15/2020	APPROVED
2577	1698900180	16 5TH ST	COLLIER MICHAEL SR ETAL YOUNG WAI Y	ZONING	Z-COND USE	BONNIE M	10/13/2020	APPROVED
2577	1698900180	16 5TH ST	COLLIER MICHAEL SR ETAL YOUNG WAI Y	ZONING	Z-COND USE	BONNIE M	11/9/2020	APPROVED
2625	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-COND USE	BONNIE M	10/13/2020	APPROVED
2625	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-COND USE	BONNIE M	11/9/2020	APPROVED
2626	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-VARIANCE	BONNIE M	10/13/2020	APPROVED
2627	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	ZONING	Z-VARIANCE	BONNIE M	10/13/2020	APPROVED
2735	1677800001	ALLEY BETWEEN 13TH ST & 14TH ST	MINORCA SUBDIVISION	ZONING	Z-VACATE ALLEY	BONNIE M	12/15/2020	APPROVED
2735	1677800001	ALLEY BETWEEN 13TH ST & 14TH ST	MINORCA SUBDIVISION	ZONING	Z-VACATE ALLEY	BONNIE M	1/4/2021	APPROVED
2753	1699000000	7 4TH ST	MARZIANI PAUL J, CHERYL	ZONING	Z-VARIANCE	BONNIE M	11/17/2020	APPROVED
2762	1698800000	7 6TH ST	PAUL DONALD, LINDA	ZONING	Z-VARIANCE	BONNIE M	10/19/2020	APPROVED
2847	1629610940	455 HIGH TIDE DR	CULLOTTA PETER D, LAURIE L	ZONING	Z-VARIANCE	BONNIE M	12/15/2020	APPROVED
2897	1676600000	400 A1A BEACH BLVD	HVG PROPERTIES LLC	ZONING	Z-COND USE	BONNIE M	12/15/2020	APPROVED
2897	1676600000	400 A1A BEACH BLVD	HVG PROPERTIES LLC	ZONING	Z-COND USE	BONNIE M	1/4/2021	APPROVED
2908	1629610950	459 HIGH TIDE DR	TAMMS ERIC VICTOR	ZONING	Z-VARIANCE	BONNIE M	12/15/2020	APPROVED
2981	1641730020	23 OCEAN PINES DR	RHYS MARK AND KELLY RENEE SLAUGHTER	ZONING	Z-TREE REMOVAL	BONNIE M	12/15/2020	APPROVED
3001	1700400001	ALLEY BETWEEN B AND C STREETS	COQUINA GABLES SUBDIVISION NO 1	ZONING	Z-VACATE ALLEY	BONNIE M	3/16/2021	APPROVED
3001	1700400001	ALLEY BETWEEN B AND C STREETS	COQUINA GABLES SUBDIVISION NO 1	ZONING	Z-VACATE ALLEY	BONNIE M	4/5/2021	APPROVED
3044	1684000000	9 11TH ST	KLING PROPERTIES LLC	ZONING	Z-VARIANCE	BONNIE M	1/19/2021	DENIED
3071	1693800100	105 3RD ST	LEHAN, BRADLEY D.	ZONING	Z-COND USE	BONNIE M	1/19/2021	APPROVED
3071	1693800100	105 3RD ST	LEHAN, BRADLEY D.	ZONING	Z-COND USE	BONNIE M	2/1/2021	APPROVED
3073	1693800100	105 3RD ST	LEHAN, BRADLEY D.	ZONING	Z-VARIANCE	BONNIE M	1/19/2021	DENIED
3175	1631510351	2 QUAIL CT	GLASGOW, JAMES LESLIE, CATHERINE JANE	ZONING	Z-TREE REMOVAL	BONNIE M	2/16/2021	APPROVED
3261	1687700000	12 6TH ST	KAIN JEFFREY, MARCIA	ZONING	Z-COND USE	BONNIE M	3/16/2021	APPROVED
3261	1687700000	12 6TH ST	KAIN JEFFREY, MARCIA	ZONING	Z-COND USE	BONNIE M	4/5/2021	APPROVED
3298	1693000090	104 3RD ST	BRADLEY LEHAN IRA/DEBORAH RODRIGUES	ZONING	Z-COND USE	BONNIE M	3/16/2021	APPROVED
3298	1693000090	104 3RD ST	BRADLEY LEHAN IRA/DEBORAH RODRIGUES	ZONING	Z-COND USE	BONNIE M	4/5/2021	APPROVED
3308	1709300000	103 E STREET AND 104 F STREET	LEONARD AND RENEE TRINCA	ZONING	Z-COND USE	BONNIE M	3/16/2021	APPROVED
3308	1709300000	103 E STREET AND 104 F STREET	LEONARD AND RENEE TRINCA	ZONING	Z-COND USE	BONNIE M	4/5/2021	APPROVED
3316	1700400001	ALLEY BETWEEN A AND B STREETS	COQUINA GABLES SUBDIVISION NO 1	ZONING	Z-VACATE ALLEY	BONNIE M	3/16/2021	APPROVED
3316	1700400001	ALLEY BETWEEN A AND B STREETS	COQUINA GABLES SUBDIVISION NO 1	ZONING	Z-VACATE ALLEY	BONNIE M	4/5/2021	APPROVED
3347	1628201030	109 KINGS QUARRY LN	PAWLOWSKI MICHEL S	ZONING	Z-VARIANCE	BONNIE M	3/16/2021	DENIED
3458	1705200010	2-B F ST	CANEEL CAPITAL GROUP LLC	ZONING	Z-VARIANCE	BONNIE M	4/20/2021	OPEN

Application Id Range: First to Last Range of Building Codes: ZONING to ZONING

Activity Date Range: 09/01/20 to 09/30/21 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last

Included Activity Types: Both

Sent Letter: Y

Range: First to Last	Use Type Range: First to Last	Open: Y
Violation Date Range: First to 04/19/21	User Code Range: First to Last	Completed: N
Ordinance Id Range: First to Last		Void: N
		Pending: Y
Customer Range: First to Last	Inc Violations With Waived Fines: Yes	

Violation Id: V1900065	Prop Loc: 720 A1A BEACH BLVD	
Viol Date: 07/30/19	Status: Open	Comp Name:
Comp Phone:	Comp Email:	

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.
6.07.06	Sec. 6.07.06. - Care of premises.
FBC 105.1	PERMITS 105.1 Required.

Description: This violation(s) was generated through code enforcement relative to multiple complaints concerning specific building violations as specified below. These violations which are outlined within the International Property Maintenance Code (section304) and the FBC are specific to structural maintenance and requirements of an exterior structure.

The following needs to be addressed:

1. Remove the blue tarp on the top of the structure.
2. Execute the roof permit (P1914794) and repair the same.(presently the permit has expired).
3. Obtain proper permits (roof, stairs and landing etc and determine the possibility of enroachment of the raised deck/landing. Building Inspector Glenn Brown has conversed with Ms. Johnson in the many months prior relative to correction of this stair and deck landing modification scenario.
4. Modify the conditional use permit to include use of the ground floor for residential use. See conditional use permit dated Aug 4 2003.
5. Bring into compliance the violations as specified. After the building compliance is met, complete those requirements pretaing to a transient lodging facility renewal (Code 3.09).

Created	Modified	Note
03/29/21	03/29/21	The number Liv called from on 3-29-2021 was different from what we have on file, 904-788-9522
03/29/21	03/29/21	Debra â€œLivâ€ Johnson called the office of 3/29/2021. She stated that she just picked up the certified mail today regarding the Code Enforcement Board Meeting on Wednesday, March 31st . She stated that her daughter is having surgery tomorrow and she will be taking care of her and will be unable to make it to the meeting. She asked if I could put her on the agenda for Aprilâ€™s meeting instead, however, I told her that decision would be up to the code board. I let Ms. Johnson know that I had hand delivered the notice to appear on March 15th and I sent her an email with the notice to appear on March 24th. She stated that she does not usually check her email and is not great with computers. I told her that if she wanted to write a letter explaining to the code board why she canâ€™t make it and what her plans are, to go ahead and drop it off prior to the meeting and I will include it in the board packets.
03/15/21	03/15/21	Certified Mail, regular mail, and hand delivered letter sent 3/15/21 Notice to appear for March 31st, 2021 meeting. Attached.
12/11/20	12/11/20	The copy of the lien was returned as unclaimed on 12/11/2020.

11/17/20	11/17/20	A copy of the lien was sent via certified mail 7018-1130-0002-0083-3427 and regular USPS mail on 11-17-2020
11/16/20	11/16/20	A lien in the amount of 22,250.00 was recorded with St. Johns County Clerk of the Courts office on 11-16-2020 @ 1:32 PM. See attachments.
06/01/20	06/01/20	5-27-2020 The CEB made a motion to file a lien for \$22,500 (the roof fine total). Other fines will continue.
05/20/20	05/20/20	Notice to appear emailed 5-20-20.
05/19/20	05/20/20	Notice to appear sent on 5-18-2020 and hand delivered, see attached.
05/06/20	05/20/20	Ms. Johnson called and left a voicemail on 5-5-20, to say that she is planning on applying for a permit on Monday May 11th. In the message, she stated she was having trouble finding an architect to design the deck.
05/04/20	05/04/20	Certified Mail Sent 5-1-20 Letter, hand delivered on 5-4-20. Ms. Johnson was at the home when I delivered the letter. She told me that rather going to the post office to pick up the letter, she would just sign for it in person. See attached.
04/27/20	04/27/20	EMAILED MS. JOHNSON 4/27/2020 TO REMIND HER OF THE CODE BOARD MEETING SCHEDULED FOR 4/29/20 AT 2PM. SEE ATTACHED.
04/22/20	04/22/20	HAND DELIVERED & MAILED CERTIFIED MAIL CITATION TO APPEAR, SEE ATTACHED. WHILE I WAS DELIVERING THE LETTER, I SAW SOME REMOVED SIDING, AND A REMOVED WINDOW. SEE ATTACHED PICTURES. --JT
04/16/20	04/16/20	FINAL INSPECTION FOR ROOF PERMIT WAS APPROVED BY GLENN BROWN ON 4-15-2020 (SEE ATTACHED CERTIFICATE OF COMPLETION)
04/02/20	04/02/20	Certified Mail signature card received on 4-1-20. Signed by Crystal. See attached.
03/26/20	03/26/20	Certified Mail and a Hand Delivered letter were sent to Ms. Johnson regarding the code enforcement board meeting on 3/26/20. The letter and a photo of it being hand delivered to her residence are attached.
03/16/20	03/16/20	Spoke with Ms. Johnson this am relative to the circumstances of events that surround her code enforcement case. There were excuses presented by Ms. Johnson concerning the compliance issue but no resolution was given. We reaffirmed the next code enforcement meeting (3/25 @ 1400hrs) in order to discuss the matter(s) pending. I advised Ms. Johnson to attend the meeting. A certified mailing was issued prior on 3/10 to Ms. Johnson @ her private address. A separate reg mailing was issued on 3/16 and a copy of that doc (notice to appear) was also emailed accordingly.
03/10/20	03/10/20	Certified mail sent relative to Citation to Appear for 3/25 to follow-up on non-compliance.
02/10/20	02/10/20	Staff notified the code enforcement officer this morn that Ms. Johnson inquired about permitting friday of last week. The staff advised Ms. Johnson of the pending code enforcement action against her and further stated that she contact this office. As of 0340 hrs this date, no contact has been made.
02/10/20	02/10/20	Certified mail dated 12/18 was returned by the USPS as undelivered. Last service attempt was

		1/16/2020. Certified mail # 7018 1130 0002 0083 2918.
01/29/20	01/29/20	As of this date, no communication has been rec'd from Ms Johnson. Muliple letters have been issued concerning the scenario(s).
01/22/20	01/22/20	Contact Info for the contractor that Ms. Johnson hired: Richard Sean Construction @ 352 639-1060
01/22/20	01/22/20	Spoke with the contractor, Richard Fulmer on 1/21 relative to pulling permits on the deck. He advised that a building permit would be aquired. This is the second request. Also requested was info pretaining to the re-roof. Mr. Fulmer also stated that this project had a current estimate for the roof and the roofer (unk) was to pull their own permit. No action has occured. As of this date there has been no communication with the property owner (Liv Johnson) to answer for the code enforcement action. The penalty phase sanctioned by the code board went into effect midnight 1/19 @ 250.00/day for non-compliance to violations of the SAB Building Code.
12/19/19	12/19/19	LETTER HAND DELIVERED ON 12-19-19 AT 245PM, LEFT IN DOOR. -JT (SEE ATTACHED PHOTO)
12/17/19	12/17/19	As of this date, no communication has commenced relative to compliance of this scenario concerning the building violatios. Ms. Johnson further has ignored a correction her conditional use permit relative to the multi-use property @ the stated address. Bonnie Miller (Building Dept Admin Sec) offered assistance to Ms. Johnson in weeks past relative to appling for a revision through the PZB. Ms. Johnson never responded.
12/02/19	12/02/19	Ms. Johnson contacted this office @ 0830hrs to relay info concerning needed repairs relative to code enforcement case. Ms. Johnson asdvided that a contractor was being hired to complete all issues. Permits are pending TBA. If permits are not aquired prior to the Dec board meeting, a notice to appear will be issued.
10/29/19	10/29/19	Certified Mail notice sent this date
08/26/19	08/26/19	Second notice sent this date. Regular mail.
08/26/19	12/17/19	Cerified Letter issued Aug 1st returned.

Violation Id: V2000043 Prop Loc: 645 A1A BEACH BLVD
Viol Date: 03/23/20 Status: Open Comp Name: City Manager's Office
Comp Phone: Comp Email:

Ordinance Id Description

Description: Complaint was called in to the City Manager's office regarding Drifters bike rentals operating without a conditional use permit.
On 3-13-20 Code Enforcement hand delivered a CUP application to the business owner Ian Guthrie. He was informed that he had 30 days to apply for the permit.

On 3-25-20, Mr. Guthrie's lawyer contacted the city. (see attached)
The letter was forwarded to the city attorney Lex Taylor.

Created	Modified	Note
03/25/20	03/25/20	See attached email, sent to the City on 03/25/2020
03/23/20	05/15/20	LDR SEC 3.02.03 PROHIBITED USES A. 2. DISPLAY OF MERCHANDISE OUTSIDE.

Violation Id: V2000141 Prop Loc: 2572 A1A S
Viol Date: 12/07/20 Status: Open Comp Name: Building Department
Comp Phone: Comp Email:

Ordinance Id	Description
SEC.5.00.00	Removal of Trees

Description: The Building Official drove past the property on 12/7/2020 and noticed that the lot to the south was being cleared, parcel #1668200000. The owners at 2572 A1A S own this property.

The Building Official and Code Enforcement later visited the property. Florida's Tree Masters is the contractor removing the trees. They stated that they were unaware that they could not clear the lot and stated that they had an arborist on staff who will provide us a letter regarding the trees. Florida Tree Masters will provide the building department with a tree survey and arborist's letter.

Created	Modified	Note
04/05/21	04/05/21	Homeowner also sent over an email with an update of her plans.
04/05/21	04/05/21	Fees paid on 4-5-2021 see attached receipt. -JT
04/01/21	04/01/21	Code Board Met on 3-31-2021, and made a motion to fine the Smiths \$4,000. And requires them to complete tree planting within 60 days.
03/15/21	03/15/21	Certified Mail Sent 3-15-21 to appear a second time for Code Enforcement Board Meeting on 3-31-21 Attached email also sent to owner Laura Smith.
03/10/21	03/10/21	Attorney's Letter to Florida Tree Masters Attached.
03/01/21	03/01/21	Code Board Meeting on February 24th. Board Motioned to meet again March 31, 2021 for the owners to give an update on their progress. The City Attorney, Lex Taylor will be sending a letter to Florida's Tree Masters revoking their City license. On 3/1/2021, JT sent Laura Smith an email with the replacement tree list.
02/17/21	02/17/21	The fees for the trees removed have been calculated. See attached spreadsheet.
02/09/21	02/09/21	Code Enforcement Case set for February 24, 2021 at 2pm.
02/08/21	02/08/21	Certified mail sent 2-8-2021 Notice to appear. See attached. Mail also sent regular USPS.
02/05/21	02/05/21	Contacts: Laura Smith (homeowner)- 317-402-8426 Chris Smith (homeowner)- 317-557-1312 John (Florida's Tree Masters)- 386-444-0428 Jason (Florida's Tree Masters)- 412-477-4743 Chris Abdalla (Florida's Tree Masters)- 386-307-5048
02/05/21	02/05/21	On 2/4/2021 Laura Smith, the other homeowner called to inquire what exactly was needed in order to resolve the code enforcement case. I let her know that we needed: 1. A site plan with the type and size of the trees that were removed. 2. An arborists letter (that Florida Tree Masters claims to have) that explains why certain

trees were removed.

OR

If the arborists letter could not be provided, the city would go ahead and assess what trees needed to be replaced & the cost of the mitigation fees.

02/02/21 02/02/21 On 2-2-2021 at 4pm, Chris Smith, the homeowner called. He stated that he did not know that Florida's Tree Masters did not pull proper permits etc. He stated he would call Florida's Tree Masters and ask them to reach out to us. I let him know that if we do not receive a site plan and arborists letter that we will have to take him to the code board.

01/28/21 01/28/21 Certified Mail Sent on 1-28-2021 See attached.

01/15/21 01/15/21 Florida Tree Masters has yet to submit a survey or arborists letter. However, John came in and applied for a City license. 1/15/2021

01/12/21 01/12/21 Florida Tree Master's called on 1/12/2021 and said that he would be sending in a tree survey and an arborists letter later today.

Violation Id: V2000143 Prop Loc: 11 7TH ST
Viol Date: 12/11/20 Status: Open Comp Name: Connie Oberman
Comp Phone: (904)460-0099 Comp Email: sidandconnie@bellsouth.net

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

6.01.03 Building Setback Requirements

Description: The homeowner at 13 7th St called the office on 12-4-2020 to report an unpermitted structure on the property at 11 7th St.
From the aerial imagery from St. Johns County, the structure appeared sometime between 2016 and 2019. The structure was not permitted according to our records.

Created	Modified	Note
03/15/21	03/15/21	Code Enforcement spoke to the owner Steve on 3/15/2021. He did not receive the initial notice of violation, so I have decided to give him an extension to come into compliance by the end of March. He stated he would remove the roof and move the deck 2 feet from the south and west property lines. His phone number is 904-234-4450. The number that he and his lawyer were calling from was 904-660-0451. I let him know to give me an update in a week and call back with anymore questions. -JT
03/10/21	03/10/21	Final Notice of Violation Sent on 3/10/2021 via Cert mail \$6.96 and regular mail .55 cents
02/16/21	02/16/21	Certified Mail sent 2/16/21 Notice of Violation. See attached. \$6.96
02/09/21	02/09/21	Permit application 3206 turned down for a swimming pool for zoning. The site plan and ISR worksheet did not show the illegal structure. The contractor, Russell Builders claims that the structure will be removed soon.
01/07/21	02/16/21	Certified letter sent on 1/7/2021 \$6.96

Violation Id: V2100007 Prop Loc: 109 1ST ST UNIT C

Viol Date: 01/05/21 Status: Open Comp Name: Public Works
Comp Phone: Comp Email:

Ordinance Id	Description
CC-12-51	12-51 LOCAL BUSINESS TAX REGULATIONS

Description: On December 17, 2020 Public Works was collecting trash and noticed a sign for vacation rentals for 108 A St and 109 1st St (verified by the website on the sign).

These addresses do not have BTRs or Commercial trash pickup, nor are part of the transient rental program. (These addresses are in the commercial zone.)

Created	Modified	Note
03/10/21	03/10/21	The certified Mail was returned (See attached) with the message No Mail Receptacle. Code Enforcement will send another certified letter to the violation address. 3/10/2021
01/05/21	01/05/21	Certified Mail Sent on 1-5-2021 7018-0360-0002-1999-2025

Violation Id: V2100011 Prop Loc: 31 OCEAN TRACE RD
Viol Date: 01/06/21 Status: Open Comp Name: Building Official
Comp Phone: Comp Email:

Ordinance Id	Description
IPMC SEC 303	SWIMMING POOLS, SPAS, AND HOT TUBS

Description: On 12-31-2020, the Building Official performed a roof inspection at the property. While there, he noticed that the swimming pool on the property did not have any barrier or fence.

IPMC 303.2 ENCLOSURES- SWIMMING POOLS SHALL BE COMPLETELY SURROUNDED BY A FENCE OR BARRIER NOT LESS THAN 48 INCHES IN HEIGHT.

Created	Modified	Note
02/05/21	04/13/21	A permit was obtained for a screen enclosure P2100099. Once the inspection has been completed, the case will be closed.
01/12/21	01/12/21	Home owner called on 1-12-2021, she stated that her screen contractor had the permit application and was going to apply for a permit soon.
01/07/21	01/07/21	Certified Mail sent on 1-7-2021 / 7018-1130-0002-0083-3397 Requests correction be made by 1-17-2021

Violation Id: V2100016 Prop Loc: 721 A1A BEACH BLVD
Viol Date: 01/25/21 Status: Open Comp Name: Building Dept
Comp Phone: Comp Email:

Ordinance Id	Description
IPM SEC 304	EXTERIOR STRUCTURE

6.07.02 Structural Requirements

Description: While on site for a change of business/Fire Dept inspection, Code Enforcement noticed the exterior east wall of the property was in disrepair. See attached.

According to a tenant, Action Management Group manages the property. Code enforcement located their facebook page and found information for April Johnston. Her email is ajohnstonmgr@outlook.com and her phone is 904-377-9605. Code Enforcement emailed on 1/25/2021 and is awaiting an email or call back.

Created	Modified	Note
02/08/21	02/08/21	John Flint from SJC Fire has also been trying to reach the property management company. When conanct is made, give John Flint's info: jflint@sjcfl.us / 904-829-7212
02/05/21	02/08/21	Code enforcement has not received an email or phone call from Action Management. According to Sunbiz website, FORD SURF PLAZA, INC's registered agent is: Stephen D. Hinkle 721 A1A Beach Blvd Ste 4 Code Enforcement sent cert mail to Mr. Hinkle on 2-8-21. Cert Mail: 7018-0360-0002-1999-2100
02/05/21	02/05/21	Diane Leonardi 904-540-0314

Violation Id: v2100020 Prop Loc: 731 A1A BEACH BLVD
Viol Date: 02/05/21 Status: Open Comp Name:
Comp Phone: Comp Email:

Ordinance Id Description

Description: While on an inspection next door, Code Enforcement noticed the signage for 731 A1A Beach Blvd was in disrepair and may exceed the sign height of 12 feet.

Violation Id: v2100029 Prop Loc: 56 BRIGANTINE CT
Viol Date: 04/13/21 Status: Open Comp Name: Karadawn Eastburn
Comp Phone: Comp Email:

Ordinance Id Description

Description: On Wednesday March 24th, Karadawn Eastburn called and requested that Code Enforcement take a look at her apartment at 56 Brigantine. She claimed that when she moved into her apartment that there were several items that the landlord said they would fix prior to move-in. Ms. Eastburn is trying to get out of her lease.
See attached emails.
In the emails it appears that Karadawn Eastburn has spoken to the landlord about some of these issues. Also, in an email, Ms. Eastburn also discusses that she does not want to be financially tied to her niece and her boyfriend any longer. Ms Eastburn has also stated that she has spoken with legal aide and would need a letter stating that the apartment is unlivable. The building official is the only person who can make that determination and based on the inspection performed on March 29th (See attachments), he does not plan to make that decision.

Created Modified Note

04/15/21	04/15/21	Certified Mail sent 4-14-2021 and hand delivered letter to Seaside Villas Clubhouse.
04/13/21	04/15/21	Notes from the inspection are attached. 1. door frame was split, however doors are still in working condition and are able to be secured. 2. missing window screens on multiple windows. 3. evidence of a previous (TENANT STATED WAS FIXED) leak under kitchen sink. 4. some electrical outlet covers not fully attached to wall. 5. shower handle not fully attached to the wall 6. bedroom window not securely in its frame. 7. floor uneven in many areas and sinks down near tub/shower.

violation Id: V2100031	Prop Loc: 225 MADRID ST	
Viol Date: 04/15/21	Status: Open	Comp Name: Maria - Anastasia Dental
Comp Phone: (904)669-7771	Comp Email:	

<u>Ordinance Id</u>	<u>Description</u>
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Maria from Anastasia Dental called on 4/14/2021 to state that the tenants at 225 Madrid St have trash and a mattress in their yard that often times blows all over the street. On 4/15/2021, Code Enforcement visited the property and observed several items of uncontainerized trash around the yard and near the front door. There was also a box spring propped up against a tree in the yard near the street. Today is Thursday and trash pickup day for this area is Monday. Code enforcement rang the doorbell and knocked on the door, but no one answered, so I left a door hanger to call the office. If I do not hear a response back, I will send certified mail to the homeowner.

Violation Id: V2100032	Prop Loc: 2 LEE DR	
Viol Date: 04/15/21	Status: Open	Comp Name: City Managers Office
Comp Phone:	Comp Email:	

<u>Ordinance Id</u>	<u>Description</u>
---------------------	--------------------

Description: On Tuesday April 13th, Code Enforcement received an email from the City Manager's office regarding a business that is advertised at 2 Lee Drive as a an assisted living facility. The website that advertises this business had a phone number for a Cindy Gilbert: 217-493-1127
See attached emails and snippets of website.
Code enforcement and the Building Official called Cindy on 4/15/2021. She stated that the business is not currently operating and that she is working on obtaining all licensure. We let her know that she would need to apply for a conditional use permit to operate a group home in the low density residential area.
She stated she would submit the application ASAP.

Code enforcement will continue to monitor the situation.

Violation Id: V2100033	Prop Loc: 207 8TH ST	
Viol Date: 04/16/21	Status: Open	Comp Name: Todd Alexander
Comp Phone: (904)703-2191	Comp Email: wtajax@yahoo.com	

Ordinance Id	Description
--------------	-------------

Description: On February 12, 2021, an anonymous complaint was filed regarding a travel trailer at 207 8th St in the driveway.

Later, Todd Alexander sent an email 4-8 to let me know that he was the complainant. See attached.

Code Enforcement drove past the property and confirmed that the travel trailer was there. It is located in the front driveway.

Violation Id: V2100034	Prop Loc: 43 ATLANTIC OAKS CIR	
Viol Date: 04/16/21	Status: Open	Comp Name: Todd Alexander
Comp Phone: (904)703-2191	Comp Email:	

Ordinance Id	Description
--------------	-------------

Description: On Thursday, April 8th, Todd Alexander requested that Code Enforcement send a notice of violation regarding an RV on his own property at 43 Atlantic Oaks Circle. Code Enforcement drove past the property on 4-8-21 to verify that there was in fact an RV parked in the driveway.

Code Enforcement sent certified mail on 4/16/21 see attached.



MINUTES
PLANNING AND ZONING BOARD MEETING
TUESDAY, MARCH 16, 2021 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

I. CALL TO ORDER

Chairperson Kevin Kincaid called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Berta Odom, Larry Einheuser, Chris Pranis, Victor Sarris, Senior Alternate John Tisdale, Junior Alternate Scott Babbitt.

BOARD MEMBERS ABSENT: Dennis King, Hester Longstreet.

STAFF PRESENT: Building Official Brian Law, City Attorney Lex Taylor, Executive Assistant Bonnie Miller, Crime Prevention Officer Ed Martinez, Recording Secretary Lacey Pierotti.

IV. APPROVAL OF MINUTES OF PLANNING AND ZONING BOARD MEETING OF FEBRUARY 16, 2021

Motion: to approve the minutes of the February 16, 2021 meeting. **Moved** by Ms. Odom, **seconded** by Mr. Babbitt, **passed 7-0** by unanimous voice-vote.

V. PUBLIC COMMENT

There was no public comment on any issue or item not on the agenda.

VI. NEW BUSINESS

- A. Vacating Alley File No. V 2021-01, for vacation of the 15-foot-wide alley located between B Street and C Street west of A1A Beach Boulevard and adjacent to and/or abutting Lots 1-16, Block 40, Coquina Gables Subdivision, to incorporate square footage of said alley right-of-way into the square footage of the owners of adjacent properties abutting and/or adjoining said alley right-of-way, Blake Kozol, Applicant

Ms. Miller said this application requests to vacate the City-owned alley right-of-way in Block 40, Coquina Gables Subdivision, directly west of A1A Beach Boulevard between B Street and C Street, to incorporate from the centerline of the 15-foot-wide alley the square footage of the alley into the square footage of the adjacent properties abutting the alley. The applicant has submitted the written consent of 16 out of 20 property owners adjacent to this alley, which constitutes 80% of the adjacent property owners, including the eight individually-owned units of the Ford Surf Plaza Condo commercial building at 721 A1A Beach Boulevard on the corner of B Street and A1A Beach Boulevard. City of St. Augustine Beach Ordinance No. 15-05 requires applicants to submit

the written consent of a minimum of 70% of adjacent property owners. Included in the application information copied to the Board are comments from the City's Public Works Department, Police Department, St. Johns Fire Rescue Headquarters, St. Johns County Utility Department, and Florida Power & Light. The Building and Zoning Department has no objection to the proposed vacation of this alley concurrent with Public Works Director Bill Tredik's request that if the City Commission agrees to vacate the alley, an appropriate utility and drainage easement be recorded to allow access in the vacated alley for drainage and utility use and maintenance.

Blake Kozol, 100 South Matanzas Avenue, St. Augustine, Florida, 32080, applicant, said as stated, there are only four adjacent property owners out of a total of 20 who have not submitted their written consent to vacate the alley. He did not receive any objection from these four property owners but could not communicate or get a response from them, which is why his application does not include their written consent. Three are owners of units in the Ford Surf Plaza Condo commercial building, which has existing parking spaces located on the eastern portion of the alley adjacent to A1A Beach Boulevard, and one is the owner of a single-family residence at 104 C Street, whom he was unable to contact. Vacating the alley will have no negative impact on these four properties.

Mr. Kincaid asked for public comment.

Bobby Appleby, 502 Turnberry Lane, St. Augustine, Florida, 32080, said he helped Mr. Kozol with this application, and spoke to all of the adjacent property owners, with the exception of the four who they could not get in touch with. These four property owners have not objected to the vacation of the alley, they are just non-responsive.

Mr. Kincaid said he believes vacating alleys relieves the City of the obligations for their care and maintenance.

Mr. Law said yes, that is a pretty adequate statement. He does not believe the Public Works Department currently maintains the alleys, even though the City owns the alleys that have not been vacated. Staff has no opposition to vacating this alley to incorporate the square footage of the alley into the square footage of adjacent property owners who can maintain and use this property with the understanding that no permanent construction shall occur in the vacated portion of the alley. Fences and pavers are allowed, as these are all removable if necessary.

Mr. Pranis said for the record, he thinks someone should try to get in touch with the adjacent property owners who could not be reached before this application goes before the City Commission for a final decision.

Mr. Law said he knows notices were mailed to all the adjacent property owners informing them of the application to vacate the alley, and the meeting dates and times at which the application is presented to and considered by both this Board and the City Commission. Any notices that are returned to the City are kept in the application file in case any adjacent property owners claim they were not notified of the application to vacate the alley.

Mr. Kincaid advised the applicant that it certainly would not hurt if he were to try again to contact the four property owners who did not respond before this application goes before the City Commission next month.

Motion: to recommend the City Commission approve Vacating Alley File No. V 2021-01, to vacate the 15-foot-wide alley in Block 40, Coquina Gables Subdivision, west of A1A Beach Boulevard between B Street and C Street, subject to the condition that a standard utility and drainage easement for future use and maintenance of utility and drainage facilities be included in the ordinance adopted to vacate the alley. **Moved** by Ms. Odom, **seconded** by Mr. Babbitt, **passed 7-0** by unanimous voice-vote.

- B. Vacating Alley File No. V 2021-02, for vacation of the 15-foot-wide alley located between A Street and B Street west of 3rd Avenue and east of 4th Avenue, adjacent to and/or abutting Lots 1-16, Block 49, Coquina Gables

Subdivision, to incorporate square footage of said alley right-of-way into the square footage of the owners of adjacent properties abutting and/or adjoining said alley right-of-way, Jason and Laurie Collins, Applicants

Ms. Miller said this application is to vacate the City-owned alley right-of-way in Block 49, Coquina Gables Subdivision, west of 3rd Avenue and east of 4th Avenue, between A Street and B Street, to incorporate from the centerline of the 15-foot-wide alley the square footage of alley into the square footage of the adjacent properties abutting the alley. The applicants have submitted the written consent of 11 out of 16 adjacent property owners, which constitutes 68.75% of the adjacent property owners, not quite meeting the minimum 70% required per City of St. Augustine Beach Ordinance No. 15-05. Staff allowed the application to be submitted for the Board's recommendation to the City Commission to approve or deny the request to vacate the alley, as it will ultimately be up to the City Commission to decide if it wants to override the City ordinance which requires written consent from a minimum of 70% of adjacent property owners. Comments from the City's Public Works Department, Police Department, St. Johns Fire Rescue Headquarters, St. Johns County Utility Department, and Florida Power & Light are included in the application information copied to the Board. The Building and Zoning Department has no objection to the proposed vacation of this alley concurrent with Public Works Director Bill Tredik's request that if the City Commission agrees to vacate the alley, an appropriate utility and drainage easement be recorded for the vacated portion of the alley to allow access for drainage and utility use and maintenance.

Mr. Kincaid asked if the City has heard from anyone who has expressed any opposition to the vacating of this alley.

Ms. Miller said staff has received no written correspondence opposing this application, but she received a phone call from the property owner of 312 B Street, who said she would not sign to vacate the alley, because she had tried to apply to vacate this same alley years ago, before Ordinance No. 15-05 was passed requiring the written consent from a minimum of 70% of adjacent property owners. City Code at that time required written consent from 100% of adjacent property owners, which basically prevented anyone from applying to vacate an alley. The owner of 312 B Street said she when tried to apply to vacate this same alley about 10 years ago, the current applicants refused to sign to vacate the alley, so she would not sign because they refused to sign when she applied. This was the only opposition City staff received regarding this vacating alley application. No opposition has been received from the other four adjacent property owners who have not submitted their written consent to vacate the alley, the applicants have just been unable to make contact or get a response from them in writing.

Laurie Collins, 307 A Street, St. Augustine Beach, Florida, 32080, said there are 16 adjacent lots with 14 owners, as she and her husband own two lots and another property owner also owns two lots. Since they submitted this application, they have heard from two other property owners who have agreed to submit their written consent to vacate the alley. Regarding the property owner who called and said she would not sign to vacate the alley, it was her parents, not she and her husband, who would not sign to vacate the alley when the property owner of 312 B Street tried to vacate it, as their property at 307 A Street originally belonged to her parents. There was a house built in the late 1990s that actually closed off access to the alley, so there is no access to the alley from anyone's yard, because it is completely fenced in and everyone is already utilizing the alley property, including the property owner of 312 B Street, who has a fence that goes right down the centerline of the alley behind her home.

Mr. Kincaid asked for public comment. There was none.

Mr. Taylor advised the applicant to submit at least one of the signatures from the two adjacent property owners she said have agreed to the vacation of the alley since the application was submitted, prior to the application being heard by the City Commission next month. While the City has the ability to vacate the alley with less than 70% of the written consent of adjacent property owners, this is something the Board should consider in crafting a motion for a recommendation to the City Commission to vacate this alley.

Motion: to recommend the City Commission approve Vacating Alley File No. V 2021-02, to vacate the 15-foot-wide alley in Block 49, Coquina Gables Subdivision, between A Street and B Street, west of 3rd Avenue and east of 4th Avenue, subject to the conditions that the applicants submit at least one more letter of written consent from an adjacent property owner so that the vacating alley application is in compliance with Ordinance No. 15-05, which requires written consent agreeing to the vacating of the alley from a minimum of 70% of adjacent property owners, and also that a standard utility and drainage easement for future use and maintenance of utility and drainage facilities be included in the ordinance adopted to vacate the alley. **Moved by Mr. Kincaid, seconded by Ms. Odom, passed 7-0 by unanimous voice-vote.**

- C. Land Use Variance File No. VAR 2021-03, for reduction of the minimum rear yard setback requirement of 25 feet to 12 feet and reduction of the minimum west side yard setback requirement of 10 feet to 5 feet, for proposed construction and placement of a 120-square-foot storage shed on the Lot 3, Block 1, Lake Sienna Subdivision, at 109 King Quarry Lane, Michel S. Pawlowski, Applicant

Ms. Miller said this is a variance application for reduced setbacks for a 120-square-foot storage shed at 109 Kings Quarry Lane. The applicant is applying for reduced setbacks from 25 feet to 12 feet in the rear and from 10 feet to 5 feet on the west side of his property. The City's Land Development Regulations (LDRs) per Section 6.01.03.B.2.d requires minimum 5-foot rear and side yard setbacks for sheds that are 96 square feet or less, and for sheds that exceed 96 square feet, the setbacks for regular buildings apply. In this case, as the shed the applicant wants to put on his property is 120 square feet, the minimum setbacks required for the shed are 25 feet in the rear and 10 feet on the sides. In his application the applicant refers to the setback changes that took place in 2018 to increase the front and rear yard setbacks from 20 feet to 25 feet and the side yard setbacks from 7.5 feet to 10 feet, but even before these setback changes went into effect, the applicant would still have been required to apply for a variance for reduced rear and side yard setbacks for a 120-square-foot shed.

Michel Pawlowski, 109 Kings Quarry Lane, St. Augustine Beach, Florida, 32080, applicant, thanked the Board members for their public service, and said he knows this is a voluntary board for which the members take time away from their families and personal lives to serve and look to the best interests of the community. In his Power-Point Presentation, he presented three alternative views of his property to give a perspective of what he specifically intends to do with the Board's approval of the requested variance. His adjacent neighbor to the east is the head of the Lake Sienna Homeowners Association (HOA), and the shed he proposes to put on his property will be located on the west side of his home in the back yard, adjacent to the lot owned by Mr. Tony Cubbedge, who is a noted environmentalist and conservationist who works for the City of St. Augustine. Mr. Cubbedge has no objections to the placement of his shed five feet off his property line, and for the record, neither does the HOA. He presented photos of his property showing the dense foliage and screening which will prevent the shed from being seen from the lots opposite his lot, which backs up to Lake Sienna. He is asking for the same 5-foot side yard setback for the proposed 12-foot-by-10-foot shed he would like to put on his lot that would be allowed for a 12-foot-by-8-foot shed. This is an overall increase of two feet on the west side and 24 linear square feet in size, with no visual impact on either side, as demonstrated by the photos shown in his presentation. St. Augustine Beach Code states approval or denial of a variance is based upon a balancing of six factors, and no one factor is determinative for the granting or denial of a variance. One of the factors is the demonstration of a hardship the applicant would have if the current land use codes and regulations were followed. After he purchased his property in 2017, he developed a heart condition, and has had several surgeries, and also has had problems with his right foot. Storage was available in his attic when he bought his house, but he can no longer utilize the attic, because of ladder restrictions involving his right foot. His doctors do not want him going up and down the attic ladder as there is a potential for falls and stroke. Personal belongings and all of his decorations for Christmas and patriotic holidays were stored in the attic, but he can no longer keep them there, and he has limited storage in the garage. His health conditions developed after he purchased the property, so he wants to point out this is not a self-created

hardship. He would like to summarize by saying a hardship will never really be shown for a shed, but it should be kept in mind that no one factor is determinative in the consideration to grant or deny a variance, per the Code, and he purchased the property before the current setback requirements were adopted and the minimum setbacks at the time were 20 feet front and rear and 7.5 feet on the sides. The current Code allows a 12-foot-by-8-foot shed at the precise 5-foot location off the side property line he proposes for a 12-foot-by-10-foot shed, and the additional two-foot width of the shed will only impact his property, not anyone else's. The granting of the variance will not alter the character of the neighborhood, diminish property values, or impact the appropriate use or development of adjacent properties. As shown by the photos, the shed will not be visible to any part of the neighborhood, and it will be custom-designed to match his home style, color, and finish. It will preserve the habitat of the turtles, ducks, and geese, will not encroach on the lake, and will preserve all foliage and screening of the yard from across the lake. It will have no effect on traffic congestion in nearby streets or impact the danger of fire or on-site or off-site drainage. Personal and health safety applies to the hardship and his specific condition, so from his perspective, the application weighs in favor of approval of the granting of the requested variance.

Ms. Odom said this may seem like a very silly question, but she would like to ask why a smaller shed will not work for the applicant.

Dr. Pawlowski said in looking at everything he needs to store in the shed, from lawn equipment and so forth, the total amount of square footage required was calculated, and he determined he needed a 120-square-foot shed.

Mr. Kincaid said he thinks that is the very definition of a self-imposed restriction or hardship. He appreciates the work the applicant has done in putting his presentation together and making sure the shed will not be visible from any of his neighbors' lots or have any impact on the neighborhood, but he thinks granting this variance will have an impact, as the applicant is asking the Board to bend the rules and grant a variance that future applicants will use to support their variance requests. There is a process for bending the rules, but if the Board grants a variance without finding a hardship, or that there was no other way for the applicant to use his property effectively, this will put the Board in a difficult position for all the other hardships that will come before them, and he doesn't know that a medical condition qualifies as a reason to bend the rules. This will put the Board in the difficult position of having to decide whose medical condition or situation qualifies as a hardship, and he does not think this is where the Board needs to be. Sheds are allowed on low density residential properties, and the applicant has every opportunity to buy a shed and put it on his property without a variance if the minimum setback requirements are met. However, the applicant is asking to put a shed that is bigger than what is allowed with minimum 5-foot rear and side setbacks, and asking the Board to bend the rules, but the Board does not own or make the rules. The City Commission makes the rules and gives the Board the authority to uphold the rules and on certain occasions, to bend them within the guidelines that are used for determining whether or not a variance is valid. He thinks every variance request that is made is valid to the person making the request, but whether or not it is something the Board can do is important. The applicant's issue is not with the ability to have a shed, because he can have a shed. His issue is with the rule on where the shed can be placed based on its size, and the fact that he is asking the Board to bend the rules without applying the same criteria to the next applicant who applies for a variance. At a previous meeting this year, the Board denied two variance requests for the same reasons, that the applicants did not demonstrate justifiable hardships. He asked for public comment.

Ed George, 9 C Street, St. Augustine Beach, Florida, 32080, said he has lived in the City for many years, 25 years, he thinks, and was on the City Commission for eight years. He understands what Mr. Kincaid is saying, and that the Board may not grant this variance, but he has seen a lot of variances go through in the past and variances have been granted for a lot worse things, such as pools being built right on lot lines, etc. Over and over, variances have been granted. The only person affected by this variance is the applicant and if you look through the history of all the variances that have been granted by this Board and previous Boards, there have been a lot worse variances

granted that should never have been granted. That is why this process for applying for a variance is here, and why the Board is here, and it is really up to the Board to approve it or not.

Mr. Kincaid asked Mr. George if he is arguing for or against this variance.

Mr. George said he is for it, as he sees and understands the process. Absolutely, if the Board were to compare all the other variances granted in the past by not just this Board but previous Boards over the years, this is nothing compared to others that have been granted. The Board passes variances all the time for other stuff, and this variance request is the least of what has been requested and granted in the past, so yes, he totally supports it.

Mr. Pranis asked if the footprint of the shed could be moved anywhere else to where it would meet the required setbacks and not need a variance. It is the size of the shed that violates the setbacks, because if the shed were 96 square feet or less, the applicant would not need to be here because he would not need a variance.

Mr. Law said that is correct. The City saw fit many years ago to provide an exception for minimum 5-foot rear and side yard setbacks for 12-foot-by-8-foot sheds. In this case, the applicant is asking to place a larger shed closer to the lot lines than what the setbacks for larger sheds allow, which requires variance approval from the Board.

Mr. Kincaid said what he has a problem with is granting a variance without all of the steps being met for what he would consider as the proper criteria for the granting of a variance. He asked staff to put the six factors to be considered and weighed for the granting of a variance up on the overhead screens, as it is his opinion that the application does not meet the criteria other variance requests are held to.

Mr. Sarris said going back to what Mr. Pranis asked, could the shed just simply be moved to a spot where it meets the setback requirements for larger sheds?

Mr. Law said hypothetically, the applicant would be allowed to build a 120-square-foot shed without a variance as long as the shed complies with minimum 25-foot rear and 10-foot side yard setbacks. However, there is also a provision in the LDRs to require that a 10-foot separation be maintained between adjacent structures, so he does not know if the applicant would be able to comply with the setback requirements and the 10-foot separation required between the house and the shed without turning the shed around or maneuvering it to fit in some way.

Mr. Pranis said he appreciates the presentation made by the applicant, but he thinks the hardship is self-created, and that is what he is having an issue with. If there is a way for the applicant to either put in a smaller shed or turn the 120-square-foot shed around so it meets the setbacks and the 10-foot separation required between buildings, that is an option to look at going forward, and probably the direction he would recommend.

Motion: to deny Land Use Variance File No. VAR 2021-03 for a reduced rear yard setback from 25 feet to 12 feet and a reduced side yard setback from 10 feet to 5 feet for proposed placement of a 120-square-foot shed at 109 Kings Quarry Lane, based on the Board's determination that the applicant has not met the requirement for a hardship and that the precedential effect of granting variances without requiring a hardship or some demonstration of a lack of economic use of the property or reasonable economic use of the property sets a precedent that is going to make it more difficult for the Board in the future. **Moved** by Mr. Kincaid, **seconded** by Ms. Odom, **passed 7-0** by unanimous voice-vote.

- D. Conditional Use File No. CU 2021-02, for a conditional use permit for proposed new construction of a single-family residence in a commercial land use district on Lot 13, Block 5, Chautauqua Beach Subdivision, at 12 6th Street, Jeffrey and Marcia Kain, Applicants

Debbie Rodrigues, 4 12th Street, St. Augustine Beach, Florida, 32080, applicant, said she is applying to build a two-story, single-family home with no variances to the current setbacks or to exceed the maximum 35% lot coverage and 50% impervious surface ratio coverage allowed for single-family residential construction in medium density residential land use districts. There is a vacant lot next door to the east of her lot, between her lot and the Sunshine Shop, and aside from this lot, her lot is the only other vacant lot left on this side of 3rd Street.

Mr. Kincaid asked for public comment.

Kevin Vahey, 40 Jessica Lynn Place, St. Augustine, Florida, 32080, said he owns Tides Oyster Company & Grill, 641 A1A Beach Boulevard, St. Augustine Beach, Florida, 32080, which has been a pub and restaurant since the 1950s. It is currently open from 12 p.m. to 2 a.m. every day, and has constant noise, traffic etc. His concern is that there would be complaints in the future from people living in the house the applicant proposes to build in a commercial zone, which is why commercial uses and properties are usually next door to other commercial uses and properties.

Ms. Rodrigues said there is a vacant lot between Tides Oyster Company & Grill and her lot.

Mr. Kincaid said yes, but he would like to remind the applicant that she would be building a residence on a commercially-zoned piece of property, so the approved commercial uses that are being used now would be allowed to continue. The Board recommended approval to the City Commission of the conditional use permit to build a single-family home on a commercially-zoned lot across the street, at 105 3rd Street, and this lot is very similar to other lots that have been approved for single-family residences in transitional areas.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2021-03 for proposed new construction of a single-family residence in a commercial land use district at 104 3rd Street, subject to the conditions that the new home be built in accordance with regulations for new single-family residential construction in medium density land use districts per the LDRs and that the conditional use permit be approved to run with the property. **Moved by Mr. Sarris, seconded by Mr. Einheuser, passed 7-0 by unanimous voice-vote.**

- F. Conditional Use File No. CU 2021-04, for a conditional use permit for proposed new construction of four single-family residences on four lots all in a commercial land use district on Lots 5, 6, 7, and 8, Block 43, Coquina Gables Subdivision, at 103 E Street and 104 F Street, James G. Whitehouse, St. Johns Law Group, Agent for Leonard and Renee Trinca, Applicants

Ms. Miller said this conditional use application is for proposed new construction of four single-family homes on four commercially-zoned lots, two on the south side of E Street and two on the north side of F Street. These lots are the third and fourth lots back running west off A1A Beach Boulevard on E Street and F Street. The lots to the east of these four lots on E Street and F Street are also zoned commercial and they are not a part of this application. Lots 6 and 8 on E Street are currently addressed under one parcel identification number as 103 E Street and Lots 5 and 7 on F Street are currently addressed under one parcel identification number as 104 F Street. If this conditional use application is approved by the City Commission, the lots will be broken up and assigned different parcel identification numbers and addresses by the St. Johns County Property Appraiser's Office and GIS Department before building permits can be issued for construction. The site plan submitted with the application shows the proposed footprints of single-family residences that could be built on these four lots, which are all 50-foot-by-93-foot lots, so with the current setback requirements, building footprints for the four new homes could be 30 feet wide by 43 feet long, or 1290-square feet per story, up to three stories, or 35 feet in height.

Mr. Pranis asked Ms. Miller to clarify what she said about the lots adjacent to the east of the four lots that are a part of this application as all still being zoned commercial.

Ms. Miller said this is a conditional use application to build a single-family residence on a commercial lot at 12 6th Street, located directly to the east and behind Obi's Restaurant at 590 A1A Beach Boulevard. Obi's is currently using this lot for parking for its restaurant, although parking on this lot was not originally part of the final development or mixed use approvals given for the restaurant. Obi's currently has enough onsite parking per City Code, so the applicants may want to address if they have an agreement with Obi's for the use of their lot for parking, as this extra parking will obviously go away once they start building a single-family home on the lot. This is a 50-foot-by-93-foot lot, and the applicants are proposing to build a three-story, single-family home with the current setbacks required for a single-family residence in medium density residential zoning, and if the conditional use application is approved, staff recommends the proposed new single-family home be built in compliance with all of the regulations in the LDRs for single-family residential construction in medium density residential zoning.

Jeff Kain, 1580 Maidencane Loop, Oviedo, Florida, 32765, applicant, said he and his wife Marcia bought this lot in 2008, and at the time, they did not really understand it was zoned commercial and that they would need to submit this application to build a single-family home on it. It is their intent to build a new home for their family, it is not intended as a rental property. They have an arrangement with the owners of Obi's to allow Obi's to use their lot for parking until they get ready to build. The owners understand that the extra parking will soon be going away.

Mr. Kincaid said this application is similar to what has been granted several times this year already to other applicants who have applied for the same thing, to build a single-family home on a commercial lot. He asked the applicant if he is asking for any variances to setback requirements or anything else.

Mr. Kain said no, he is not asking for any variances, just approval to build a residence on this commercial lot.

Mr. Kincaid said the Board and City Commission usually approve such requests subject to the condition that the new single-family home construction be built in compliance with medium density regulations for single-family homes per the LDRs. He asked for public comment. There was no public comment.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2021-02 for proposed new construction of a single-family residence in a commercial land use district at 12 6th Street, subject to the conditions that the new home be built in accordance with regulations for new single-family residential construction in medium density land use districts per the LDRs and that the conditional use permit be approved to run with the property. **Moved by Mr. Kincaid, seconded by Mr. Einheuser, passed 7-0** by unanimous voice-vote.

- E. Conditional Use File No. CU 2021-03, for a conditional use permit for proposed new construction of a single-family residence in a commercial land use district on Lot 9, Block 19, Chautauqua Beach Subdivision, at 104 3rd Street, Deborah F. Rodrigues, Applicant

Ms. Miller said this is another application to build a new single-family residence on a commercial lot, at 104 3rd Street. Two months ago, at its January 2021 regular monthly meeting, the Board recommended the City Commission approve a similar conditional use application for the lot across the street, at 105 3rd Street. There is a vacant lot to the east of this applicant's lot that is owned by the owners of the Sunshine Shop at 64S A1A Beach Boulevard, and to the west of the applicant's lot, which is the last commercially-zoned lot on the north side of 3rd Street running west from A1A Beach Boulevard, there are single-family residences built on lots zoned medium density residential running west to the City plaza on the corner of 3rd Street and 2nd Avenue. The applicant is asking to build a two-story, single-family home in accordance with the current regulations per the LDRs for single-family construction in medium density residential land use districts, which is also staff's recommendation. The alley behind this lot has been vacated, so the lot is 50-feet-by-100.5 feet, or roughly 5,000-square feet.

Ms. Miller said Lots 1-4, which are the first two lots running west off A1A Beach Boulevard on the south side of E Street and the north side of F Street, are all zoned commercial and are not a part of this application. The commercial zoning runs 300 feet to the west from the centerline of A1A Beach Boulevard, so with the 50-foot westerly right-of-way of the Boulevard, the next five 50-foot-wide lots running west on E Street and F Street are all zoned commercial, including the four lots that pertain to this conditional use permit application.

James Whitehouse, St. Johns Law Group, 104 Seagrove Main Street, St. Augustine Beach, Florida, 32080, agent for applicants, said he is here on behalf of Mr. and Mrs. Trinca, who have owned the two lots on E Street for almost 30 years, and the two lots on F Street for over 16 years. For a number of years, they tried to market these lots for commercial uses, but unfortunately, but they have not proven to be marketable for commercial use, so they worked with local architect Mike Stauffer and came up with a plan for residential construction on these four lots. They believe these four commercially-zoned lots are appropriate for residential uses, as all of the properties to the west of these four lots on E Street and F Street have homes on them. The four lots to the east running to A1A Beach Boulevard will remain as commercially-zoned lots for appropriate commercial uses.

Ms. Odom said she thinks this is a good use of these properties, which will be much more attractive to sell with residential uses allowed on them, if that is the intent of the property owners.

Mr. Kincaid said for those Board members who were not on the Board at the time, a conditional use application to build single-family residences on these same four lots and including the four lots to the east was not approved by the City Commission about a year or so ago, basically because the Commission did not want to lose the potential commercial uses of these lots along the last block of commercial property running south along A1A Beach Boulevard. One of the things discussed by this Board at the time this previous application came before them was exactly the plan the applicants are currently proposing, which is to leave the four commercially-zoned lots to the east as they are for commercial development and uses and apply to develop the westerly four lots in the transitional area described by Mr. Whitehouse as residential uses. He asked for public comment.

Luke Newcomer, 109 E Street. St. Augustine Beach, Florida, 32080, said he is definitely in favor of this application. He and his wife live in and own a house at 109 E Street, and they also have a rental property at 112 E Street, and a commercial building at 770 A1A Beach Boulevard. They really love the neighborhood and are very much in favor of this plan to build single-family residences next door to their property at 109 E Street.

Motion: to recommend the City Commission approve Conditional Use File No. CU 2021-04 for proposed new construction of four single-family residences in a commercial land use district on Lots 5, 6, 7, and 8, Block 43, Coquina Gables Subdivision, at 103 E Street and 104 F Street, subject to the conditions that the four new homes be built in accordance with St. Augustine Beach Land Development Regulations for new single-family residential construction in medium density land use districts. **Moved** by Mr. Pranis, **seconded** by Ms. Odom, **passed 7-0** by unanimous voice-vote.

VII. OLD BUSINESS

There was no old business.

VIII. BOARD COMMENT

Mr. Law said regarding proposed plans for future joint workshop meetings of this Board with the City Commission, the Board has been asked to think about topics they would like to discuss at a joint meeting. The Board can either discuss potential topics now, or email any suggestions to Ms. Miller, who will forward them to the City Manager.

Mr. Kincaid said he has a comment regarding an appeal application that was filed to appeal a decision made by the Board, which he is fine with, as he thinks it is everybody's right to appeal any decision to the highest level. The Board made its decision in this particular case based on the best information they had, and when the appeal application was heard by the City Commission, he was present, along with Ms. Odom, to represent the Board. His understanding of the appeal process is that the Commission was to look at the way the Board conducted the process they underwent to make their decision to ensure they did not step out of line in any way that would require the entire process to be reassessed and redone. If the Commission wanted to know why the Board made the recommendation it did, that should have been sought out by the Commission, and that was why he attended this meeting, to represent and answer any questions the Commission may have had. However, there was not one question asked, which he saw as a lack of support for the Board, as the appeal applicant was given all day and night to talk about anything and everything. This Board, on the other hand, did not get the appropriate representation, assistance or support for the process, time, and effort the Board went through, so just in this instance, he thinks there could have been a better give-and-take. Then, when the application was kicked back to the Board for the Board to reconsider it, the Board was not given any real guidance from the Commission as to where they may have gone wrong in not following proper procedural guidelines. He does have a problem with that, because if the Commission had a problem with the way the Board addressed the application, that should have been questioned so the specific errors made by the Board during the process could be flushed out. To send the application back to the Board without any sort of guidance or different information or data points from what the Board had to begin with, and then expect the Board to come up with a different answer, is first of all not fair to the appellant, and second not respectful of the work the Board did in its consideration of the application.

Mr. Law said he would suggest interrelations between the Commission and Planning and Zoning Board be a topic of discussion at the joint workshop meetings. Also, any ideas the Board may have regarding potential City Code changes or issues can be brought up, as basically, the joint workshop meeting will give everyone a free pass to speak, respectfully, of course. The Board may very well bring some expertise to light that might be beneficial to the Commission, which is why they've been asked to think about topics they might want to bring up for discussion.

Mr. Pranis said he had every intention of going to the Commission's last meeting and speaking about their action regarding the Board's recommendation on the mobile food vending vehicles and mobile food sales, but something came up and he could not make it. He was just disheartened by how quickly the Commission decided on the mobile food vending ordinance without even considering, and basically dismissing, the Board's recommendations, so he would like to suggest this as a topic for discussion at a joint workshop meeting with the Commission.

Mr. Kincaid said if anyone has any other topics to recommend for discussion at a joint workshop meeting, please email them directly to Ms. Miller, and Ms. Miller only, and they will be forwarded to the City Manager.

IX. ADJOURNMENT

The meeting was adjourned at 7:23 p.m.

Kevin Kincaid, Chairperson

Lacey Pierotti, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)



MINUTES

**SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING
WEDNESDAY, MARCH 10, 2021, AT 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

I. CALL TO ORDER

Chair Krempasky called the meeting to order at 6:03 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Sandra Krempasky, Vice Chair Lana Bandy, and Members Craig Thomson, C. Michel Cloward, and Karen Candler.

Members Ann Palmquist and Lonnie Kaczmarzsky were absent.

Also present: Deputy City Clerk Dariana Fitzgerald and Grounds Foreman Tom Large.

IV. APPROVAL OF MINUTES OF FEBRUARY 10, 2021, REGULAR MEETING

The Committee noted a few typographical errors.

Motion: To approve the minutes of February 10, 2021, with suggested corrections. **Moved by:** Member Candler, **Seconded by:** Member Thomson. Motion passed unanimously.

Chair Krempasky moved on to Agenda Item #1.

V. PRESENTATION OF REPORTS:

1. Update on Vulnerability Study from Public Works

Chair Krempasky introduced Item #1 and asked Grounds Foreman Large for his staff report.

Foreman Large advised that currently Public Works Director Tredik did not have an update, but the City is moving forward with Phase III. Member Thomson asked Foreman Large to describe Phase III. Foreman Large advised that Director Tredik discussed details in a prior SEPAC meeting and that he would check the minutes. Chair Krempasky advised that her notes reflect that Director Tredik would be presenting Phase III in April.

Member Thomson said that there has not been a lot of communication between SEPAC and the consultants developing the project. He suggested inviting the consultants for a question-and-answer meeting regarding the project. Chair Krempasky advised that it is probably not in the

budget. She suggested that SEPAC Members should formulate questions to be sent to Director Tredik and then he could address the questions with the consultant.

Member Thomson said that possibly Director Tredik could attend a workshop meeting with SEPAC to answer questions before the completion of the project. He said that part of the project involves the Land Development Regulations. He said that the data is showing a rainfall event and a storm surge event, and if the project is designed for a Category 1 hurricane and a 100-year storm, there will be flooding. He said the Vulnerability Study did not identify the extent of the flooding and the number of houses it would affect. He asked how the project could proceed to Phase III without detailing the design parameters for flood control. He advised that before engineering the capital improvements, you need to determine the flood risk and what the parameters are for the design.

Chair Krempasky asked if Member Thomson would send an email to Director Tredik asking him to address the concerns of SEPAC. Member Thomson advised that it should be part of SEPAC's minutes and that it should come from the entire Committee and not one Member. Chair Krempasky advised that SEPAC's minutes will not be back to the Committee until a week before the April 14th meeting and that Director Tredik could address some of the questions in the interim. Member Thomson asked if the questions could be copied to the Committee Members. Deputy City Clerk Fitzgerald advised that they would be printed for the next agenda books. Member Thomson asked if Deputy City Clerk Fitzgerald could forward his email.

Deputy City Clerk Fitzgerald advised that forwarding the email should not be done because if any Member decided to instigate a conversation, then it would become a violation of the Sunshine Law. Whatever is discussed should be at a public meeting. She advised that this is a City board, not a club, and that State law must be followed. Member Candler said that a one-directional email or a copy of his email should be ok. Deputy City Clerk Fitzgerald advised that a one-directional email is ok, but historically a Member will reply. Discussion ensued regarding the disbursement of emails and the need to follow of State Sunshine Law regulations.

Chair Krempasky asked the Committee if they agree that Member Thomson should create the questions for Director Tredik to address with SEPAC regarding the Vulnerability Study's design parameters and capital improvements. She added that she would like the questions sent to Director Tredik with copies to Deputy City Clerk Fitzgerald and City Manager Royle.

Chair Krempasky asked Deputy City Clerk Fitzgerald if it is appropriate for a Member to email a Commissioner if that Commissioner asks the member for information. Deputy City Clerk Fitzgerald said yes, Members can communicate with Commissioners. She said that Members cannot communicate with each other outside of a scheduled meeting because it is a violation of the State Sunshine Law. She described the potential penalties for violating the Sunshine Law.

Chair Krempasky advised that if a Member has information that they want the Commission to see, they could forward it to them directly. Member Thomson said that Members could also send information to the Comprehensive Planning and Zoning Board. He said that SEPAC is a Committee that is supposed to make recommendations and that he has put together a book of articles about climate change and sea level rise that could be used in the City offices.

Chair Krempasky asked if there were any further comments.

Member Thomson said that since Director Tredik could not be at the meeting, that he would like to make a motion to suggest having a workshop meeting with City staff or to have Director Tredik attend a meeting with an update. Chair Krempasky said the Member Thomson should follow through with asking Director Tredik the Committee's questions about the Vulnerability Study. She said there is no reason for Director Tredik to attend a meeting unless there is progress on the project. Member Thomson said that the project has a sequence of stages and that Director Tredik could give an update and maybe some of SEPAC's questions would be answered. Chair Krempasky said that possibly Director Tredik has an update that he could provide SEPAC for the Agenda Books. Deputy City Clerk Fitzgerald said that there is no update at this time, and that she would ask Director Tredik for his update for next month's agenda. Member Thomson said that possibly Director Tredik could attend the next SEPAC meeting to provide his update. Deputy City Clerk Fitzgerald said that since the project is being done by a contractor, that Director Tredik may not be updated as frequently by the stages, but instead by a final report.

Discussion ensued regarding the Northeast Florida Regional Council (NEFRC) Vulnerability Study meeting on February 24, 2021. Member Thomson said that the NEFRC is a resource for Neptune Beach and other coastal cities. He said that SEPAC might be able to contact the NEFRC and ask how they are dealing with stormwater impact. He asked if he could contact NEFRC via letter asking them for information or to ask if a representative could attend a SEPAC meeting. Chair Krempasky suggested the Member Thomson ask Director Tredik if it is appropriate for SEPAC to contact the NEFRC. Deputy City Clerk Fitzgerald said that she believed that it was a requirement for the submission of the Vulnerability Study to the State. She said that the City had to obtain information from certain levels such as the NEFRC. Member Thomson commented that the NEFRC is a major resiliency coordinator for Northeast Florida and said he would like to copy his questions to them. Chair Krempasky said that she would prefer that Member Thomson ask Director Tredik if it is appropriate to include the NEFRC. Member Thomson said the NEFRC is a resource to find out what other coastal communities are doing. Chair Krempasky advised that she would prefer to ask Director Tredik if it is appropriate to include NEFRC. Member Thomson agreed to ask Director Tredik. Deputy City Clerk Fitzgerald advised that if Member Thomson is acting on behalf of SEPAC that he should go through Director Tredik.

Vice Chair Bandy asked if the Vulnerability Study meeting on February 24th was recorded. Deputy City Clerk Fitzgerald advised that it was recorded by the NEFRC. She said that it could be available through a records request. Vice Chair Bandy asked if the recording is obtainable, could it be posted on the City's website. Member Thomson said he agreed it would be helpful to have and to post on the City's website. He also stated that he is surprised that there is not a hard copy showing the areas that the NEFRC studied and what vulnerabilities they found. He said that the residents in the City's flood prone areas should be interested in the information from the study. Discussion ensued about the City's streets that have flooding problems, such as the Pope Road area and Salt Run.

Member Candler asked how it could be requested and posted on the City's website. Deputy City Clerk Fitzgerald said that she would ask about getting the video from the NEFRC and then upload it to the City's YouTube page. Chair Krempasky asked Deputy City Clerk Fitzgerald if she would follow up with requesting the video. Deputy City Clerk Fitzgerald said yes.

Member Thomson asked Foreman Large when Phase III is scheduled to be completed. Foreman Large advised that he did not know the completion date. Chair Krempasky said that there is supposed to be a presentation in April, and that she assumed it would be presented at the Commission Meeting in April. Deputy City Clerk Fitzgerald said that April was just an estimate and that she has already started to prepare the April 5th Commission books.

Chair Krempasky moved on to Agenda Item #2.

2. Reforestation and Landscaping Projects

Chair Krempasky introduced Item #2.a and asked Foreman Large for his staff report.

a. Mickler Boulevard

Foreman Large advised that Mickler Boulevard was recently paved and that in the next few days a crew will go out to apply sand to the utility strip because it has a higher elevation. He advised that depending on the budget, there are possible improvements to Mickler Boulevard. He said that SEPAC Members have suggested beautification behind the sidewalk such as benches and plantings (Indian Hawthorn, Ligustrum). He advised that Public Works would like to know if any SEPAC Members would like to be involved with the design and beautification of Mickler Boulevard between Pope Road and 16th Street.

Chair Krempasky advised that she would like to get the advice of the Landscape Architect. Deputy City Clerk Fitzgerald said this project is similar to others that SEPAC chose the plantings for. Chair Krempasky asked if Director Tredik had already done a rendering of the area. Deputy City Clerk Fitzgerald said yes, but that the rendering was for the protective landscape area between the road and the sidewalk. She advised that this project is different because it is strictly for the beautification east of the sidewalk.

Foreman Large advised this project is being done in phases beginning with the beautification of the area behind the sidewalk. He said that Building Foreman Wayne Tichy is going to create benches similar to the ones at Splash Park. He said that SEPAC Members might want to choose certain plantings.

Member Candler asked Foreman Large if it was 18-feet from the sidewalk and the ditch. Grounds Foreman Large advised that there are overhead powerlines within a few feet of the sidewalk. He advised that his notes show that there is 10-feet between the telephone pole and the pipe. He suggested smaller plantings and trees that would not interfere with the powerlines or the pipe.

Member Candler said that she thought the beautification was a great idea because a lot of people use the area for walking and biking. She asked why this project was only from Pope Road to 16th Street. Deputy City Clerk Fitzgerald advised the section of Pope Road to 16th Street was all that was able to budget for so far and the City does plan to continue it the rest of the way when funds become available.

Member Candler asked if the City was the entity that was recently digging the Mickler Road ditch out. Foreman Large advised that it was St. Johns County. He said that a lot of streets in the City are actually County Roads. Member Candler said she is

concerned that if the beautification project on Mickler Boulevard gets planted, that the County might come in and dig again. Deputy City Clerk Fitzgerald advised that Mickler Boulevard is a City road so the County would not be the problem. She said that FPL possibly would come in to do maintenance on the powerlines. Member Thomson said that there is some confusion, because Foreman Large just stated that the County was the entity on Mickler Boulevard doing the digging. Foreman Large said that the County does certain work for the City because they have special equipment that the City does not have.

Member Candler said she thinks it would be a great project for SEPAC. Chair Krempasky said that she did not have a problem with SEPAC being involved with the beautification project, but she did not want to hire anyone to do the plantings. Member Candler asked if the City would be buying and planting the plants, and then SEPAC would give suggestions of what it should look like. Foreman Large advised not necessarily. Deputy City Clerk Fitzgerald said that the City still needs the materials to build the benches, etc.

Member Candler asked Foreman Large how long the distance is. Foreman Large advised that the distance is 1,400-feet. He said that there could possibly be a couple benches added around 800-feet or 1,100-feet. Chair Krempasky asked Member Candler if she would give suggestions to Public Works and also asked that she follow up with Member Kaczmarsky. Member Thomson advised that he had some suggestions for Member Candler for the use of salt-tolerant plants. Member Thomson proceeded to show Member Candler the area and discuss how the area floods.

Chair Krempasky moved on to Item #2.b. and asked Foreman Large for his staff report.

b. Urban Forestry and Planning Projects

Foreman Large said that Deputy City Clerk Fitzgerald advised him that past minutes contained information regarding the Village of Pinecrest and how they came up with a way for residents to get involved with planting. He said that the City has now come up with a rough draft (Exhibit A) and that the City is still looking into putting plantings in resident's front right-of-ways. He said that Public Works is asking for input from SEPAC. He said that the wording must specify that the City would not be responsible, and that the residents would take care of the plantings.

Discussion ensued regarding the Urban Forestry projects; obtaining the City Attorney's suggestions for the wording; the care instructions for the trees; the types of trees; the right-of-way areas suggested, etc.

Member Candler asked how this project is different from the palm trees. Member Thomson said that the City has maintained the palm trees and that it takes a lot of work to care for them. Deputy City Clerk Fitzgerald advised that the palm trees on the Boulevard are in a commercial district and that it is different from this residential project.

Chair Krempasky asked the Members to review the handout information and come back with suggestions at the next meeting.

Member Thomson said that the Urban Forestry program is something the Tree Board is trying to sustain because it does help with flooding. He said that he would like to have information regarding the Urban Forestry program benefits. He suggested that there be a tree selection guide along with the tree sizes available to help residents understand.

Chair Krempasky asked Foreman Large if there were any trees in the Public Works nursery that were to be used for this project. Foreman Large advised that there are two Oak trees. Member Thomson asked what size the Oak trees are. Foreman Large said that the Oak trees are around 8-feet and were previously purchase by SEPAC.

Deputy City Clerk Fitzgerald said that she agreed with Member Thomson. She said that the more beneficial information the City can provide to the public will help the residents decide if they want to have a tree planted in front of their house in the right-of-way. She said that SEPAC could think of ways to promote and market it. Member Cloward asked Deputy City Clerk Fitzgerald how the promotional and marketing material would get out to the public. Deputy City Clerk Fitzgerald advised that the normal way would be to post it on the website and the City's Facebook page. She said that there may also be NextDoor and Instagram accounts setup and that she would check into it. She said that she believes the Commission is going to be discussing the possibility of budgeting for a large electronic, roadside sign. That the City has used one belonging to the County or Sheriff's Office in the past and it has been beneficial to get information to the public. Member Cloward said she has software from her business that she could use to create the marketing information.

Member Candler asked if the Urban Forestry Plan identified areas that need trees more than other areas. Foreman Large said yes. He said that Arbor Day is also coming up and if SEPAC gets a design approved by the Commission, that it could go in the packages with the trees for Arbor Day. Chair Krempasky asked Foreman Large if he contacted the City of Pinecrest to ask if the City could adopt some of the language they used in their program. Foreman Large said that the Pinecrest program required the resident to pay for the trees and to notarize the documents. He said that the City's tree planting program would omit those requirements and keep the program as simple as possible. He said that the SEPAC Members could each submit individual drafts.

Chair Krempasky advised that she would like the City Attorney to review the document because the Pinecrest document used the word "affidavit" and that a "notary" is required. She said that maybe it could be called something else and then it would not have to be notarized. Foreman Large said that he would ask the City Attorney for advice on the wording. He advised that he would have more information at the April meeting.

Discussion ensued regarding the time constraints for the Arbor Day handouts; rewriting the draft for approval at April's meeting; asking the City Manager for his suggestions, etc. Deputy City Clerk Fitzgerald said that the new draft would need to be sent to her no later than April 5th. Member Cloward said that she would send it to Deputy City Clerk Fitzgerald this week to ensure that there is enough time to have City Manager Royle and the staff review it.

Member Candler suggested getting HOAs involved. Foreman Large advised that he had paperwork with possible addresses to use for the plantings. Vice Chair Bandy asked Foreman Large if Public Works would be choosing the type of trees for each area or would the residents get to choose the type of tree they want. Foreman Large advised that Public Works would choose the trees that best suit each area. He said that there was an excellent study that showed which trees would do well in certain areas.

Member Candler asked Foreman Large how many trees are going to be used for this project. Grounds Foreman Large said that it would be several hundred trees. He advised that some of the areas may have changed since the survey was done. He said that he went around the City and noted the areas that would not be suitable any longer. Deputy City Clerk Fitzgerald said that some of the survey was done by walking the streets and some by satellite imagery. She said that the survey shows the tree canopy, and it indicates where trees could be planted, and it also indicates damaged trees that could be removed.

Chair Krempasky asked if any of the Members thought that the term "adopt a tree" was old fashioned. She asked if the Members could come up with a more "up-to-date" wording that might appeal to the families with children.

Foreman Large said that at last year's tree give-away, a man with his five-year old son told him a story that when he was five-years old his father adopted a tree and that the tree is still there and that was why he is doing the same for his son.

Chair Krempasky move on to Agenda Item #3 and asked Foreman Large for his staff report on Arbor Day.

3. Educational Programs

Foreman Large advised that there have been major changes to Arbor Day. He said that Member Kaczmarzsky had great suggestions for trees at the last meeting and that he contacted the tree company. He said that the tree company advised him to order the trees now because they would not be available in April. He said that Director Tredik approved ordering the trees. He advised that he ordered 150 beautyberry, 150 dahoon holly, and 150 myrtle oaks.

Chair Krempasky asked Foreman Large if the Arbor Day date was going to be moved up. Foreman Large said that the Arbor Day date was moved forward to April 28th because of the Mayor's scheduling conflict.

Member Candler asked Foreman Large if the plan is to have people come to pick the trees up. Foreman Large advised that because of social distancing it will be similar to last year's event. He said that Arbor Day was being held at the Wednesday Farmers Market and the City will have a booth set up. He said that there will be information at the booth that will be handed out and that when a tree choice is made, they will get the specific information pertaining to that type of tree.

Chair Krempasky advised that she will get pricing for the garden calendars that SEPAC discussed and that she agreed to purchase at the last meeting. Deputy City Clerk Fitzgerald said that the information at the booth will be in a gallon size Ziploc bag and handed out.

Chair Krempasky commended Foreman Large for all his hard work.

Deputy City Clerk Fitzgerald said that St. Johns County also has its 200th anniversary coming up. Foreman Large advised that Communications and Events Coordinator Conlon is working to have the City do a tree planting ceremony to coincide with the County's 200th anniversary.

Chair Krempasky asked if there is a space at the pier area to plant an Oak tree. Foreman Large said no. He advised that the plan is to use the area near the old city hall. He advised that there is an open area near the bocce ball court and that a six-foot Red Cedar would be planted next to the existing Cedar tree and that Scrub Oaks will also be planted which will give the bocce ball court shade in the years to come. Member Thomson asked Foreman Large if the open area he is referencing is to the south side of the parking area where the Building Department used to be. He advised that there is a septic tank for the Dance Company in that area. Foreman Large said that the plantings would be east of the bocce ball court. Discussion ensued regarding the bocce ball area and the plantings; the time of the tree planting ceremony; and the details of the event.

Chair Krempasky asked Foreman Large what the cost was for the Arbor Day trees. Foreman Large said the cost for the trees was \$273 plus shipping, which totaled around \$300.

Member Thomson asked Foreman Large what type of tree would be planted near the bocce ball court. Foreman Large advised it is a Red Cedar which was left over from a previous Arbor Day event and has since grown to about 7-foot tall. Member Thomson said that the Red Cedar will get salt water if planted in that area. Foreman Large advised that the Cedar tree that is already planted in the area is thriving and beautiful. Member Thomson said that the webinar on sea level rise showed that the pier park is a major vulnerability.

Chair Krempasky asked Vice Chair Bandy for any updates on educational programs.

Vice Chair Bandy advised that she spoke to her contact at the library and that they are currently not scheduling any in-person events.

4. Development of a Committee Strategic Plan

Chair Krempasky advised that Agenda Item #4 was being tabled to another meeting and she moved on to Agenda Item #5.

5. Environmental Policy & Planning Recommendations

Chair Krempasky introduced Item #5 and asked Vice Chair Bandy for her staff report.

a. Sea Level Rise

b. Climate Change Initiatives

Vice Chair Bandy advised that she contacted SurveyMonkey and that they need detailed information of how the account was paid for, the cost, and the date, so that they can verify the prior account was the City's account. She said that since the account was not renewed, the account would become a "basic plan". She advised that the survey is still available and that some of the data is still available. She said that only forty responses are allowed with the basic plan and that everything above forty responses has been deleted. She advised that the City could reactivate the account.

She said Survey Monkey offers a discount of 25% for non-profits and if accepted as a non-profit, the City's cost would be around \$288 with the discount.

Chair Krempasky asked Vice Chair Bandy if SurveyMonkey said how many responses were received from the previous survey. Vice Chair Bandy said that SurveyMonkey was reluctant to give detailed information. Chair Krempasky asked if the City verifies the account, would the information be provided.

Deputy City Clerk Fitzgerald advised that to verify the information, records research would need to be done of the invoices, records of payment, etc. She said that currently the Finance Department is short staffed and that it could possibly be researched next week.

Chair Krempasky asked Vice Chair Bandy if she was following up with anything further on SurveyMonkey. Vice Chair Bandy advised that she thought the next step was looking into the account.

Chair Krempasky asked the Members if they thought it would be of value to get the forty responses. Member Thomson said he has two concerns; trying to get the forty responses; and reactivating the account to get the survey back out to the residents. Chair Krempasky said that the survey is still available from SurveyMonkey with proof that the City was the prior account holder. Vice Chair Bandy said the survey is only providing forty responses. Chair Krempasky said it is worth spending the money to use SurveyMonkey again.

Discussion ensued regarding the use of SurveyMonkey; the reactivation of the account; the forty responses data; and to revamp the survey and start from scratch.

Chair Krempasky said that it will not cost anything extra to obtain the forty responses if the City can reactivate the account. Vice Chair Bandy asked if any Members remembered the date that the survey was done. Deputy City Clerk Fitzgerald said that she believes it was late summer or fall of 2019.

Chair Krempasky asked Deputy City Clerk Fitzgerald if Ms. Walker had this subscription for the residential survey that she did. Deputy City Clerk Fitzgerald said yes. Chair Krempasky said that the subscription might go farther back in the invoice records to be researched. Deputy City Clerk Fitzgerald said that the account subscription was initiated by Ms. Walker soon after she was hired by the City. Chair Krempasky asked Deputy City Clerk Fitzgerald if she would find out when Ms. Walker was hired to help narrow the research of the records. Deputy City Clerk Fitzgerald advised that nothing would be able to be researched until next week when the Finance Department is not short staffed.

Chair Krempasky asked for a motion.

Motion: to spend money to reactivate the SurveyMonkey account. **Moved by** Member Thomson, **Seconded by** Member Candler. Motion approved unanimously.

Member Thomson asked to discuss the topic of Sea Level Rise.

Member Thomson said that sea level rise has flooding issues associated with it. He said that part of vulnerability studies look at Land Development Regulations (LDR). He

said that the City's engineering consultant, Crawford, Murphy & Tilly (CMT), indicated the City has a unique situation with coastal dunes one side and an elevated new A1A Beach Boulevard on the other side. He advised that the City's vulnerability is when stormwaters push against the dikes and culverts, that the water will flow into the City instead of out of the City. He said that the vulnerability study indicates the City flooding from stormwater and storm surge. He said that the LDRs need to be devised so that there is no run-off being created. He said there are three examples of how to stop stormwater run-off: to use cisterns to trap water and allow it to be absorbed into the ground; to use permeable paving which is only useful if it holds the water until it absorbs into the ground; and a French drain system which directs water below ground to dissipate gradually. He advised that the City currently has an Ordinance proposal to reduce setbacks and it uses a permeable drainage system which is not retaining water. He recommends using the research on sea level rise to propose regulations to the Building Department that will help protect the environment.

Chair Krempasky asked Member Thomson what specifically he suggests should be done pertaining to the proposed ordinance to reduce setbacks. Member Thomson said that it is important for SEPAC to address its concerns about stormwater run-off to Building Official Law and that the proposed ordinance to reduce setbacks should specify not to increase flood risk.

Chair Krempasky recapped the history of the City's setback regulations and the changes throughout the years, such as reducing the setbacks, then reverting the setbacks to what they were in 2013. She advised that the Commission is currently considering an ordinance to reduce the setbacks again particularly for smaller lots. She discussed that the Impervious Service Ratio (ISR) was increased to nearly 40% and that the setbacks would not allow to build out more than the Code allows. She said that the community worked on the setbacks for four years with the Planning and Zoning Board and that a planning consultant gave the City guidance.

Member Cloward said that she attended a Planning and Zoning Board meeting at which there was a public hearing for 202 A Street regarding reducing the setbacks to seven feet. She said that the reduction in setbacks must have already happened because that house has been built.

Discussion ensued regarding reduced setbacks; appealing decisions made by the Building Official and the Planning and Zoning Board; variances being requested and approved for individual properties.

Chair Krempasky said that the Building Official indicated that variances waste the Planning and Zoning Board's time and an ordinance to reduce setbacks should reduce the number of variances being requested. Member Thomson said that the changes do not consider the adverse effect of flooding and it leaves no room to plant trees. He suggested that SEPAC make recommendations to the Planning and Zoning Board to do something to control flood risk.

Discussion ensued regarding the clearing of the lot at 202 A Street; Code Enforcement issue taking down a tree at a parkette; etc.

Chair Krempasky advised that SEPAC does not need to initiate the complaint about the removal of a tree from a City parkette. She said that any citizen can register a complaint with Code Enforcement to investigate a complaint.

Member Thomson advised making a recommendation to the City Commission that any LDR changes which may have an adverse effect on the environment and increase flood risk should be brought before SEPAC for a review. Member Cloward said that some builders do replant trees during the building process.

Chair Krempasky asked Deputy City Clerk Fitzgerald to explain the procedure for the readings of an ordinance. Deputy City Clerk Fitzgerald explained that at City Commission meetings, there are three votes at public hearings involving Land Development Regulations (LDRs) and two votes for general codes.

Chair Krempasky asked why an ordinance would ever go back to the Planning and Zoning Board. Deputy City Clerk Fitzgerald advised that LDRs would go back to the Planning and Zoning Board between the first and second votes. Chair Krempasky asked if the LDR approval process could take several months.

Member Thomson asked to make a motion for approval to send his recommendation to the Commission that LDR changes be brought before SEPAC for review. It was the consensus of the Members to ask the Commission to make it a policy that for any LDR changes that may adversely impact the environment or increase flood risk be brought before SEPAC for review.

Chair Krempasky moved on to Item #5.c

c. Right-of-Way Ordinance

Chair Krempasky asked Member Thomson if he had an update report from Public Works or the Building Department regarding the right-of-way ordinance.

Member Thomson advised no. He said that he believes a request can be submitted through St. Johns County. He said that in 2019, a sea level rise study was done which was presented to the Commission. He discussed several details of the study such as: can the City's stormwater drainage system become more sustainable and re-establishing the City's right-of-way swales to increase the natural retention of stormwater. He referenced locations shown on an exhibit map and discussed how the re-establishment of a swale system would help with water retention.

Member Candler asked if a small swale would make a difference. Member Thomson said yes. Member Candler asked if the City has rules that the builders have to adhere to with regards to runoff, etc. Member Thomson advised that Director Tredik is starting a new right-of-way permit. He said that the Building Department only permits the footprint of the building construction and that there is currently no permitting requirement for site-work and driveways. He said that it is a simple rule to follow St. Johns County's Land Development Regulations to create a small swale in the driveway to help retain the water. Chair Krempasky asked Member Thomson if he would send a letter on behalf of SEPAC to Director Tredik asking him to incorporate the County's plan. Member Thomson said yes. He also recommended that the letter should be sent to the City Commission.

Chair Krempasky said that since Director Tredik is already working on a new right-of-way permit application, that SEPAC is recommending that the County's LDR swale requirements be incorporated. She said that Director Tredik may want to bring the information to SEPAC first to get feedback.

Chair Krempasky moved on to Item #6 and asked Member Thomson for his staff report.

6. Sustainable Stormwater Management Research

Member Thomson said that Item #6 is combined with Item #5.c.

Chair Krempasky closed the agenda items.

VI. OTHER COMMITTEE MATTERS

Vice Chair Bandy advised that she received an email from Lowe's regarding a program they are promoting called "100 Hometowns". It is a nationwide grant program for cities and non-profits. She said that people can nominate their city/town to receive funds up to \$10 million. She said some project ideas to propose to Lowe's could be building projects, landscaping projects, community space development, parks, revitalization, etc. She said that each person could submit two projects and that the deadline is April 19th. She said that the website is: Lowe's100hometowns.com.

Member Thomson said that he would like to suggest proposing a project to add a pavilion for the picnic tables at the bocce ball court area. Foreman Large advised that the bocce ball court area may be changing in the future. Member Thomson advised that the area must be kept as a recreational/cultural area. He asked Foreman Large for more details of what the City has planned for the area. Foreman Large advised that he did not know the details. Member Candler said that at the last Commission meeting it was discussed that the lease of the old city hall building is up for renewal. Member Thomson said that he did not understand how the lease for the old city hall building would have anything to do with the Lowe's project.

Vice Chair Bandy advised that she would complete and submit the applications for the Lowe's "100 Hometowns" program. She then asked for suggestions from the Members for projects to submit. Deputy City Clerk Fitzgerald advised that it would be beneficial to be as accurate as possible with the estimated costs for the projects submitted. She also advised that since projects would be on City property, that they would require approval by the City.

Member Thomson asked Vice Chair Bandy if she could contact the City Manager or Public Works Director to ask for help with the application. Chair Krempasky said that the Mickler Boulevard beautification project would be a perfect submission to Lowe's. Member Candler agreed with Chair Krempasky. Vice Chair Bandy said that she would contact City Manager Royle to determine if the submissions are allowable. And if approved, she said that she would do a draft of the submissions.

Foreman Large advised that he would provide Vice Chair Bandy with pricing for the projects to help her with estimating the cost on the applications.

Chair Krempasky advised that SEPAC's next meeting is April 14th and that the draft(s) could be approved then.

Foreman Large said that Events Coordinator Conlon may be able to get involved as well. Vice Chair Bandy said that she would contact Coordinator Conlon.

Chair Krempasky said that if the future of the old city hall building is currently being determined by the Commission, that a \$100,000 grant from the Lowe's project could go a long way to work on the building. She said that the building has been the heart of the City for a long time. Deputy City Clerk Fitzgerald said that the old city hall building needs significant repairs and that the upstairs is not safe. Chair Krempasky said there are many other uses for the building such as turning the upstairs into a gallery.

VII. ADJOURNMENT

Chair asked for a motion to adjourn the meeting.

Motion: to adjourn the meeting. **Move by** Member Thomson. **Seconded** by Member Cloward. Motion passed unanimously.

Chair Krempasky adjourned the meeting at 8:25 p.m.

ATTEST

A handwritten signature in black ink, appearing to read 'Max Royle', is written over a horizontal line.

Max Royle, City Manager

A handwritten signature in black ink, appearing to read 'Sandra Krempasky', is written over a horizontal line.
Sandra Krempasky, Chair

COMMISSION REPORT

April 2021

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS March 23, 2021- April 18, 2021

CALLS FOR SERVICE 1192
OFFENSE REPORTS 52
CITATIONS ISSUED 84
LOCAL ORDINANCE CITATIONS 46
DUI 1
TRAFFIC WARNINGS 201
TRESSPASS WARNINGS 17
ANIMAL COMPLAINTS 11
ARRESTS 7

- **ANIMAL CONTROL:**

- St. Johns County Animal Control handled 11 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES:

Activities canceled/limited due to COVID-19

SJC Library Reading: April 6th and 16th at the Pier

MEMORANDUM

Date: April 20, 2021
To: Max Royle, City Manager
From: Bill Tredik, P.E., Public Works Director
Subject: April 2021 - Public Works Monthly Report

Funding Opportunities

Public Works is managing the following active grants:

- **City of St. Augustine Beach Vulnerability Assessment**
Florida Resilient Coastlines Program - Resilience Planning Grant
Grant amount - \$72,500; no match required
Status – Revenue agreement has been executed. Task 2 completed in February 2021. Final Report is to be presented to the City Commission on May 3.
- **Mizell Pond Weir and Stormwater Pump Station - Construction**
Districtwide Cost Share – St. Johns River Water Management District
Grant amount \$632,070; FEMA HMGP money as match
Status – Revenue agreement has been executed. Construction pending.
- **Mizell Pond Weir and Stormwater Pump Station - Construction**
HMGP grant – FEMA/FDEM
Grant amount \$2.58 Million; SJRWMD Districtwide Cost Share as match
Status – Grant agreement executed by City. Awaiting fully executed agreement from FDEM. Construction pending.
- **Ocean Hammock Park Phase 2A - Construction**
Florida Recreation Development Assistance Program
Grant amount - \$106,500; \$35,500 match required
Status – The Grant Agreement has been executed. SJRWMD permit received

- **Ocean Hammock Park Phase 2B - Design & Permitting**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$25,000; \$25,000 match required
Status – The Grant Agreement has been executed. Design underway.

Public Works has also applied for the following grants for Ocean Hammock Park:

- **Ocean Hammock Park Phase 2B – Construction**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$60,000; \$60,000 match required
Status – Grant Applied for on 9/24/2020. Forwarded to NOAA for consideration.
Decision expected in May 2021
- **Ocean Walk Drainage Improvements**
Legislative Appropriation Request
Appropriation Request Amount - \$694,000
Status – Decision expected in June 2021

Maintenance Activities

Rights-of-way and Parkettes – Public Works continues to provide essential maintenance services on rights-of-way and parkettes. Restrooms on 10th St. and A St. are open all day and are regularly cleaned and disinfected to help reduce spread of COVID-19. Public Works has completed seasonal trimming of the palm trees on A1A Beach Boulevard and State Road A1A. Seasonal mowing will increase as we move into the growing season.

Splash Park – Splash Park is operational.

Mickler Boulevard Landscaping – Design of landscaping along Mickler Boulevard between Pope road and 16th Street is being coordinated with SEPAC.

Buildings – Enhanced sanitization operations continue at City buildings and public restrooms.

Fleet – The Public Works Department continues to do minor fleet maintenance on our larger trucks, heavy equipment and regular work trucks, to reduce outside repair costs.

Lakeside Park Dock Repair [DESIGN] – A Request for Proposals to construct repairs to the Lakeside Park dock has been advertised on Demandstar. Bids will be opened in May with construction scheduled for Summer 2021.

Capital Improvements

Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [CONSTRUCTION] –

The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. Phase 1 (design and permitting) is complete and the city has received reimbursement from the Florida Division of Emergency Management (FDEM). FEMA has authorized Phase 2 (construction) and the city Commission approved the grant agreement with FDEM on April 5, 2020. The City has signed the agreement and forwarded it to FDEM for full execution. Bids were approved on April 5, 2021, and the Commission approved entering into a construction contract with Sawcross, Inc. Final execution of the construction contract is awaiting FDEM execution of the grant agreement. Construction is anticipated to commence in Spring 2021. FEMA will reimburse of 75% of the total construction cost, with \$632,070 to be paid by the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program.

Ocean Hammock Park Phase 2A [PERMITTING/BIDDING] –Public Works has completed design and received a SJRWMD permit for Phase 2A improvements to Ocean Hammock Park. The Phase 2A improvements include handicap accessible restrooms (including a sanitary lift station and force main), an outside shower, water/bottle fountain, an additional handicap parking space in the parking lot, two (2) picnic areas near the parking lot, an informational kiosk, and a nature trail with interpretative signage. Construction is funded by park impact fees and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Construction is scheduled for Summer 2021.

Ocean Hammock Park Phase 2B [DESIGN] – Public Works has begun design of Phase 2B of Ocean Hammock Park. Phase 2B includes additional parking and improvements to the interior of the park including, a picnic pavilion, observation deck, education center, additional trails with interpretative signage, bike and kayak storage, and handicap accessible connection to phase 2A and to the existing beach walkway. Design and permitting is funded by a park impact fees and a \$25,000 grant from the Coastal Partnership Initiative. Design is anticipated to be complete in FY2021. The City has also submitted a grant application for assistance with construction of the observation platform and additional walkway. Construction of these components is planned for FY22.

Vulnerability Assessment [UNDERWAY] – Work is underway on the vulnerability assessment. Work is progressing in three (3) tasks. Task 1 was completed in December 2020. Task 2 was completed at the end of February. Project work includes data collection

and analysis to identify vulnerabilities to storm surge and extreme tides, updating the City's GIS drainage database, updating the City stormwater model, public outreach and involvement, development of adaptation plan, including conceptual plans for projects which increase resiliency. A public meeting was held on February 24th. The final plan will be presented to the City Commission on May 3, 2021 for approval and use in developing future capital improvement plans.

11th Street Pipe Repair [DESIGN] – 11th Street is experiencing subsidence in several locations due to leaks in existing pipe joints. Public works has installed temporary patches to level and improve the safety and drivability of the roadway and is initiating design of improvements which will be constructed in FY21. Design of improvements is underway. Construction is anticipated in the 2nd half of FY 2021.

Roadway Resurfacing [CONSTRUCTION] – Roadway resurfacing for FY21 is underway. Mickler Boulevard between Pope Road and 16th Street was resurfaced in January. Tides End Drive and Mickler Boulevard from A Street to 11th Street was paved in April. Paving of the portion of Mickler Boulevard between 11th Street and 16th Street is delayed due to a failing sanitary sewer line, just south of 16th Street, which is causing roadway subsidence. This stretch of roadway will be resurfaced after the line is repaired and the roadway base is repaired by St. Johns County Utilities. Oceanside Circle and Atlantic Alley are scheduled for paving in the 2nd half of FY21, pending remaining paving funding and completion of necessary drainage improvements in advance of the paving.

Streets / Rights of Way / Drainage

Ocean Walk Drainage Interim Improvements [COMPLETE] – Public Works has installed a pump-out structure in the Mickler Boulevard right-of-way, as well installed a backflow prevention device to prevent water in the Mickler Boulevard drainage system from backing up into the Ocean Walk neighborhood. The installed interim improvements will allow the City to more easily pump down the Lee Drive drainage system.

Ocean Walk Drainage Study [DESIGN] – The City Commission approved a contract with Matthews Design Group on March 1, 2021. Preliminary Design is commencing.

Oceanside Circle Drainage [DESIGN] – Survey is complete on Oceanside Circle to determine options for improving drainage in the area. Design and permitting will follow with construction planned for mid to late 2021, depending upon funding availability. Paving of Oceanside Circle will be done upon completion of drainage improvements.

Street Lighting

- Seven (7) new streetlights were installed at unlit intersections along S.R. A1A. Public Works is coordinating with FPL to install one (1) additional streetlight at the Sevilla Street intersection. The additional light at Sevilla was schedule to be installed by May 3, 2021.
- FPL is proceeding with ten (10). new streetlights at poorly lit locations along A1A Beach Boulevard. The additional lights were scheduled to be installed by May 3, 2021.
- Staff has coordinated with FPL regarding appropriate LED lamp types for various locations throughout the City and is developing a phased plan for conversion to LED fixtures. Phase 1 of the Plan, to be presented to the City commission on May 3, 2021, converts lights on arterial and collector roadways within the City, including:
 - S.R. A1A
 - A1A Beach Boulevard
 - Mickler Boulevard
 - Pope Road
 - 16th Street
 - 11th Street
 - A Street.

Electric Vehicle Charging Station – The vehicle charging station has been installed next to Building C, and Public Works has modified the area around the charger to accommodate handicap accessibility. The City continues to work with NovaCharge, LLC to finalize the service contract for the reimbursement of electrical costs associated with charging sessions. The station will be activated upon execution of the service contract.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 4/15/2021

Finance

The finances of the City are doing well for FY 21. Expenses citywide are showing 29.9%, with 50.0% of the year complete. We will continue to monitor the monthly financials to ensure we are meeting our budget. I do anticipate the expenses escalating over the coming months as the weir project moves forward.

The City has received its share of the CARES Act funds from St Johns County this month in the amount of \$514,339.40. This money reimbursed the City for the purchase of personal protective equipment, disinfecting equipment and supplies, as well as labor expenses for both Public Works and Police Department employees. The money will go towards improving the reserves of the City.

I am also monitoring the situation regarding the American Rescue Plan Act and the direction from the Federal Government on appropriate use of the funds. Under the new American Rescue Plan Act, the City has been awarded \$2.943 Million. There are four very specific uses of the funds:

- Revenue replacement for the provision of government services
- COVID-19 expenditures or negative economic impacts of COVID-19
- Premium pay for essential workers
- Investments in water, sewer, and broadband infrastructure

There have been limited details on the categories listed above. It is being stressed that cities should take time to plan the use of these funds as they will be available until 2024. As more information is distributed, I will share the suggestions so the City can put together a plan of action.

Communications and Events

Melinda is continuing to work on upcoming events within the City, the first of which is the tree giveaway for Arbor Day on April 28th, along with the tree planting ceremony immediately following near the bocce ball courts Pier Park. The next event is scheduled for Saturday, May 22nd, **Art in the Park**, to be held in Lakeside park between the hours of 11am – 5pm. More information will be shared via our social media platforms and websites.

Technology

The IT Staff has no updates currently.

PENDING ACTIVITIES AND PROJECTS

Revised April 23, 2021

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** The reviews were discussed by the Commission at its January 14, 2020, continuation meeting. The Commission directed that it be reminded in October 2020 to begin the reviews for the calendar year, with the reviews to be discussed at the Commission's December 7, 2020 meeting. Information for review of the City Manager was provided to the Commission in October. As Chief Hardwick has been elected Sheriff of St. Johns County, there is no need for the Commission to do his review as he has left his position as Police Chief. At their December 7, 2020, meeting, the Commission by consensus decided that each Commissioner would meet with the City Manager to discuss his evaluation.
2. **LAND DEVELOPMENT REGULATIONS.** There is one revision pending:
 - **Residential Building Setbacks and Abolishing the Overlay District.** The Building Official presented the proposed reduction in setbacks at the Commission's March 1st meeting. The City Attorney prepared an ordinance, which the Commission reviewed and passed on first reading at its April 5th meeting. Included in the ordinance was a proposal by the Building Official to abolish the overlay district along A1A Beach Boulevard. The Commission made several amendments to the ordinance and then passed it on first reading. The ordinance will have its first public hearing at the Commission's May 3rd meeting.
3. **UPDATING STRATEGIC PLAN.** As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. At later meetings in 2019, the Planning Board and the Sustainability and Environmental Planning Advisory Committee provided suggestions for the plan. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. The City Manager has prepared a Mission Statement, a Vision Statement, a Values Statement and a list of goals and the tasks each. The Commission reviewed the plan and provided comments at its January 14, 2020, continuation meeting. The topic was on the agenda for the Commission's February 1st meeting, but because of time, the Commission scheduled discussion of it to the continuation meeting on February 8th. At that meeting, the Commission provided some suggestions for changes and Commissioner George will work with the City Manager on changes to the wording for the plan's Vision Statement.

At its April 5th meeting, the Commission reviewed the City administration's recommendation concerning the implementation of the plan's first goal, Transparent Communication with Residents and Property Owners, and discussed how to better communicate with residents and businesses, such as a text message system. One improvement will be having money in the Fiscal Year 2022 budget to purchase an electronic sign to replace the old-fashioned meeting announcement sign that is adjacent to SR-A1A on the west side of city hall.
4. **PARKING PLAN.** The City Commission has changed the focus of the parking plan from paid parking to improvements for parking on City-owned plazas and streets. The staff will draft a five-year plan and the Police Department is to determine the most effective parking regulations for the streets west of A1A Beach Boulevard. Proposed locations for parking improvements will be provided to the

Commission at its May 3, 2021, meeting. At its October 5, 2020, meeting, a Commissioner proposed that paid parking be discussed again. No date has been scheduled for that discussion.

5. JOINT MEETINGS:

- a. With the County Commission. No date has yet been proposed by either Commission for a joint meeting.
- b. On February 10, 2020, the City Commission and Planning Board held a joint meeting. The topics discussed included communications, training for Board members, hiring a planner and providing more information to the Board. It was agreed to have a joint meeting every six months. At its March 2nd meeting, the Commission asked that the Code Enforcement Board and the Sustainability and Environmental Planning Advisory Committee be asked for dates for a workshop meeting with the Commission. Because of the pandemic and social distancing requirements, the workshop wasn't held in 2020. At its January 4, 2021, meeting, the Commission discussed a joint meeting and asked the staff to look in the possibility of a Zoom meeting or holding the meeting in a larger venue, such as the Flagler Auditorium. At its February 8th continuation meeting, the Commission discussed holding joint meetings with the Planning Board and the Sustainability and Environmental Planning Advisory Committee. At its April 20th meeting, the Planning Board requested a workshop with the Commission and the Sustainability and Environmental Planning Advisory Committee to discuss the ordinance to revise building setbacks. At its May 3rd regular meeting, the Commission will discuss when to hold the workshop.

6. UPDATING PERSONNEL MANUAL. Past updates or changes have included: to designate Christmas Eve and Good Friday as holidays for the City employees; to provide compensation to the employees during emergencies; revisions to provisions in the Manual concerning equal employment opportunity, educational assistance program, Americans with Disabilities Act coordinators, records, interpretations, and conflicts of interest. Ms. Beverly Raddatz, the City Clerk, proposed three changes to the Manual, which were approved by the Commission at its January 4, 2021, meeting. Three more changes were on the agenda for the Commission's February 1st meeting. The Commission decided not to adopt two but did approve a resolution with new policies concerning transfers and categories of leave. At its March 1st meeting, the Commission approved three more changes to the Manual: to adopt policies concerning infectious disease preparedness; to amend the Manual regarding types of leave for employees and to add provisions concerning employees in the Deferred Retirement Option Program; and to amend the Manual concerning workers compensation and leave without pay policies. There will be more changes proposed for the Commission's May 3rd meeting.
7. STREETLIGHT FOR ENTRANCE TO BEACH ACCESS WALKWAY. A resident has requested that a light be put at the entrance on A1A Beach Boulevard. On January 29th, City personnel met with representatives from Florida Power and Light. The company will change the lighting as part of the conversion of the Boulevard streetlighting to LED lights.
8. LED STREETLIGHTS. FPL has put seven new lights along State Road A1A. One location, Sevilla Street, remains for an LED light. For 10 new lights along A1A Beach Boulevard, an agreement has been signed with FPL for them. Also, the Public Works Director will present a plan to the City Commission at its

May 3rd meeting for FPL to convert to LED streetlights the lights on arterial and collector roads in the City.

9. GRANTS. The Public Works Director has prepared applications for grants from the following agencies:

- a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match would be \$35,500. Total project cost: \$142,000. The Governor approved the appropriation and the contract with the Florida Department of Environmental Protection has been signed. The restrooms have been designed by a local architect and the Public Works Department has done the site design. The St. Johns River Water Management District has approved the permit. The City will advertise for bids. Construction will be started during the summer of 2021.
- b. Coastal Partnership Initiative: \$25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be \$25,000. Total project cost: \$50,000. Though it is federal money, the grant is provided through the state, which has approved it, and the grant agreement has been executed. Contract with a parks design firm has been signed. The survey has been completed and the design work is underway,

The Public Works Director has applied for another Partnership grant for \$60,000 for additional improvements to Ocean Hammock Park. The application was submitted on September 25, 2020. The City will not know until May 2021 whether it has received the grant.

- c. Florida Resilient Coastlines Program to do a Vulnerability Assessment and Adaptability Plan. Total amount requested \$72,000. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities, and recommending options for inclusion in a future Public Works Capital Improvements Plan. The Governor approved the funding, and the civil engineer has been hired and work on the study has started. A public meeting to explain the plan, obtain feedback and discuss coastal resiliency happened on February 24, 2021. The final report will be presented at the City Commission's May 3rd meeting.
- d. St. Johns River Water Management District Cost Share Program: Grant applied for in February to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested is \$600,000. In April, the City was notified that its project was in line for funding. However, whether the money will be provided depends on the District appropriating it in the District's Fiscal Year 2021 budget. District approved the funding for this program in September 2020. The contract has been executed. FEMA has approved funding for construction. The City advertised for bids and the bid was scheduled for the April 5th Commission meeting to Sawcross, Inc.
- e. Florida Recreation Development Assistance Grant. The Public Works Director prepared and submitted grant for more improvements to Ocean Hammock Park. However, the Florida Department of Environmental Protection has informed the City that its application is not eligible because it already has another recreation assistance grant. The City can apply for another grant in 2022.

10. REQUEST TO ST. AUGUSTINE PORT, WATERWAY AND BEACH COMMISSION FOR FUNDING FOR PROJECTS. In the spring of 2021, City staff will ask the Port Commission to provide money in its Fiscal Year 2022 budget for beach access walkovers.
11. REQUEST FOR FUNDING FROM TOURIST DEVELOPMENT COUNCIL FOR BEACH-RELATED PROJECTS. Requests for funding are on hold because of the significant decline in revenue from the bed tax due to the pandemic.
12. NON-CONFORMING BUSINESS SIGNS. The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.
13. CHARGING STATION FOR ELECTRIC VEHICLES. The Public Works Director is working with the staff of the North Florida Regional Transportation Organization to have a charging station for the public at city hall. The Public Works Director met with the company that builds the stations to determine the location for the station, which will be two charging stations next to Building C on the west side of the south city hall parking lot. In early December, the charging station was constructed. The company has provided a proposed contract, which the City staff is reviewing.
14. FLOODING COMPLAINTS. Citizens have expressed concerns about the following areas:
 - a. Ocean Walk Subdivision. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16th Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents have complained that the piping of the ditch has caused flooding along the subdivision's west side. The Public Works Director has had the Mickler and 11th Street ditches clear of debris, so as to improve the flow of water, and will propose that the subdivision be surveyed and the City's civil engineering consultant, CMT, to review the project. At the Commission's September 14th meeting, the City's civil engineering consultant, Mr. Gary Sneddon of CMT, described project and its technical basis for piping the Mickler Boulevard ditch. At its October 5th meeting, the City Commission didn't approve an amendment to the contract with CMT for an investigation and flood control improvements for the Ocean Walk subdivision and asked the Public Works Director to prepare a Request for Qualifications, so that the Commission can consider an engineering firm to review the Ocean Walk drainage issues. The deadline for responses to the RFQ was November 23, 2020. The Public Works Director prepared an addendum, which was advertised before Thanksgiving. The deadline for the RFQ is December 8th. A committee of City employees reviewed the three proposals that were submitted and recommended the City be authorized to negotiate with the Masters Design Group of St. Augustine. The Commission approved the authorization at its January 4, 2021, meeting. At its March 1st meeting, the Commission approved the contract with Matthews. In March, the City was notified that its request to the Florida Legislature for \$347,000 for Ocean Walk drainage improvements had been approved by the Florida House's Agricultural and Natural Resources Appropriations subcommittee. Additional money could be provided in an appropriations bill by the Florida Senate. The City's funding request still faces whether the full legislature and the Governor will approve it.

- b. Oceanside Drive. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. The Public Works Department is having a survey on the area done, to determine the appropriate drainage solutions. The solutions will be done in connection with the redesign of the street.
 - c. St. Augustine Beach and Tennis Complex and Private Pond between Ocean Trace Road and the Sabor de Sal Subdivision. The private retention pond for the Beach and Tennis condo complex is too small and floods during periods of heavy rainfall. The flooding threatens the condo units that border the pond. The Sabor de Sal subdivision had a pond that is owned by the adjacent property owners. It also floods and threatens private property. The area needs a master plan that will involve the City, private property owners and the Florida Department of Transportation. The Public Works Director plans a town hall meeting the affected parties, to discuss a possible private/public partnership. A preliminary step will be the hiring of a consulting engineer to do an assessment and develop project alternatives.
 - d. A resident of 6th Street east of the Boulevard has complained about flooding on adjacent streets. The Public Works Director is investigating the causes.
 - e. A Street east of the Boulevard. Vice Mayor Samora spoke of this ongoing problem at the Commission's February 8th meeting. On February 26, 2021, Commissioner Samora, the Public Works Director, the City Manager, the County's Interim Public Works Director and interested citizens met on A Street at the location of the flooding problem. The County will have the design/permit work done, which may take nine months. Construction of the improvements would be done three months after that.
15. STORMWATER UTILITY FEE. For a funding source to pay for improvements to the City's drainage system, the Public Works Director proposed a stormwater utility fee at the City Commission's October 5th meeting. The Commission decided not to levy the fee at this time. However, it might be discussed at a workshop in May 2021.
 16. SOLID WASTE COLLECTION AND RECYCLING. At its May 3rd meeting, the City Commission will be asked to hold a workshop meeting later in May to discuss the City's solid waste operations. The current contract for a private company to pick up recyclables in the City expires in May 2022.
 17. REFURBISHING AND HIGHLIGHTING CITY'S CIVIL RIGHTS MONUMENT. The monument is located on the south side of pier park and adjacent to the bocce courts. It commemorates the attempt by black citizens to integrate the "whites only beach" in front of the former city hall in the summer of 1964. The monument was erected by July 2002 and paid for by the Northrup Grumman Corporation. At its September 22, 2020, meeting, the City Commission asked the City Manager to work on a vision for the monument, to take pictures of it for the City's website and social media, to have a picture of it put in the city hall corridor, and to seek funding to repair the monument, which has a metal base that's been corroded. Commissioner George said she will ask local artists for design ideas.
 18. SEEKING NEW POLICE CHIEF. With the election of Chief Rob Hardwick to the position of County Sheriff, the Commission at its October 5, 2020, meeting, appointed Commander Dan Carswell of the Police Department to be Interim Police Chief for six months. At its April 5th meeting, the Commission by

unanimous vote appointed Interim Chief Carswell as the City's Police Chief. This topic will no longer be included in this report.

19. BEACH RESTORATION. St. Johns County is the local sponsor of beach restoration in the City, as money from the bed tax is used to pay the County's share of the cost for each restoration project. According to the County's Coastal Manager, the next renourishment of the City's beach is scheduled to be done in 2023. In the meantime, the County is discussing whether a renourishment project may need to be done sooner because of severe erosion of the beach in the vicinity of the County fishing pier.
20. QUARTERLY REPORTS ON PROGRESS OF PROJECTS. At its September 22nd budget meeting, the City Commission asked the City Manager to provide at the end of each quarter in the Fiscal year a report on the progress of projects and expenditures for them. The Finance Director prepared a spreadsheet, and the first quarter's report was provided to the Commission in January 2021. The report for the second quarter (January through March) was forwarded to the City Commission in April.
21. REPAIR OF POPE ROAD. At the City Commission's February 1st meeting, a resident complained about the poor condition of Pope Road. As the street is owned by the County, the City Manager sent a request to the County Administrator, Hunter Conrad, that the road be put on a schedule for repair. In a February 5th email, Mr. Hunter replied that he had forwarded the City's request to the County's Interim Public Works Director, Mr. Greg Caldwell. The City Manager also requested that the County work with the Florida Department of Transportation on improvements to the intersection of State Road A1A and 16th Street, as 16th Street is owned by the County. Mr. Caldwell replied that the repair of Pope Road is on the County's list of projects to do.
22. NEW YEAR'S EVE FIREWORKS SHOW. Because of the pandemic, the show for December 31, 2020, was cancelled. At its February 1st meeting, the Commission discussed whether to have it on December 31, 2021. The consensus was for the City staff to work on plans for a smaller, scaled down event. At its April 5th meeting, the Commission approved the proposal of Ms. Conlon, the Events Coordinator, to have a New Year's Eve event that will benefit local businesses. The next update report will be provided to the City Commission at its July regular meeting.
23. PROPOSAL TO DEED THREE LOTS FOR CONSERVATION. The lots are located along the north side of the unbuilt part of 2nd Street, west of 2nd Avenue. The two owners want to deed the lots for conservation. In February, the Board of Putnam Land Conservancy informed the City Manager that it has agreed to the owners' proposal to establish a conservation easement on the lots. Any final agreement to do so will require review by the City Attorney and approval by the City Commission.
24. INTERGOVERNMENTAL PROJECTS. When the Commission discussed the strategic plan at its February 1st meeting, more involvement with the County and St. Augustine was mentioned as desirable. Below is a summary of the City's current involvement with various area governmental entities.
 - a. Resiliency: On March 22nd, the Public Works Director and the City Manager met with County and St. Augustine staff persons to discuss what each government is doing concerning resiliency. The County isn't doing a study. However, the two cities and the County agreed to coordinate on resiliency issues. At the Commission's May 3rd meeting, the Public Works Director will provide report on the City's resiliency study.

- b. **Mobility:** In March, the Public Works Director contacted St. Augustine for information about its mobility projects. The response was an executive summary of St. Augustine's mobility initiatives. It was forwarded to our City Commission. Our City's staff will meet with St. Augustine's to discuss our City supporting the following: St. Augustine's request to use our city hall parking lot as a park-and-ride location for events happening in downtown St. Augustine; and the River-to-Sea Loop bike/pedestrian trail that will go through the State Park and connect both cities. Also, St. Augustine's staff wants to discuss a potential bike-share program and possibly locating a hub in our City.
 - c. **River-to-Sea Loop:** This is a Florida Department of Transportation, St. Johns County, St. Augustine, and St. Augustine Beach project to construct 26 miles of a paved bike/pedestrian trail as part of the 260-mile trail from the St. Johns River in Putnam County to the ocean in St. Johns County. The Loop will then go south through Flagler and Volusia counties to Brevard County. This is a long-term, multi-year project. At this time, the Loop will enter St. Augustine along King Street, go across the Bridge of Lions, south along State Road A1A to the State Park, through the Park and into our City, then along A1A Beach Boulevard to State Road A1A. Though not feasible in all locations, the goal is to have a wide, bike/pedestrian trail separate from the adjacent road.
 - d. **Transportation Development Plan:** The development of the plan involves several agencies, such as the County, St. Augustine, our City, the North Florida Transportation Organization, and the Sunshine Bus System. On February 25th, the City Manager attended by telephone a stakeholders' meeting for an update on the development of the plan's vision, mission goals and objectives. Most of the presentation was data, such as population density, percentage of residents without vehicles, senior citizens and low income and minority residents in the County and the areas served by the Sunshine Bus. The next stakeholders' meeting has yet to be announced. The agenda will include transit strategies and alternatives and a 10-year implementation plan.
 - e. **North Anastasia Island Nature Trail.** The City Manager proposes this as an intergovernmental project that would include the County, St. Augustine, and St. Augustine Beach. It would be an off-shoot of the River-to-Sea Loop and could include the State Park, the City's Ocean Hammock and Hammock Dunes parks, St. Augustine's Fish Island Park, and the City's Mizell Road retention pond and the 10-acre conservation area west of the pond that the City owns. Combined with the River-to-Sea Loop, this Nature Trail would make accessible to the public natural areas of Anastasia Island and provide a combined bicycling/walking trail for exercise and recreation.
 - f. **Pedestrian Crosswalk Safety Signals.** The County is having a study done of the A1A Beach Boulevard crosswalks. It should be completed by the end of June 2021. The purpose of the study is to pinpoint the three most heavily used crosswalks where flashing signals could be put to alert drivers to pedestrians using the crosswalks.
25. **AMERICAN RECOVERY PLAN.** This is the title of the appropriation approved by Congress to provide money to states, cities, and counties to help them recover from the pandemic's effects. Our City is eligible to received \$2.9 million. However, the money can be spent only for allowable projects and activities. What's considered "allowable" has yet to be clearly defined by the U.S. Treasury Department.