



AGENDA

REGULAR CITY COMMISSION MEETING

MONDAY, JULY 6, 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 JUNE 7 AND COMMISSION WORKSHOP ON JUNE 17, 2021**
- V. **ADDITIONS OR DELETIONS OF THE AGENDA**
- VI. **CHANGES TO ORDER TO TOPICS ON THE AGENDA**
- VII. **PRESENTATIONS**
 - A. Interview of Mr. Eugene Mariutto for Position of Senior Alternate on Code Enforcement Board
- VIII. **PUBLIC COMMENTS**
- IX. **COMMISSIONER COMMENTS**
- X. **PUBLIC HEARINGS**

1. Ordinance 21-07, First Public Hearing and Second Reading, to Provide Addition to Prohibited Uses in Section 3.02.03 of the Land Development Code (Presenter: Lex Taylor, City Attorney)

XI. CONSENT

XII. OLD BUSINESS

2. Light Up the Beach for City's New Year's Eve 2021 Special Event: Update Report (Presenter: Ms. Melinda Conlon, Events and Communications Coordinator)
3. Non-Ad Valorem Assessment to Construct 2nd Street West of 2nd Avenue: Request to Approve Resolution 21-23 and Agreement with the Tax Collector (Presentation: Bill Tredik, Public Works Director)
4. Ordinance 21-08, First Reading: to Amend Chapter 16 (Police Department) of the General City Code to Delete Obsolete Provisions (Presenter: Lex Taylor, City Attorney)
5. Ordinance 21-09, First Reading: to Amend the Land Development Regulations to Allow the Comprehensive Planning and Zoning Board to Approve Certain Conditional Use Permits (Presenter: Brian Law, Building Official)
6. Ordinance 21-10, First Reading: to Amend Chapter 18 (Streets and Sidewalks) of the General City Code to Delete Requirement for a Public Hearing Before Ordinance is Prepared to Vacate a Street or Alley (Presenter: Max Royle, City Manager)
7. Ordinance 21-11, First Reading: to Amend the Land Development Regulations to Have First Public Hearing of an Ordinance to Change the Regulations Done by the Comprehensive Planning and Zoning Board (Presenter: Max Royle, City Manager)
8. Use of City Meeting Room by the Public: Review of Recommendations and Fees (Presenter: Max Royle, City Manager)

XIII. NEW BUSINESS

9. St. Johns County's 2022 Legislative Action Plan: Discussion of Topics to Recommend be Included (Presenter: Max Royle, City Manager)
10. Fiscal Year 2022 Budget: Scheduling Date for Meeting in Late July to Set the Preliminary Millage (Presenter: Max Royle, City Manager)
11. Florida League of Cities' Annual Conference: Selection of Voting Delegate (Presenter: Max Royle, City Manager)

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, July 14, 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, July 20, 2021, at 6:00 p.m. Topics to be discussed by the Planning Board are a) request for variance to allow a paved driveway at 106 2nd Street to exceed allowable width; b) appeal of Building Department's decision not to allow an elevator shaft for a new house at 16 5th Street to exceed 35 feet; and c) discussion of prioritized list for parking improvements.

- 3. ST. JOHNS COUNTY'S 200TH ANNIVERSARY CELEBRATION.** It will be held on Wednesday, July 21, 2021, at the County Administration Building, 500 San Sebastian View, from 10 a.m. to noon.

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, JUNE 7, 2021 AT 5:30 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 5:30 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 MAY 3, 2021; JOINT WORKSHOP ON MAY 18, 2021; CONTINUATION OF MEETING AND WORKSHOP ON MAY 24, 2021

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

Motion: to approve the Regular Commission minutes for May 3, 2021, May 18, 2021, and May 24, 2021. **Moved by** Commissioner Rumrell, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England moved on to Item 1.

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 ORDER TO TOPICS ON THE AGENDA

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

VII. PRESENTATIONS

No presentations.

VIII. PUBLIC COMMENTS

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

Robert Langston, 673 Ocean Palm Way, St. Augustine Beach, FL, advised that the walkway near Sea Colony has some noise and visual pollution for Sea Colony residents and when Ocean Hammock Park improvements begin there will be more traffic of people. He requested that a better barrier be put up and he would like to discuss it with Public Works Director Tredik.

It was the consensus of the Commission to have Public Works Director Tredik discuss the issue with Mr. Langston.

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

IX. COMMISSIONER COMMENTS

Mayor England asked Commissioner George for comments.

Commissioner George had no comments.

Commissioner Torres advised that he changed his mind to allow the Comprehensive Planning and Zoning Board to rank the parking areas throughout the City and feels that this task is beyond their scope and should be done by the Commission. He will discuss further under Item 13.

Commissioner Rumrell advised that the lighted crosswalks will be installed, curb cuts will be installed on A Street to stop flooding, and there will be a lifeguard for Ocean Hammocks soon. He thanked Representative Cyndi Stevenson, Senator Hutson, Speaker Sprowls, Representative Tomkow and Kevin Sweeny for getting the \$694,000 from the State of Florida that was not vetoed for the Ocean Walk flooding project.

Mayor England thanked Commissioner Rumrell for all his hard work in getting the grants.

Vice Mayor Samora asked City Manager Royle to keep updating the Commission on when St. Johns County would have the TDC five cent increase on their agenda.

Mayor England deferred her time because of the length of the agenda.

Mayor England moved on to Item V, Additions and Deletions.

X. PUBLIC HEARINGS

1. 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)

Mayor England introduced Item 1 and asked for a staff report from Public Works Director Tredik.

Public Works Director Tredik advised this is to adopt the 2nd Street roadway construction. He gave the location of the roadway to be constructed and recapped the history of the process for the non-ad valorem assessment of the past meetings as discussed. He explained that the road will be shifted south and west to save some large trees. He said that there are three lots that are going for conservation and possibly a fourth lot. He advised that the costs would be divided between either 12 or 13 lots as non-ad valorem assessments. The term of the assessment will be six years with a minimum assessment per lot of \$2,500 for a total of \$15,000, and a maximum assessment per lot of \$5,000 for a total of \$25,000. He recommended that the Commission adopt the non-ad valorem assessment for the lots and mentioned that some of the lots previously were joined under one parcel identification number, so those lots would be double at \$7,880 non-ad valorem assessment.

Vice Mayor Samora said the assessment amount covers the connector to the east part of 2nd Avenue, but not the improvements on the east side of 2nd Avenue.

Public Works Director Tredik advised that it does not cover anything east of the existing 2nd Avenue, including the paving which should have been done when the houses were built.

Vice Mayor Samora asked about the progress of the conservation lots.

Public Works Director Tredik advised that Putnam Land Trust sent the documents to the owners, and it is moving forward.

Mayor England asked if there would be a deadline on the non-ad valorem assessment.

Public Works Director Tredik advised that the lots for conservation have not been dedicated to the City yet, so they would be part of the assessment. After they are City property, they would not be assessed.

City Attorney Taylor advised that if the City owns the conservation lots, it would not have to pay the non-ad valorem assessment.

Public Works Director Tredik said that is why the assessment is set up at \$3,940 in anticipation that some of the lots will be dedicated to the City, which would allow for the appropriate amount for each lot owner.

Mayor England asked when the non-ad valorem assessment would start.

Public Works Director Tredik advised that it would be paid in FY21.

Mayor England asked if there is nothing definite on the conservation lots by September 1st would they be assessed.

Public Works Director Tredik advised that the conservation lots would be assessed in that case.

Commissioner George advised that she has received complaints about the construction of the road going in the east and west direction and asked Director Tredik to provide information regarding that decision.

Public Works Director Tredik explained that in previous meetings it was discussed that there were issues with the construction coming in on 1st Street due to traffic and the Fire Department trucks needing room when making their turns. He remarked that the Commission agreed with the direction of the roadway and the safety improvements to the east side, such as widening, sidewalks, etc.

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 adopt the 2nd Street extension and non-ad valorem assessment as noticed in the advertising at \$3,940 for originally platted lots. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item 2.

2. Ordinance 21-04, Second Public Hearing and Final 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 2 and asked for a staff report from Building Official Law.

Building Official Law advised this was the final reading of the ordinance and the Commission has seen and discussed this four times and the changes that the Commission requested have been updated by City Attorney Taylor.

Mayor England advised that all the requested changes from the Commission were changed in the this proposed ordinance. She advised that there were good suggestions in the joint workshop and asked the Commission if they read the minutes to the workshop and the suggestions made. She asked if all the Commission received the emails from Craig Thomson and Michael Stauffer's suggestions. She advised that these emails are available to the public for public records requests.

Mayor England asked any member of the Commission to start their discussion on this item.

Commissioner Torres said that he appreciated meeting with the Comprehensive Planning and Zoning Board at the joint workshop and advised that it was a very good investment of the Commission's time. He understood what the Commission was doing, and he voted in favor of this ordinance; however, he now has changed his mind after listening to the residents. He appreciates the efforts to bring this here but has changed his mind.

Vice Mayor Samora advised that one of the thoughts that occurred to him was that the Commission never received any recommendations from the Comprehensive Planning and Zoning Board. The last time the Comprehensive Planning and Zoning Board looked into this issue was when the joint workshop was scheduled, and they never reconvened to discuss the ordinance between themselves and come up with their recommendation. He advised that that concerns him. He explained that everyone keeps referring to this as the setback ordinance and really are not considering the overlay district, which he feels is a big deal. It concerns him that people have purchased properties that are nonconforming, and the overlay district specifically says that it was created so that those homes could be improved or reconstructed. He feels if the Commission gets rid of the overlay district and takes that right away from the residents, there would be some trouble. He believes that that portion of the ordinance should be reviewed more and vetted by the City Attorney. He advised that he has less concern about the setbacks than getting rid of the overlay district in its entirety. Additional materials were presented in the booklets, and he was not sure if everyone received it, but it was the number of variances brought to the Comprehensive Planning and Zoning Board over the past three to four years. He said there were 31 variance

requests that involved setbacks. He went through them in detail and by his account a total of two a year or six would have been addressed by this ordinance change. He feels that the Commission may be missing the mark. He said if the variance requests are only going to be reduced by two per year by making this change, he does not feel that the Commission is getting to where they want to go. He advised that those are his concerns and asked to put the question to the public and the Commission so it can be discussed.

Commissioner George recapped Vice Mayor Samora's comments on the variances total from 2018 – 2021 and that there were only six addressed or two a year.

Vice Mayor Samora advised there were only six that addressed side or rear setbacks.

Commissioner George advised that even though 21 variances had to do with reducing the side or rear setbacks.?? Sentence is incomplete/does not make sense

Vice Mayor Samora advised yes. He gave examples of what the variances had requested within those years. He advised that some of them were denied. He discussed maybe having a different path to have people apply within the overlay district for variances. He said that out of 31 variances, only six were agreed upon.

Commissioner George advised that she is not so concerned about the overlay district, so she was glad that Vice Mayor Samora was raising that issue. The primary overlay district eradication is the inability to rebuild on the footprint.

Vice Mayor Samora advised that it is both improvements and reconstruction. It reads that if you have a nonconforming property, and you want to improve the property the existing footprint is deemed conforming by the overlay district. He advised that it could be improved upon within the overlay district if 50% or more on the home was damaged.

Commissioner George advised that when this was discussed previously, it agreed that the variance still could have that option. She was wondering how many are like that.

Vice Mayor Samora advised that the Commission does not have that data. He explained that the Commission has the amount of vacated0 lots there are but not nonconforming properties.

Building Official Law advised that there is no easy way to see whether homes are currently nonconforming because the computer system did not roll out until 2019. He advised that there is a disparity in the Code with the beach overlay district where it says any, and all applications must be seen. He advised that he disagrees with Vice Mayor Samora on the reconstruction of the structure if it is 50% damaged. He advised that the intent of the Code is not to continue nonconforming structures. The overlay district did not approve the nonconforming structures to begin with and they were never approved for the setbacks that the overlay district is giving. He believes it does not correlate. Section 10 addresses fires and other calamities which will take precedence over the overlay district. If the building is substantially damaged and the survey was done with a four-foot discrepancy, the structure of the code cannot allow a damaged home to be built two feet from a lot line. The intent of the Code is to protect the buildings that are existing, but once they lose that status, that is the end. There could be a total disaster come off the coast and seriously damage buildings and the protections will not override Section 31.09 of the Building Code which is structures seaward of the coastal line and would not be the intent of the building code. The building codes have no concern with zoning. As the City Attorney addresses the variance process is the correct process (this sentence does not make sense). He commented that

he does not have any issues if the Commission wants to leave the overlay district or the setbacks. He said Section 3.08 is very clear and it was changed in 2018 by the Commission and says if Section 3.08 complies with all other sections of the code then the homeowners do not have to go through the overlay district. The real problem is that the Comprehensive Planning and Zoning Board is instructed by code to approve any and all applications that meet the code. So, a house is submitted to staff, and it was turned down, so the owner goes through a variance application and pays \$400, and the Comprehensive Planning and Zoning Board cannot deny it. He believes that the overlay district will serve no purpose if the Commission keeps it. The Comprehensive Planning and Zoning Board was upset when they had no choice but to approve the variances that were brought through the variance procedures if they met code.

Vice Mayor Samora still had concerns that if someone has purchased a nonconforming property and the overlay district is in place and the City takes it away, then they are losing some of the rights they had. He read the purpose of the overlay district and advises that that means that those properties in the overlay district become a conforming footprint. He read subparagraph (e) and said that the rebuilding or remodeling located in the overlay district can be on the footprint of the existing structure. He believes that this code allows me to rebuild my structure as it sits currently.

Building Official Law disagreed and said that is not the intent of the code. He said it may be the way it is written, but it is not the intent to allow buildings to remain in nonconforming status if destroyed. Staff would never be able to do their job.

Vice Mayor Samora advised that his concerns are more for the property rights of the owners of the property. He said that the overlay district should be a separate discussion from the setback issue.

Building Official Law suggested to leave the overlay district and just pass the ordinance regarding the setbacks, then after budget season to discuss the overlay district in more detail.

City Attorney Taylor advised that the overlay district could be stricken from the ordinance at this time if that is the will of the Commission.

Building Official Law advised that the overlay district is more for the beach side of A1A Beach Boulevard and is geared more with the wedding cake look. The beachside medium density only allows ten-foot side setbacks and there is no provision for small, platted lots. He said no one is going to use the overlay district on a small lot because that would make the owner build a smaller house. He suggested bringing this back and rewriting it from two overlay districts to just one overlay district. He said the 50 x 93 lots should be treated the same.

Mayor England advised that the point Vice Mayor Samora is making is that if a home is nonconforming (this sentence does not make sense .

Building Official Law advised that means that it is allowed to have a 7 ½ foot side setback on the western lots, not the eastern lots.

Mayor England said if a lot is nonconforming and exceeds the 35% lot coverage and setbacks in the overlay district or anywhere, a principle in the land development regulation is that there is no expansion of a nonconforming use and if it is substantially destroyed the owner would have to build back and conform. This is a basic principle. The concern from Vice Mayor Samora is that the lots that are nonconforming if they are substantially destroyed, he wants to rebuild them the way they were.

Vice Mayor Samora advised his concern is that if someone owns a nonconforming home, this ordinance is on the books right now. If we make this change when an owner is going to improve or construct a home with these codes, then we have taken away property rights to an owner.

Mayor England advised that legally the City would not expose themselves because this is a legal principle of land development regulations and land use. She commented that an owner cannot rebuild or expand nonconforming structures.

Vice Mayor Samora advised according to the current code you can.

Mayor England agreed that the language Vice Mayor Samora is pointing out is worth taking a second look at.

City Attorney Taylor advised that Mayor England is correct that there could not be a taking of property or a lawsuit for the City. He advised that the Commission should not be concerned that they would be sued if something is changed. He advised if the Commission is concerned about precedence on reconstructing homes, the overlay district owners who want or had a two-foot setback would not be allowed anyway. The number of things that would conform with the overlay district would not alarm him. The variance process would take care of this and allows someone to look at it case by case. In some cases, the setbacks might be allowed in a hardship case. The process allows the owners to get closer to the correct zoning and requirements of the City. If there is a natural disaster the City may give some forgiveness or parameters for the homeowners. There are a lot of reason for setbacks.

Commissioner George advised that the City has allowed a grace period where the code does not go into effect for a few months in case a property owner is in the process of building.

Building Official Law explained that a lot of owners had one lot and sold half of the lot to another owner for a buildable lot, which makes the property in existence nonconforming to the setbacks. It is the Commission's decision, and he is only providing expertise of the code.

Commissioner Rumrell thanked Vice Mayor Samora for bringing up this issue, but he believes that the explanation during this meeting and when he spoke with Building Official Law is that the Florida Building Code supersedes the City's codes anyway.

Building Official Law advised yes. The Building Official cannot reject a plan submittal based on zoning.

Commissioner Rumrell advised that if a structure would get struck down, the Florida Building Code would supersede the City's code regarding the overlay district code.

Building Official Law advised that the Florida Building Code would require the use of substantially improvement and damage protocols seaward of the coastline regardless of the special flood hazard area. Florida Building Code allows zero lot line houses.

Commissioner Rumrell advised he would like to waive the \$400 fee and he would move forward with the setbacks in this ordinance and discuss the overlay district later if the Commission wants to do that.

Building Official Law advised that the language is not clear, but he will never approve a home to

be reconstructed of a substantially damaged building that does not comply with the setbacks or some avenue to allow him to. It is the intent of the code to build with conformity.

Mayor England advised that if a nonconforming home would be allowed to be built back to a conforming land use ordinance home with any variances that have been approved.

Building Official Law advised that it would depend on how the variances were written.

Mayor England advised that it is separate points on the overlay district and how the language is written.

Commissioner Torres asked if the overlay district included commercial properties.

Building Official Law advised no, only residential.

Mayor England advised that she remembered the purpose was equal treatment for all small lots regarding setbacks because in the overlay district it could be 7 ½ foot setbacks and elsewhere it had to be a ten-foot setback. Those setbacks govern the placement of the building or the footprint on the lot. The change for the remaining small lots going forward would allow consistency. The lot coverage of 35% impervious surface ratio (ISR) has been in place for single-family residential homes for a long time as she could remember. She advised that the ordinance is not changing that, and it will be the same for all lots. The allowances for the bump outs, chandeliers, and architectural design will remain the same for all lots. It will not change. If the Commission decided to have the small lots less than 35% impervious surface ratio, that would be back-zoning and that gets dangerous because it has been 35% for all these years. The impervious surface is not being changed for any of the lots and will remain the same. She advised that if there is a concern about the loss of trees, the Commission can address that with a tree ordinance. The issue with the stormwater drainage is vital and if there needs to be more engineering review of the lots, that can be addressed directly. It would not reduce the lot coverage or the ISR. Since the changes of the side setbacks on small lots she tried to give the Commission facts and figures in order to consider the setbacks, ISR, and coverage on small lots separately. She wants equal treatment on small lots. The variance requests for the rear or side yards are outside of the normal. A lot of the requests were for a bigger house, bigger pool, etc. She explained that she wants to right size the ordinances so that people can build on the small lots with the current setback requirements the footprint for a one-story home is 1290 square feet. The cost of a small lot to build a 1290 square foot home is unreasonable but changing the setbacks it will allow a one-story house to be 1650 square feet and allow for a three-bedroom two bath home. That would be a reasonable home and that is what she would want for the residents instead of making them go to a two-story home if they only want a one-story home. Requests for variances are because most people want a one-story home but cannot accomplish that with a 1290 square foot home. Of the 31 requests, all were approved except for one and this year four requests for variances were denied. There was a request for a one-story home, and it was denied so they had to build a two-story home. She agreed that the Commission needs to address the trees, stormwater drainage, and nonconforming uses, but right now this ordinance is for setbacks on a small lot and what the purchaser of the lot and home would be confined to.

Building Official Law advised that that home was permitted as a two-story home. The Comprehensive Planning and Zoning Board did everything they could.

Mayor England advised that the Comprehensive Planning and Zoning Board is doing a great job this year.

Commission George advised that impact on the trees is not related to the setbacks because even with the larger setbacks and smaller homes you can still add on the patios and outbuildings and still preserve the trees. She sees consistency in the discussion that are not on point and Mayor England brought up good points and highlighted the issues well. The Commission needs to make a decision tonight on this.

Mayor England opened the Public Hearing. The following addressed the Commission:

Ted Hellmuth, 3 15th Street, St. Augustine Beach, FL, advised that he built his side setbacks to 7 ½ feet in 2015 and he did not have to ask for a variance. He remarked that the setbacks are reasonable.

Don McCarthy, 5 15th Street, St. Augustine Beach, FL, advised he would like it to be fair for every resident and agrees with the 35% impervious surface ratio. He mentioned that if the City stops the 70% on the top floor, the City will lose tax money.

Isabell McCarthy, 5 15th Street, St. Augustine Beach, FL, thanked Mayor England and Commissioner George for their compassion on the issue and advised that she did not understand Commissioner Torres changing his mind because she felt that it should be the same for every resident.

Mayor England closed the Public Hearing and asked if the Commission would like to delay this for now.

Vice Mayor Samora suggested taking this as two separate issues. He advised that he would not want to carve it apart to piece meal it. He wants it all to stay in or all of it comes out. He felt these are two separate issues, setbacks and overlay district. He agrees that the setbacks do need to be fixed. There is a fundamental fairness issue there. He is uncomfortable with taking out the overlay district until it has been fully vetted by the City Attorney. He respectfully disagrees with Building Official Law's interpretation on this issue. He would like the City Attorney to research the overlay district more before deciding on the ordinance. He suggested leaving the overlay district language in and changing the setbacks how it is proposed.

Mayor England advised that if the small lots are unified, the main purpose for the overlay district was to give 7 ½ foot side setbacks. She asked if the overlay district should be confined to one area or could language be written to simplify in the land development regulations what the concerns are that Vice Mayor Samora wants to address. She asked if the overlay district should be kept in that small geographic area.

Vice Mayor Samora advised he does not know because he does not know how many nonconforming properties there are in the overlay district. He explained that the overlay district was created for a reason and the houses back date the current codes. He agrees with the setback changes.

Commissioner George advised that she did not remember in any way to maintain or allow a rebuilding of nonconforming structures. She read the codes and she felt that the setbacks should be brought into conformity. She advised that nonconforming structures should not be kept once the structure is 50% or more destroyed. She explained that it is a standard principle to bring properties into conformity. She requested the Commission move forward with the ordinance.

Building Official Law recapped the code on nonconforming structures. He understands Vice

Mayor Samora's concern, but it should go to the staff for permitting and go through the variance process for those items that are not in the code.

Commissioner George advised that she would not believe keeping nonconforming structures would ever be a policy.

Vice Mayor Samora advised that it says in the codes that in the overlay district nonconforming setbacks can be replaced in the existing footprint.

Building Official Law advised that it should go through the variance process if an emergency event happens. When the building comes to the end of its life, it has to come into compliance.

Mayor England stopped the discussion and asked City Attorney Taylor to read the preamble.

City Attorney Taylor read the preamble.

Mayor England made a motion.

Motion: to approve Ordinance 21-04. **Moved by** Mayor England, **Seconded by** Commissioner George.

Mayor England asked for a roll call vote.

City Clerk Raddatz read the roll call as follows:

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

Motion passes 3 to 2.

Mayor England moved on to Item 3.

3. Ordinance 21-05 Public Hearing and Final 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)

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

Building Official Law advised this is the final reading with no changes.

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 21-05. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 4.

4. Ordinance 21-06, Public Hearing and Final 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)

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

Building Official Law advised there were no changes.

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 21-06. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 5.

XI. CONSENT

5. Resolution 21-22, to Declare Certain Items of City Property as Surplus and Authorize Their Disposal

Mayor England introduced Item 5 and asked for a motion.

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

XII. OLD BUSINESS

6. Drug / Alcohol Rehab and Medical Facilities: Review of Proposed Ordinance to Provide Addition to Prohibited Uses in Section 3.02.03 of the Land Development Code (Presenter: Lex Taylor, City Attorney)

Mayor England introduced Item 6 and asked for a staff report from City Attorney Taylor.

City Attorney Taylor advised that the Commission has discussed this issue previously regarding Sea Grove residents objecting to a drug / alcohol rehab and medical facility being in their neighborhood. This ordinance would reflect Florida Statutes 397 which requires full licensing for these types of businesses with the Florida Health Department.

Mayor England thanked City Attorney Taylor for listing the exemptions and suggested to write “as amended” in the list so that the ordinance does not have to be brought back often to be updated.

Commissioner Rumrell thanked City Attorney Taylor and advised that the business has already vacated the property.

Mayor England opened the Public Hearing. The following addressed the Commission:

Sarah Smith, 776 Tides End Drive, St. Augustine Beach, FL, thanked the Commission for their due diligence and for helping the residents of Sea Grove.

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 21-07. **Moved by** Commissioner George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item 7.

7. City Meeting Facilities: Consideration of Converting Space to Office Needs (Presenters: Max Royle, City Manager; Bill Tredik, Public Works Director)

Mayor England introduced Item 7 and asked for a staff report from City Manager Royle

City Manager Royle advised that city hall is 20 years old and that the Building and IT Departments have grown and need more office space. He proposed that the meeting room be part for public meetings and part for an office for the Events Coordinator. The Building Department will be moving the Zoning Department into the Events Coordinator's office. He explained that the public meetings would have half of the meeting room. He advised that Building C would be for the IT staff. Public meetings would have to be limited in size and the large homeowners' associations would not be able to meet in this facility. He would be budgeting for a new IT staff member because of the need. The televising equipment will remain upstairs, but IT staffing would be in Building C. He asked the Commission if they would agree to the changes so he can research the costs.

Commissioner Torres agreed with using the meeting room and Building C for staffing instead of a public meeting space.

Vice Mayor Samora agreed that there was a need for staffing space.

Mayor England advised that she does not want to lose the meeting space for the public, especially for AA groups. She suggested when doing the design work to include cubicles and asked Building Official Law to contact the County to see if they have cubicles that they are not using. She also suggested to reach out to St. Johns County Facilities Director on a design and insight for the best staffing solution.

Building Department Law advised that two full-time employees will be in the Events Coordinator's current office.

Discussion ensued regarding the design of the office spaces; having cubicles might allow more employees within a room; and the construction and costs.

Commissioner Rumrell remarked that he would like to have a public meeting space.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing.

It was the consensus of the Commission to have staff research cubicles and bring back a design for approval.

Mayor England moved on to Item 8.

XIII. NEW BUSINESS

8. Chapter 16 of the City Code Regarding Law Enforcement Department: Consideration of Updating (Presenter: Dan Carswell, Police Chief)

Mayor England introduced Item 8 and asked for a staff report from Chief of Police Carswell.

Chief of Police Carswell advised his memo was self-explanatory. He explained that there was a different police structure in 1963 when this Code was adopted. He updated the information to the current police structure and requested the approval of the Commission.

Mayor England asked what belongs in Code and what belongs in policy.

Chief of Police Carswell advised policies are procedures on how to arrest and pursue people. The Code explains certain duties and has been updated for accreditation. He explained that the changes to the Code are minor, but at Mayor England's suggestion he would be happy to consult with the City Attorney.

City Manager Royle advised that this will come back to the Commission as an ordinance.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and directed staff to bring back to the Commission an ordinance.

Mayor England moved on to Item 9.

9. Beach Services: Approval of Interlocal Agreement with the County (Presenter: Dan Carswell, Police Chief)

Mayor England introduced Item 9 and asked for a staff report from Chief of Police Carswell.

Chief of Police Carswell advised that in April the Commission asked him to review the costs for beach services with St. Johns County. On May 19th St. Johns County Board of Commissioners approved a five-year interlocal agreement not to exceed \$113,193 annually, which is an increase from prior years. This agreement is only for the current duties that the Police Department is already doing.

Commissioner George asked what the prior agreement amount was.

Finance Director Douylliez advised that there was no prior agreement with St. Johns County for beach services. She advised annually Finance budgets \$50,000 - \$55,000 and most years the County pays \$90,000. This is an increase from last year's budgeted amount.

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

Motion: to approve the interlocal agreement between St. Johns County and the City of St. Augustine Beach providing law enforcement to the local beaches. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 10.

10. 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)

Mayor England introduced Item 10 and asked for a staff report from City Clerk Raddatz.

City Clerk Raddatz recapped all the resolutions and changes to the Personnel Manual which were noted in the Commission's packets.

Mayor England advised that she remembers bringing up establishing a criterion for donating sick time to other employees. She then opened the Public Comments section. Being none, Mayor England closed the Public Comments section and asked for a motion.

Motion: to approve Resolutions 21-17 through 21-21. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor England moved on to Item 11.

11. Long Range Financial Planning: Review of Report (Presenter: Patricia Douylliez, Finance Director)

Mayor England introduced Item 11 and asked for a staff report from Finance Director Douylliez.

Finance Director Douylliez advised in the Commission's packets are many charts and statistical information based on revenues and expenses. She explained that the charts date back from 2016 to current and show the direction of the City, including the General Fund balance. The General Fund balance is increasing. The methodology for revenues and expenditures is taking the data from prior years and average how the expenditures and revenues are increasing. She gave an example that the State of Florida Communication taxes will be phased out, so she knows that she cannot budget those funds anymore. She gave credit to Commissioner Rumrell and Public Works Director Tredik who have obtained many grants. She has been calculating the five-year Capital Plan to see what direction the City will be going over the next few years. She advised that it is hard to know where the economy is going with everything that has happened with COVID-19. She explained that the data for the American Rescue Plan is not in the projections because the City has not developed a project to apply the money to. It is not clear what funding the State of Florida will give the City and what the grant money can be used for. She advised that the proposed money will not be in the budget for next year until it is received and then it would be a budget adjustment. The funds are required to be spent by 2024. The \$694,000 and 2nd Street projects are not in this data as well.

Mayor England requested a list of what data is not in this report. She explained that the old city hall is not in the report because it does not come due until 2026.

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

12. St. Johns County 200th Anniversary: Request for City Representative to Attend July 21, 2021, Time Capsule Dedication Ceremony and Designation of Item from City for the Capsule (Presenter: Max Royle, City Manager)

Mayor England introduced Item 12 and asked for a staff report from City Manager Royle.

City Manager Royle advised that in the Commission's packet was a letter from County Commission Chair Mr. Jeremiah Blocker who requests a representative and an item to be placed in St. Johns County's time capsule on July 21, 2021, for St. Johns County's 200th anniversary.

Discussion ensued regarding what object the City would like to put in the time capsule; the object being small; who will represent the City; St. Johns County said no masks; and the time capsule when the time capsule will be opened.

Mayor England asked the Commission to give their ideas to the Events Coordinator.

It was the consensus of the Commission to allow Mayor England to represent the City at St. Johns County function.

Mayor England suggested a cube that could have the old city hall and the seal on it. She advised that the Events Coordinator will communicate via email individually to all the Commissioners on what the item will be.

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

13. Commission Meetings: Discussion of Possibilities to Shorten Agendas, When to Hold Continuation Meetings, Changing Meeting Time, and Setting Dates for Certain Upcoming Meetings (Presenter: Max Royle, City Manager)

Mayor England introduced Item 13 and asked for a staff report from City Manager Royle.

City Manager Royle explained that all the items on the agenda tonight require the Commission to approve. He advised that the City Attorney would be able to come back with an ordinance regarding what the Commission wants for their meeting topics, and regular monthly scheduled meeting dates and time limits for Commission meetings.

Discussion ensued regarding the Comprehensive Planning and Zoning Board would not have the final say on parking, but it would come back to the Commission for final approval; whether to have staff do the parking research or the Comprehensive Planning and Zoning Board; and the duties of the Comprehensive Planning and Zoning Board does not list parking in the Code.

After discussion on what the Comprehensive Planning and Zoning Board functions, the Commission advised they could give input on the parking issue and report their findings to the Commission. The Commission will request the City Attorney to prepare an ordinance to bring back to the Commission for approval on this issue.

Mayor England advised that this came up in the Vision Plan that parking was an issue and that the parkettes in the City could be used partially for parking, to beautify the City, and for rest areas.

City Manager Royle advised that the Tree Board did give recommendations to the Commission for the landscaping of the parkettes.

Commissioner George said if SEPAC wants to be involved that is fine, but otherwise the Comprehensive Planning and Zoning Board could make recommendations and bring everyone's recommendations to the Commission for approval.

Mayor England asked Commissioner Torres if SEPAC and the Comprehensive Planning and Zoning Board would give recommendations to the Commission, would that satisfy him.

Commissioner Torres advised no. He would like to have the Public Works Director to work on this.

City Manager Royle advised that staff will work on this and come back to the Commission with recommendations at the July Commission meeting. He then moved on to asking the Commission when they would like to meet for their meetings.

After Commission discussion it was decided that the Regular Commission meetings will be the 1st Monday of the month at 6:00 p.m. and the continuation meeting of the Regular Commission meetings on the 1st Tuesday at 9:00 a.m.

City Manager Royle advised that there is a holiday on July 5th and asked when the Commission would like to reschedule it.

It was the consensus of the Commission to have the Regular Commission meeting in July on Tuesday, July 6, 2021, at 6:00 p.m. and to allow Commissioner George to vote via zoom at the meeting as long as there is a quorum and a voting consensus.

Discussion ensued regarding the staff overtime to work after hours and whether to have meetings in the morning or afternoons; and to send a survey out to the residents on what time they would like to have the meetings.

City Manager Royle advised that he would like to have a Commission workshop to discuss solid waste and stormwater non-ad valorem taxes.

After discussion, it was the consensus of the Commission to have a workshop on Thursday, June 17, 2021, at 6:00 p.m.

Commission discussed changing the August Regular Commission meeting.

After discussion, the August Regular Commission meeting will be on Wednesday, August 11, 2021, at 6:00 p.m.

Mayor England moved on to Item 14.

14. Drainage and Paving Projects for Oceanside Circle and 11th Street: Approval of Amendment to Contract with CMT for Engineering Services (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 14 and asked Public Works Director Tredik for a staff report.

Public Works Director Tredik advised that he needs CMT to design and permit Oceanside Circle and 11th Street and recommends that the Commission approve CMT Agreement Amendments 36 and 37. He explained the construction that is needed.

Mayor England asked if 11th Street could be made into a rain garden.

Public Works Director Tredik advised that he could have CMT look at that.

Vice Mayor Samora asked if impact fees could be used for these projects.

City Attorney Taylor advised that if the road was not complete to begin with, then impact fees could be used for the project and the design and engineering services.

Motion: to approve amendments 36 and 37 between CMT and the City of St. Augustine Beach for engineering services for drainage and paving improvements for 11th Street and Oceanside Circle. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England. Motion passed unanimously.

Mayor England moved on to Item XIV.

XIV. STAFF COMMENTS

Mayor England asked City Manager Royle if he had any comments.

City Manager Royle advised that the Art in the Park was a nice event and created a lot of goodwill to the City. Events Coordinator wanted to give a special thanks to Paul Slava from the Arts Studio also with the St. Johns County Cultural Council and Tom Large from Public Works who did the setup for the event. He mentioned there will be a Luau Event on Friday, June 25, 2021, between 6 -9 p.m. at Pier Park.

Chief of Police Carswell advised that in May there were 2,000 service calls and it was very busy Memorial Day weekend.

Building Official Law advised he had no comments.

Public Works Director Tredik advised he had no comments.

Finance Director Douylliez advised that she had no additional comments.

City Attorney Taylor advised that he would provide some legislative updates in the future.

Mayor England asked about the American Rescue Plan.

Finance Director Douylliez advised that the State of Florida has given no guidelines as of yet or how much money the City will receive. She advised that they did mention stormwater and when the money is received the City will match a project to fund it.

Mayor England asked about the Vulnerability Study.

Public Works Director Tredik advised that he submitted the Vulnerability Study and the state responded with a couple of comments about clarification on the meeting that was held. He will get back to them this week and then the City will be approved. It might help to get more grants to have projects in that study. He applied for the HMPG grant and might be successful in receiving that grant for A1A Beach Boulevard drainage culverts. He explained that he did not know how the funding will be divided up between the cities from the state.

Finance Director Douylliez advised that she has not received any information on that as of yet. She estimated \$3.2 million. She advised that on July 15th the City's auditing firm will have a webinar on the funding and she will be participating. She explained that the City's auditing firm has gotten more money for St. Johns County and will be helping the City as well.

Mayor England asked about the new engineer.

Public Works Director Tredik advised that some are not qualified but he is going to get in touch with those who are. It is part of his succession plan and wants the right person.

XV. ADJOURNMENT

Mayor England asked for a motion.

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

Meeting was adjourned at 8:52 p.m.

Margaret England, Mayor

Attest:

Beverly Raddatz, City Clerk



MINUTES

COMMISSION WORKSHOP

THURSDAY, JUNE 17, 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 Commissioner Rumrell, and Commissioner Torres.

Also present: City Manager City Manager Royle, Assistant City Attorney Taylor, Deputy City Clerk Fitzgerald, Finance Director Douylliez, and Public Works Director Tredik.

IV. DISCUSSION ITEMS:

1. Non-Ad Valorem Assessment for Solid Waste Collection and Disposal: Setting Rates for Fiscal Year 2022 (Presenter: Bill Director Tredik, Public Works Director)

Mayor England introduced Item 1 and asked Public Works Director Tredik for his report.

Director Tredik presented a PowerPoint presentation, Solid Waste and Recycling Non-ad Valorem Assessment (Exhibit A).

Director Tredik advised that the City established the non-ad valorem assessment for solid waste disposal in 2012 at a rate of \$74.00 per residence, which stayed in place until 2020 when the Commission passed the new non-ad valorem assessment (Exhibit A, slide 2). He recapped the minimum and maximum rates for collection, disposal, and recycling and that the FY 2021-2022 assessment would be for \$178 per residence. He said that that assessment went out with the tax bills in fall of 2020.

Director Tredik reported that the FY 2019 cost was used to evaluate the actual cost per residential property for each of the three categories: Collection \$162, Disposal \$125, Recycling \$43 which totals \$330 (Exhibit A, slide 3). He advised that he presented a couple potential implementation plans which he thought would cover the full actual cost in FY 2026 based on 3.5% annual inflation for a total of \$418 (Exhibit A, slide 4). He described the other more modest table from the PowerPoint presentation (Exhibit A, slide 5). He said that he updated those proposals because some of the things accepted at the time needed to be brought into current day perspective. He discussed how complicated it is to come up with the cost analysis because the Public Works trucks are used for a variety of different things along with staff time, commercial vs. residential, etc. (Exhibit A, slide 6), He advised that it is not a precise number. He said that he is comfortable

staying with \$330 which will be evaluated and could be lowered in the future. For FY 2020, he looked at the cost based on the actual expenses, and they were almost identical, which reassures him that the numbers are pretty good. FY 2021 is a little different because changes began in October of 2020, such as reclassifying condominiums as commercial (Exhibit A, slide 7). He said that one of the large condominiums changed to dumpster service which removed them from the City's collection and that the City also stopped collection of recycling from those that did not use the City for solid waste. He advised that the City has been taking solid waste to Bunnell which saves approximately \$1,000 a month or more.

Director Tredik reported that FY 2021 costs are predicted to come in less than FY 2020 because of restructuring. FY 2022 costs are projected to possibly be reduced to \$305 per residence depending on inflation (Exhibit A, slide 8). Looking forward, the City could have savings next year but then there will be less places to save with the Consumer Price Index impacting the costs with a potential for FY 2026 to be \$344 which is less than the maximum that is within the range (Exhibit A, slide 9). Currently 54% of solid waste and recycling is being paid for by the non-ad valorem assessment and 46% is paid for by ad valorem taxes so the City is not where it needs to be (Exhibit A, slide 10).

Director Tredik stated that there are advantages to increasing the non-ad valorem assessment (Exhibit A, slide 11). People have said that the current system is unfair because some people do not have solid waste collection and are paying for it in their taxes. Some people cannot get the service, such as large condominiums. Another advantage is having a dedicated revenue source for solid waste because every year almost 50% of the budget for solid waste is out of ad valorem taxes. Increasing the value gives the City a better plan and budget for the future. He described the need for vehicle replacements when they are past their 10-year life. He advised that he would like to retire the vehicles at their 10-year life which would bring maintenance cost down and the City will have more reliable equipment. He said that when property values go down that revenue will also go down and that a non-ad valorem assessment will be at a fixed rate to pay for things the City needs.

Director Tredik described the potential phasing plan (Exhibit A, slide 12) and capping it out at \$344 which will be paid for by the non-ad valorem assessment for the full 100% by FY 2026. He strongly recommended an increase and that \$344 is comparable to what the City of St. Augustine and St. Johns County are charging. The City is very much under what it is costing for solid waste and recycling. He described the percentages paid each year by the non-ad valorem assessment.

Mayor England advised that she is interested in how to reduce the City's costs. She suggested that the City could do more right now to educate the public on what can be recycled.

Director Tredik advised that the City can educate people right away and that he would have to work with the current contractor on that, but it will not give immediate savings because City pays a fixed amount per residence under the current contract.

Mayor England asked about possibly modifying the contract to reduce the amount of recycling to every other week especially since Waste Management is already having difficulties maintaining the City's routes.

Director Tredik advised that it would require a change to the contract, and they would have to agree with it, but it could be pursued. He said that the recycling collections have been behind again this week and that they have been warned before. He advised that the City has the option to suspend recycling and the contract. The Public Works Department probably could do some of the recycling pickup, but not every week because there is not enough staff or equipment.

Mayor England suggested removing items like glass and to reduce other items to be practical about what can be recycled. She suggested to have a discussion with Waste Management to be more efficient about recycling and reduce costs.

Finance Director Douylliez advised that it has been her experience coming from the solid waste industry that the company will likely not be agreeable to reducing the number of pickups or to lowering the rate without a promise to renew. It is in the best interest to the City and the residents to make sure that the services are provided. She said that it is part of the contract that the company must do an education campaign for the City. She advised that Advanced Disposal/Waste Management complained that the City's residents are putting too many contaminants in the recycling. It would aid the City during the change-over next year to ask for their assistance to begin to educate the residents now. There is already a Consumer Price Index letter with a 4% increase in October. The City can only reduce expenses on solid waste until the current recycling contract is complete.

Director Tredik said that it would be difficult to get compliance if they know they are not getting a renewed contract. He said that he does not want to stop recycling but that it is an option to suspend it for a time period until Public Works can take over the recycling.

Commissioner George asked how much time is left on the current contract. Director Tredik advised that the current contract will expire at the end of May 2022.

Commissioner George asked how much time it would take before Public Works is ready to bring recycling in-house and have every other week pick up schedule. Director Tredik said that staffing would not take long to have in place but buying the truck could be six months or more.

Commissioner George asked how much the truck costs. Director Tredik advised that the truck would be approximately \$250,000.

Mayor England asked if it would be quicker to finance the truck. Finance Director Douylliez advised that she did not see any issues with financing the truck instead the issue would be getting the truck because it could take as long as a year. She said that the City could get a used truck, but repairs would be a concern.

Commissioner George asked how much projected revenue would be generated for the fiscal year. Director Tredik advised that at \$28 for recycling it would be about \$84,000 in recycling revenue.

Commissioner George said that after three years the City would break even on the truck if it were financed.

Vice Mayor Samora asked how much the contract with Advanced Disposal/Waste Management a year for recycling was. Finance Director Douylliez advised that it was approximately \$144,000 a year.

Director Tredik advised that the new contract increase is probably going to be dramatic.

Vice Mayor Samora asked if the recycling truck is the same setup as the City's current trash trucks. Director Tredik advised that the truck is the same configuration.

Discussion ensued regarding the truck capabilities to handle trash and recycling; accelerating the replacement of a truck by a year; keeping a spare truck for breakdowns; and to keep three truck running.

Commissioner Rumrell thanked Director Tredik for a great informative presentation. He asked if the City is taking trash to the Bunnell facility. Director Tredik advised that trash only is being taken to the Bunnell facility and not construction debris or yard waste.

Commissioner Rumrell asked if the tipping fees at the Bunnell facility are cheaper. Director Tredik advised that the City is paying \$44 a ton at Bunnell, and it is \$56 a ton at Tillman Ridge which is a \$12 savings over Tillman. He said that the City does pay more in mileage and labor to get to Bunnell.

Commissioner Rumrell advised that he would still like to see what it costs to have a company do both trash and recycling. He said that St. Johns County is doing both for \$250 a year and that is roughly \$100 less than the City would be at \$344 per year. The City needs to decide if it wants service vs. saving revenue. It is difficult to justify increasing fees when recycling is not getting collected.

Director Tredik advised that the City is not really raising their fees because it is paying \$43 for recycling now. He wants the service to be done more efficiently and cheaper.

Commissioner Rumrell advised that all the residents see is that their taxes are increasing from \$178 to \$211. He said that most people think that the City picks up their recycling too. He would like to do a bid for the services.

Vice Mayor Samora asked what St. Johns County's actual cost is for collection and could the City possibly piggyback on St. Johns County's contract. Director Tredik advised that he did not know what next year's contract rate would be for St. Johns County. Finance Director Douylliez said that when the research was done last year, that she contacted St. Johns County Solid Waste and that they said that they would not charge less than the actual costs. They did not confirm their contract rate, but it is a public record, and she said that she would obtain that information.

Commissioner Torres advised that he is concerned with suspending service because the City is already charging the non-ad valorem fees. He said that he is affected the same as other residents when the recycling is missed. He agreed that the frequency could be switched to every other week. He would like to hear from the City Attorney whether the current agreement provides for incurring penalty fees for not providing the contracted service.

City Attorney Taylor advised that there are no liquidated damages in the contract. He said that normally the City would give one notification of breach of the contract and give one opportunity to remedy. He said that the company is already past that point. He advised that the City now has the option to either negotiate or terminate contract.

Commissioner Torres said that he liked that the City's hands are not tied to continuing the contract and to possibly be able to renegotiate it to scale back to every other week for recycling pickup. Director Tredik advised that every other week may not work with the 18-gallon bins that the City has under its current contract because they over fill.

Discussion ensued regarding the issues happening with the small bins becoming overfilled; people purchasing larger bins that were not collected under the contract; contamination issues; switching to the carts was expensive when considered 2 years ago.

Director Tredik said that the carts would allow for a two week schedule. He advised that the City could work towards that if recycling gets brought in-house.

Commissioner Torres advised that this could be an opportunity to renegotiate the contract to every other week with the carts and also ask to lower the cost.

Mayor England advised that she personally tries to remove items that cannot be recycled like glass, glossy papers, etc. and that she only puts her recycling out every two weeks. She said that once you consider what is not recyclable, there is not that much in the bin.

Commissioner Rumrell advised that things that are recyclable have changed over the past ten years. He said that there is not any new education about what is being recycled and that people do not see what happens after they put items in recycling bin.

Finance Director Douylliez advised that when the default notice was sent to company that they responded with a claim that they are picking up contaminated bins in the City often and that they need the City to help with an education process for the residents. She suggested that the City needs to take advantage of the company's willingness to educate and to reduce contaminants. She described some contaminants and said that the recycling company should be tagging contaminated bins and not collecting them in an effort to help educate the residents. She advised that she and City Manager Royle have discussed including Events Coordinator Conlon to help push a campaign on the City's website and social media. She discussed how different items either will or will not decompose in a landfill.

Commissioner George advised that it makes sense to have the current vendor engage in education now for when the City takes over next year.

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

Sandra Krempasky, 7 C Street, Apt A, St. Augustine Beach, FL advised that SEPAC has discussed educating the public about recycling. She said that she likes the idea of not collecting what is contaminated to emphasize the issue. She said that SEPAC is starting a series of newsletter columns and that they could include this if the Commission agrees.

Mayor England recapped the discussion into four topics: 1) to educate in conjunction with the current vendor to use social media, ads in Record, etc. and to have a Commissioner and staff sit with the company to discuss the issues in person; 2) to do fact finding and explore outsourcing and other options; 3) to move quickly if bringing recycling in-house is deemed the better option; 4) to change the collection to every two weeks.

Director Tredik advised that he could pursue those items. He asked what the Commission thinks of the proposed non-ad valorem assessment rates for the upcoming year. He said that whether the City does another contract or moves it in-house it that it would still be below the actual cost. He asked the Commission for direction as to whether he should bring an item back to increase the rate and by how much.

Mayor England advised that the Commission realized that there would be an increase to cover the actual cost. She asked the Commission for their thoughts about the \$211 that was suggested for FY 2022.

Commissioner Rumrell advised that he would like to compare what other costs are before making a decision. He said that he does think it should increase but it is going to be hard to validate an increase to the residents.

Director Tredik advised that he could promise that City would collect dependably and that the service level will increase. He said that St. Johns County's rate is \$240 and if the City were to piggyback on their contract, it would pay at least that mount. He advised that the City could put it out to bid and the rate may be at least \$240 a year. He advised that asking for the increase is not asking for something that the City is not spending. He said that this gets a little closer to the actual costs no matter the direction.

Commissioner Rumrell asked if the cost is higher because it includes the purchase of a new truck.

Commissioner George advised that if the truck is financed it would constitute a savings and it would be a fraction of a recycling contract.

Director Tredik advised that the truck purchase is calculated in the numbers.

Commissioner Rumrell asked about leasing a vehicle because a lease may include maintenance. Director Tredik advised that he would look into leasing options.

Commissioner George advised that the Police Department has leased vehicles in the past.

Vice Mayor Samora advised that the goal was to get closer to the actual cost over a several year period. He said that five years is plenty of time to cover the costs and that the Commission needs to give staff direction. If the benchmark is St. Johns County and the City of St. Augustine, then the City would not even be close to those numbers within the first three years. He said that the City residents would still be paying less.

Mayor England asked what the deadline is for making a decision for FY 2022.

Finance Director Douylliez advised that she is working on budget now. She said that the City would likely set the preliminary millage on Monday, July 26, 2021. She would like the firm numbers in August and to have the tax roll set by September 1st.

City Manager Royle advised that Finance Director Douylliez needs to know what direction the Commission is going so she can put the numbers in the budget by July 26th.

Mayor England asked for a consensus on using \$211 being subject to fact finding.

It was the consensus of the Commission to use \$211 subject to fact finding.

2. Stormwater Infrastructure and Maintenance of Stormwater System: Consideration of a Stormwater Utility Fee to Pay Costs (Presenter: Bill Director Tredik, Public Works Director)

Mayor England introduced Item 2 and asked Public Works Director Tredik for his report.

Public Works Director Tredik presented his PowerPoint presentation, Stormwater Utility Fee (Exhibit B). He stated that it was time to consider a stormwater utility fee as a viable option to fund some of the City's stormwater needs.

Director Tredik noted that a Vulnerability Assessment was recently completed which identified a number of prospective projects with estimated costs (Exhibit B, slide 14) totaling a potential \$3,630,000, such as the SR-312 and Pope Road outfalls, areas of West Pope Road, Seagrove, Ocean Trace, and Oleander Street, and the Atlantic Ocean seawall. He explained that the 2004 Stormwater Master Plan still had four projects outstanding (Exhibit B, slide 15), Mickler Ditch piping, 7th, 8th, and 9th Street drainage connections, and 16th Street piping, at an estimated cost of \$1,765,000. He also identified other areas of drainage concern (Exhibit B, slide 16), such as Lake Sienna, Ocean Walk, Seaside Villas, Ocean Oaks, Ocean Pines/2nd Street, Mariposa/Poinsettia Street, Magnolia Dunes/Ewing Street/Atlantic Oaks Circle, Oceanside Circle, and Ocean Trace Road/Sabor de Sal, at an estimated cost of \$6,244,000. The total cost could be around \$11,639,000, some of that cost could be covered by grants and he estimated a possible \$5,820,000 in grants, which still leaves a potential \$5,820,000 from City funds over the next decade or so (Exhibit B, slide 17).

Director Tredik stated that the most realistic way to fund these projects, and others that may come up, would be a stormwater non-ad valorem tax. Around 170 local governments in Florida have established stormwater utility fees and they vary from small town to large cities to counties

(Exhibit B, slide 18). He noted that he would send the Commission the Florida Stormwater Association's Stormwater Utility Report from 2020, which contains some of this information in more detail. He explained that most of these fees are based on impervious area, Equivalent Residential Units (ERU), or something similar to base the rate on the property's impact on the stormwater system. He read a number a sample fees from other cities (Exhibit B, slide 19), including St. Augustine at \$7.50 a month per ERU. He noted that Flagler Beach's fee of \$8.83 a month per ERU could generate \$500,000 annually. He explained that these fees could be used for stormwater projects, salaries associated specifically with stormwater work, stormwater facility maintenance, stormwater-related equipment and pumps, and grant matches (Exhibit B, slide 20).

Director Tredik explained the schedule that would need to be followed to implement a stormwater fee by Fiscal Year 2023 (Exhibit B, slide 21). By December, a resolution would need to be passed expressing intent to adopt a non-ad valorem assessment to notify the Tax Collection in January 2022. By April, ranges and rates will need to be set and a public hearing would need to be held by June. A resolution and agreement with the Tax Collector would need to be finalized by August 2022.

Director Tredik stated that the Commission and staff will still need to gather information and discuss further before this is put into place (Exhibit B, slide 22). Topics such as establishing the fee structure, quantifying commercial impervious and semi-impervious areas (which would be a time-consuming task), rates for undeveloped properties, exemption policies, implementation schedule for projects, and hiring a consultant to assist with plan development.

Director Tredik strongly recommends hiring a consultant to help complete this process is solid, fair, and equitable. He stated that it would provide a better product in the long run. He presented a potential schedule for hiring said consultant (Exhibit B, slide 23), which would include the Commission authorizing staff to proceed with hiring at their July meeting, and RFQ could be advertised in July to be potentially awarded by September with the plan completed by March 2022.

Director Tredik asked for direction from the Commission on whether to move forward with a pursuing a stormwater non-ad valorem and a consultant to develop the fee program (Exhibit B, slide 24).

Mayor England asked how much a consultant would cost and Director Tredik replied that he is not sure, but expects that it would not be cheap but not exorbitant either. Mayor England stated that she would like more facts and requested two to five similar beach cities' plans for comparison, that more information would make it easier to advise staff. Director Tredik replied that the challenge would be that most of these fees were put into place in the 1990s, but he can still reach out to the cities for the cost then.

Vice Mayor Samora asked for clarification on the scope of work for the consultant. Would it be just a way to charge the rate, would it include surveys?

Director Tredik stated that he still needs to work out the details, but main points would be to determine the ERU for our city, which would require digging through property records and seeing what the average house size is and approximate the average impervious surface area is and assign a number of ERUs to properties. The consultant would need to work with the Finance Department to set up an accounting system to maintain the program. There would also be legal issues to clarify with the City Attorney. He noted that he was stormwater engineer for St. Augustine and his salary was paid from their stormwater fee, but the stormwater fees preceded his employment.

Vice Mayor Samora stated that the Commission had asked staff to find new sources of revenue and they did just that. There is a need and it's tough, but it should be considered. He also agreed that more information was needed.

Commissioner George stated that it's the natural environment of the area and the City can't control it, just work on it diligently and implement infrastructure. The costs are above and beyond the ad valorem revenue source. She stated that she has always been against implementing fees, but that the natural environment just keeps becoming more and more of a challenge. She also requested more information. She asked why there were no projects listed on A1A Beach Boulevard, specifically A Street, 1st Street, and 12th to 15th Streets. Those areas get a lot of standing water. She asked how Director Tredik determined his list of areas of concern.

Director Tredik replied that he did not compile a comprehensive list, that when the Master Drainage Plan is updated, there will be a more thorough list. He stated that those are areas of concern, but last September, when those areas were underwater, was an exceptionally strong storm. The City saw four inches of rainfall in two hours, a 10-25 year event and almost any street would go under in storm of that severity. There will always be some water on the streets, but he focused on areas where properties could potentially be damaged, and this list was a preliminary look to mainly give an idea of costs. He clarified that the fee would not be restricted to a specific list of projects and the project list could change whenever needed.

Commissioner George asked about how condominiums would pay this fee. Director Tredik replied that every property would pay, and consultant would advise on whether to charge each unit or to charge the condo association.

Commissioner George asked for an explanation of the projected staff costs. Director Tredik – replied that it was a combination of new and existing staff. He is currently looking for an assistant engineer and a drainage technician could be paid from this fee. Any staff who works exclusively on stormwater projects could be partially paid with this fee, but he would not want to use all of the revenue on staff. The decision on how much, if any, of this fee would be used on staff could be determined from year to year.

Commissioner George asked how much would be for ongoing stormwater maintenance costs. Director Tredik replied that, again, it would be a combination of maintaining current infrastructure and the maintenance for any new infrastructure. Those maintenance costs would increase with every new project.

Commissioner Rumrell agreed that more information would be helpful. He also stated that he is happy to go chase more money from the State Legislature and he is not afraid to ask for \$11 million, the City would likely not get it, but he could still ask and maybe get a fraction of that. He suggested seeing if some of the recovery funds could be used for drainage issues.

Director Tredik replied that any additional revenue would be great, that there is a real need regardless of how much the City could get. He asked for guidance from the Commission on whether staff should move forward on developing this or focus on other issues.

Commissioner Rumrell stated that a lot of people are anxious to curb the flooding issues and any additional money would help reduce the time it may take to address those issues.

Commissioner Torres stated that he does not have enough information to endorse hiring a consultant at this time. He stated that to his understanding things are built to a certain drainage plan, but some of the areas listed on slide 16 are fairly new. He asked where the problems started, with the plans, with permitting, or with developers. He stated that if a resident is not in

the affected areas, they should be exempt. He wants to determine the underlying problem and if anyone else is responsible. He needs more information to commit.

Mayor England reported that she is not hearing a clear consensus, except on needing more information, especially on hiring a consultant. She asked for more information on the cost and what the consultant would do. To Commissioner Torres, she replied that special assessments for each affected area are time consuming to do. There is a need to complete these projects to reduce residents fear of water potentially damaging their homes. She asked City Manager Royle for his advice on special assessments.

City Manager Royle stated that he has been involved in several special assessment projects, such as the 3rd Street and 8th Street projects. They are time consuming since the City would need to hold public hearings. It would also entail a very high assessment for affected property owners. For example, Magnolia Dunes has about 40-50 homes so if you divide \$1.2 million over 50 homes, that would be a very high assessment for those owners. At Ocean Trace Road and Sabor de Sal, there is a retention pond that is not owned by the City and there is no homeowners' association to take responsibility for it. He commented that coordinating with HOAs or individual owners would take a lot of time, a consultant could help manage that. He noted that even if City didn't do any new projects, there are still existing systems throughout the City that will continue to need maintenance, so the stormwater fee would relieve the burden on property taxes to maintain the system that is already in place. He would like to advertise for a consultant and that wouldn't commit to spending any money, simply help to gather information. At least the City would be moving forward, even if they didn't hire anyone.

Commissioner George stated that she doesn't think the City should advertise yet, since people who apply now may not be available when the City is willing to hire. She also doesn't want to advertise without fully knowing what the consultant would be doing and wants to define their role clearly.

City Manager Royle replied that developing a stormwater fee is a complicated process that requires specialized knowledge in order to withstand legal challenges and current staff doesn't have that expertise. He stated that the City should explore this as a potential revenue source to the best of our ability. Staff could bring more information back to the Commission, possibly an RFQ draft to review.

Director Tredik stated that systems have lifecycles and components will need to be replaced after a certain amount of time. If the City plans for those repairs now, then it will be in a much better position when it is needed. There is no guarantee that the City could find someone to help pay for another weir in 25 years, but if the City plans properly and has a fund then it can plan on replacing components at specific times to best maintain the system and extend the lifecycle. There are pump stations that need to be maintained and right now those costs are competing with everything else the City needs. If funding is not available to do proper maintenance and repairs, the system could break down and people's houses could potentially flood.

Commissioner Torres asked if those repairs could be accounted for in the capital reserves.

City Manager Royle replied that planning is not the issue, paying for it is. Staff is looking for a reliable, steady funding source, so that the City doesn't have to keep utilizing the general fund to subsidize road & bridge fund expenses.

Director Tredik agreed that these maintenance expenses are never going to go away, they will be recurring forever. They can be leveled out over time by having a reliable, dedicated funding source and replacement cycle or the City can know it's coming and have to find funding as needed, probably by raising ad valorem taxes that year.

Commissioner Rumrell asked if the fund could sunset at some point. Attorney Taylor replied that the fund could sunset or the rate could be adjusted down to not collect more than is needed for maintenance costs. Commissioner Rumrell stated that it may help if the City could show residents a potential light at the end of the tunnel. He asked staff to put together scope of services for consultant, since maybe the engineer the City will be hiring could do some of those services.

Mayor England stated that there is a benefit in developing a plan and projects to try to get grant funding. She noted that there is a difference between what individual homeowners could do to mitigate stormwater issues and what associations and the City could do. She asked if the Commission had an objection with having the City continue to pursue development of a stormwater assessment.

Commissioner George replied that it was still good to look at it. She agreed with Commissioner Torres that the City has been managing these capital improvements over time, but there are some dire environmental conditions, which the Vulnerability Study has highlighted. She would like to see an update to Master Stormwater Management Plan to have a better idea of hard costs. The bottom line is that when there is a storm event, there is nowhere for the water to go. She asked if there is the possibility of portable pumps to deal with problems as they occur.

Director Tredik replied that portable pumps get there after the flooding has already happened. It is very hard to predict flooding. It could be a possibility, but some areas will be missed due to human judgment and error. An established system doesn't depend on someone getting there before the flooding gets bad.

Commissioner George asked if new design techniques are developed, would those be able to become a part of the City's plan.

Director Tredik stated that he is working to fit a new Master Stormwater Management Plan in the upcoming budget. It would not be exorbitant, but not cheap either. There is a lot of work involved to develop that plan.

Commissioner George stated that she would be comfortable continuing the discussion and gathering more information.

Mayor England asked if the City should advertise for a consultant. The Commission agreed that it was too early, and they would need more information.

Director Tredik noted that if the delay is too long, it may push this into FY 2024. There should be a decision by August, maybe September if the Commission wants this to happen in FY 2023.

Commissioner Rumrell asked for a tier of importance to help search for funding on these projects. Director Tredik suggested that he could categorize by areas where flooding is occurring now, where flooding is about to happen, and where flooding may happen in the next decade.

Director Tredik noted that a special assessment has merit for areas that have a large project that only helps a few. There could be a combination of a stormwater fee to cover general system maintenance throughout the City and special assessments for major projects as needed.

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

Sandra Krempasky, 7 C Street, Apt A, St. Augustine Beach, FL, stated that she cannot speak for the whole of the Sustainability and Environmental Planning Advisory Committee, but that SEPAC has been discussing this topic for years and is fully behind Director Tredik. She noted that Late-Public Works Director Joe Howell made a similar presentation five years ago and it's time to take some action. She thinks the fee should be same across the board, but Craig Thomson seems to

prefer basing fee on impervious surface ratio on properties, like St. Augustine, so she would be behind hiring a consultant to advise on the best course. She suggested that the City use a green consultant to determine if other solutions could be used instead of engineering, such as landscaping and trees.

Commissioner Torres stated that was an interesting point and noted that Commissioner George had mentioned incentivizing residents to use less coverage.

Director Tredik stated that he has direction and will come back with more information.

V. DIRECTION TO STAFF REGARDING DECISIONS TO BE MADE AT FUTURE COMMISSION REGULAR MEETINGS

Vice Mayor Samora reported that the 1/5 cent tax recommended by the Tourist Development Council was reviewed by the County Commission and should be reviewed again on July 20th.

Commissioner Torres asked if it would make it easier for City to gain funds.

Vice Mayor Samora replied that half of the increase would go to “other” tourist related impacts, like parking, infrastructure, and safety, instead of things like advertising. He noted that it was recommended by Commissioner Henry Dean that 60% of that increase goes into the Beaches fund. The TDC recommendation was for half of the increase to go into the “other” category and none into Beaches. He stated that he will send further information to City Manager Royle to distribute. He noted that approval of the increase would need a super majority vote and encouraged the City Commissioners to contact the County Commissioners. It could generate \$3 million for the County to distribute.

VI. ADJOURNMENT

Mayor England asked for a motion.

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

Meeting was adjourned at 8:10 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: June 24, 2021

SUBJECT: Interview of Mr. Eugene Mariutto for Position of Senior Alternate on the Code Enforcement Board

Due to vacancy on the Board, the current senior alternate has been moved to fill it, leaving his position vacant. Mr. Eugene Mariutto has applied to be considered for the senior alternate's position. His application is attached, and it is the only one filed for the position. He has been invited to your meeting for the customary interview.



**ST. AUGUSTINE BEACH CITY COMMISSION
BOARD AND COMMITTEE APPLICATION**

FOR APPOINTMENTS TO COMMITTEES INVOLVED IN LAND USE

Date received by City 6-23-2021

Thank you for your expressed interest in being considered for appointment to committees, boards, commissions, or advisory groups appointed by the City Commission. The Commission appreciates your willingness to serve your fellow citizens in a volunteer capacity. Please complete this application to the best of your ability. (You may attach a resume and/or additional data. Please reference attachments in the appropriate section(s).)

Name: Eugene R. Mariutto

Address: 503 E ST, ST AUGUSTINE, FL 32080

Phone #: 305-951-0194 E-Mail Address: gmariutto@gmail.com

How long have you been a legal resident of the City of St. Augustine Beach? 11 years

I am a full-time ☒ part-time ☐ resident.

I am ☒ am not ☐ a registered voter in St. Johns County.

List all active professional licenses and certifications: Certified General Contractor
CGC1520246, Certified Roofing Contractor CCL1332361, Certified
EPA Lead Renovator

Educational background: H.S. Diploma, Some College

Past work experience: State Certified GC for 10+ years, State Certified roofer
for 2 yrs, Extensive Commercial + Residential Trade experience.

Please list all civic clubs, professional organizations, or public interest groups of which you are a member or in which you have been active: (attached additional sheet if necessary).

1. _____ 2. _____

3. _____ 4. _____

Please list the location and size of all parcels of property in St. Augustine Beach of which you have ownership: 503 EST - 10-97 Cognate Galilee Estate
75' x 100' 17225 00030

Please list any companies/industries doing business in St. Augustine Beach in which you have a financial interest (i.e., proprietary, partnership, stock holdings, etc.)

ADCAP Construction, LLC, BEST Roofing & Waterproofing, LLC, Duval County Holdings, LLC

Please indicate by preference all City boards, committees, or councils in which you have an interest:

1. Code Enforcement Board ☒
2. Comprehensive Planning & Zoning Board ☐
3. Other ☐

I am available for meetings

- a. During the day only ☐
- b. Evenings only ☐
- c. Anytime ☐

List three (3) personal or professional references:

1. Robert Morgan RCM Engineering 904. 814. 7633
2. Kyle Brown KMB Asset Solutions 954. 234. 6972
3. Joe Geneau 904. 687. 3976

You may use this space for a brief biographical profile or to list certain skills you possess that may be relevant to the appointment you are seeking. Please indicate whether you have had experience with the reading of blueprints, technical drawings or diagrams. (Indicate below if you are attaching a resume.)

*able to read blueprints + technical drawings + diagrams.
*extensive experience in commercial + residential trades.

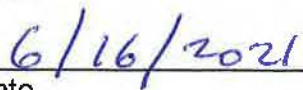
NOTE: All information provided will become a matter of public record and will be open to the public. If you require special accommodations because of a disability to participate in the application/selection process, you must notify the City Commission in advance. This application will be kept for one (1) year, at which time you must notify the

City Commission of your intent to remain an active applicant and update your application accordingly or it will be removed from the active file.

I hereby authorize the City of St. Augustine Beach or its representatives to verify all information provided, and I further authorize the release of any information by those in possession of such information which may be requested by the City. I certify that all information provided herein is true and accurate to the best of my knowledge. I understand that a volunteer position provides for no compensation except that as may be provided by Florida Statutes or other enabling legislation.



Signature



Date


Please return completed application to:

The City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080
Phone (904) 471-2122
FAX (904) 471-4108

Thank you for your interest!

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 17, 2021

SUBJECT: Ordinance 21-07, First Public Hearing and Second Reading: to Provide Addition to Prohibited Uses in Section 3.02.03 of the Land Development Code

BACKGROUND

This ordinance is the result of a drug/alcohol rehab clinic that allegedly opened for business in the Sea Grove Town Center. Residents became concerned, though an investigation by the City's Code Enforcement Officer found no evidence of the rehab clinic.

Mr. Lex Taylor, the City Attorney, researched Chapter 397, Florida Statutes, concerning substance abuse services because the Chapter has a narrow definition of rehab businesses and requires full licensing of these types of businesses with the Florida Health Department.

Mr. Taylor prepared an ordinance, 21-07, which you reviewed at your June 7th meeting, when you passed it on first reading.

The Planning Board reviewed Ordinance 21-07 at its June 15th meeting and by unanimous vote recommended that it be approved. The Board's motion and vote is stated in the memo (page 1 attached) from the Building Department's Executive Assistant, Ms. Bonnie Miller.

ACTION REQUESTED

It is that you hold the public hearing and pass Ordinance 21-07 on its second reading.

The ordinance will then be scheduled for its second public hearing and final reading at your August 11th meeting.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: Ordinance No. 21-07
Date: Wednesday, June 16, 2021

Please be advised at its regular monthly meeting held Tuesday, June 15, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 21-07 on final reading.

Passed on first reading by the City Commission at its regular monthly meeting held Monday, June 7, 2021, this proposed ordinance amends Section 3.02.03 of the City of St. Augustine Beach Land Development Regulations to provide an addition to prohibited uses listed in this section regarding the regulation of drug and alcohol rehabilitative and other related medical facilities.

The motion to recommend the City Commission approve passage of Ordinance No. 21-07 as drafted and passed by the City Commission on first reading was made by Mr. Einheuser, seconded by Ms. Odom, and passed 7-0 by unanimous voice-vote.

ORDINANCE NO. 21- 07

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 AN ADDITION TO THE PROHIBITED USES LISTED IN SECTION 3.02.03; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESSETH:

WHEREAS, the City Commission has the plenary power under its Charter to establish zoning rules for the City;

WHEREAS, the City Commission continues to seek to promote the health and welfare of its citizens;

WHEREAS, It is the goal of the City Commission to discourage substance abuse by promoting healthy lifestyles; healthy families; and drug-free schools, workplaces, and communities;

WHEREAS, Substance abuse is a major health problem that affects multiple service systems and leads to such profoundly disturbing consequences as serious impairment, chronic addiction, criminal behavior, vehicular casualties, spiraling health care costs, AIDS, and business losses, and significantly affects the culture, socialization, and learning ability of children within our schools and educational systems. Substance abuse impairment is a disease which affects the whole family and the whole society and requires a system of care that includes prevention, intervention, clinical treatment, and recovery support services that support and strengthen the family unit;

WHEREAS, the Florida legislature regulates Substance Abuse Services under Florida Statute Chapter 397 – Substance Abuse Services and has similar concerns about the effects of substance abuse on substance abusers and those around substance abusers;

WHEREAS, the Florida legislature as of May 4, 2021 has identified in Fla. Stat. 397.4012 that the following are exempt from being required to hold a license under Chapter 397 and the City Commission recognizes that these uses would be permitted because they do not require a license under Chapter 397:

1. A hospital or hospital-based component licensed under chapter 395.
2. A nursing home facility as defined in s. 400.021.
3. A substance abuse education program established pursuant to s. 1003.42.
4. A facility or institution operated by the Federal Government.
5. A physician or physician assistant licensed under chapter 458 or chapter 459.

6. A psychologist licensed under chapter 490.
7. A social worker, marriage and family therapist, or mental health counselor licensed under chapter 491.
8. A legally cognizable church or nonprofit religious organization or denomination providing substance abuse services, including prevention services, which are solely religious, spiritual, or ecclesiastical in nature. A church or nonprofit religious organization or denomination providing any of the licensed service components itemized under s. 397.311(26) is not exempt from substance abuse licensure but retains its exemption with respect to all services which are solely religious, spiritual, or ecclesiastical in nature.
9. Facilities licensed under chapter 393 which, in addition to providing services to persons with developmental disabilities, also provide services to persons developmentally at risk as a consequence of exposure to alcohol or other legal or illegal drugs while in utero.
10. DUI education and screening services provided pursuant to ss. 316.192, 316.193, 322.095, 322.271, and 322.291. Persons or entities providing treatment services must be licensed under this chapter unless exempted from licensing as provided in this section.
11. A facility licensed under s. 394.875 as a crisis stabilization unit.

WHEREAS, Florida Statute 397.6774 requires the Department of Children and Families to provide each municipality and county public safety office with a listed of licensed hospitals, detoxification facilities, and addiction receiving facilities including the name, address, phone number and the services offered by a licensed service provider;

WHEREAS, the City of Saint Augustine Beach is an oceanfront community which is only 1.9 square miles in total area, and it has a unique development that does not have, nor allow, many high intensity uses within its City limits for example the City does not have a school or hospital within its jurisdiction and relies upon those services to be located within the neighboring areas of unincorporated Saint Johns County;

WHEREAS, the City Commission finds that all business licensed under Florida Statute Chapter 397 – Substance Abuse Services are not the highest and best uses of real property within the City limits; 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 3.02.03 of the City's Land Development Code Section 3.02.03 as follows:

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; _____.)

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. 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 5. 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

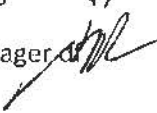
EXAMINED AND APPROVED by me this ____ day of _____, 2021.

MAYOR

Published in the _____ on the ____ day of _____, 2021. Posted on www.staugbch.com on the ____ day of _____, 2021.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 24, 2021

SUBJECT: Light Up the Beach for New Year's Eve 2021 Special Event: Update Report

Attached from Ms. Melinda Conlon, the City's Communications and Events Coordinator, is a report on the City's preparations to date for its New Year's Eve fireworks show event. She will be at your meeting to explain her report in more detail.

In addition, we ask you to consider the following: Should the length of the fireworks show be shortened from 30 to 20 minutes? St. Augustine's July 4th fireworks show is 20 minutes. For years that was the length of our show. For some reason, around 2015, it was lengthened by 10 minutes without any noticeable improvement in quality or innovation.

ACTION REQUESTED

It is that you discuss the information Ms. Conlon has provided and give her and the staff guidance concerning any topics that you think she and the staff need to address.

The next update report on the New Year's Eve event will be provided in September.

Light Up the Night Fireworks & Beach Blvd. Block Party - Update 6/24/21

At the direction of the City Manager and the Commission in the March Commission meeting, we are moving forward with the approved plan.

We are doing things a little bit differently in 2021 and designing the New Year's Eve event to attract visitors and locals to patronize our local businesses.

Instead of having thousands of people in one small location at Pier Park, people will be able to spread out along the Blvd. and enjoy the fireworks from multiple locations.

Local businesses will take the place of the many non-local vendors that were crowded into Pier Park in past years. While we will provide fabulous fireworks show, we will encourage people to patronize our businesses for their food, beverages, and entertainment.

This will be a community-based celebration, offering a true taste of St. Augustine Beach. Whether the plan is a weekend stay at one of our local hotels or a local SJC resident looking for wonderful night out with family or friends – the Boulevard will offer something for everyone.

- 1) We are holding monthly meetings with the PD, PW and other key staff starting in July. We met internally on June 23rd and discussed several key topics such as parking options, transportation, and traffic patterns.
- 2) We are planning for a town hall meeting for all local businesses to receive information on our plans and give feedback. We need to get all the businesses on board as soon as possible so we can all start planning.
- 3) We have received approval to use the Anastasia Baptist Church parking lot for our one pick-up location. We have received approval to use the YMCA parking lot for parking.
- 4) We are waiting to hear back from the State Park if they will allow parking and viewing from their parking lot.
- 5) We updated our sponsorship forms and have put them in a web-based form on our website. We have sent out several sponsorship letters and to date, we received over \$4,000 in cash sponsorships.
- 6) Old Town Trolley to provide five (5) – 30 passenger enclosed shuttles that are ADA compliant. This is an IN-KIND sponsorship.
- 7) TDC Grant – At the direction of the City Manager and Finance Director, the grant was not pursued. There is a five-year limitation to receive grant funding through the TDC, and it was decided that it would be best to apply for the grant in the following year when we have

more events (that we can hopefully group together in one application) and will need the additional funds.

MEMORANDUM

Date: June 24, 2021
To: Max Royle, City Manager
From: Bill Tredik, P.E., Public Works Director
Subject: 2nd Street Extension Non-Ad Valorem Assessment
Request for Approval of Resolution 21-23 and an Interlocal
Agreement with the Tax Collector

BACKGROUND

Attached as pages 1-5 is Resolution 21-23, exhibits and related information for the interlocal agreement with the Tax Collector for the collection of the 2nd Street non-ad valorem assessment approved by the City Commission on June 7, 2021. The City Attorney has reviewed the resolution and the agreement. The agreement states the provisions governing the collection of the non-ad valorem assessment for the 2nd Street Extension by the Tax Collector. The non-ad valorem assessment will pay for the cost to extend 2nd Street from 2nd Avenue westward to its terminus, providing access to sixteen (16) undeveloped lots.

ACTION REQUESTED

Approve Resolution 21-23

**Exhibit "A" to
Resolution**

AGREEMENT

This Agreement is entered into this ____ day of _____, 2021 between the City of Saint Augustine Beach, Florida (the **City**), a political subdivision of the state of Florida, and the Tax Collector of St. Johns County, Florida (the **Tax Collector**).

In consideration of the representations and agreements set forth below the parties agree as follows:

1. The Tax Collector shall perform such duties and tasks as may be required of him in order for the City to implement and use Section 197.3632, Florida Statutes, (Uniform method for levy, collection and enforcement of non-ad valorem assessments) in order to levy and collect the 2nd Street Extension Non-Ad Valorem Assessment against the real property located within the City of Saint Augustine Beach, Florida created by City of Saint Augustine Beach Resolution 2021-23, as authorized by City of Saint Augustine Beach in its Code Article II. 2nd Street Extension Non-Ad Valorem Special Assessment.
2. The City shall reimburse the Tax Collector for all necessary administrative costs incurred by him under Section 197.3632, Florida Statutes, and to include, but not be limited to those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County will compensate the Tax Collector an amount equal to two percent (2%) of the balance collected as commission pursuant to Section 192.091(2)(b), Florida Statutes, as opted by the Tax Collector on an annual basis during the term of this Agreement.
3. The City represents that it has complied with all necessary or desired requirements of Section 197.3632(3), Florida Statutes, and those copies of the adopted resolution have been mailed to the St. Johns County Property Appraiser, the St. Johns County Tax Collector and the Florida Department of Revenue by _____, 2021. A depiction of the property subject to the levy of the MSBU referenced in this Agreement and the Resolution of the County approving these assessments are attached hereto and incorporated herein by reference as **Exhibit "A"** and **Exhibit "B"**, respectively.
4. The parties agree that the non-ad valorem assessments shall be levied using the uniform method provided for in Section 197.3632, Florida Statutes, and shall be included in the combined notice for ad valorem taxes and non-ad valorem assessments provided for in Section 197.3635, Florida Statutes.

5. The parties agree that the non-ad valorem assessments collected pursuant to Section 197.3632, Florida Statutes, shall be subject to the collection procedures provided for in Chapter 197, Florida Statutes, for ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment and issuance and sale of tax certificates and tax deeds for nonpayment.
6. The City represents that it has complied with all necessary laws and regulations of the State of Florida and the City of Saint Augustine Beach, Florida necessary for the passage of the non-ad valorem assessment referenced in this Agreement and for its collection by the Tax Collector.
7. In the event this non-ad valorem assessment or any portion thereof should be found or determined to be unlawful or unconstitutional, or if any type of-refund is ordered or required to be made by the Tax Collector, the City agrees to provide the funds necessary for any such refund, and, further, to reimburse the Tax Collector for any and all necessary administration costs incurred by him for said refund. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage and programming.

This Agreement is entered into as of the date first written above.

TAX COLLECTOR OF ST. JOHNS COUNTY, FLORIDA

Dennis W. Hollingsworth; Tax Collector

CITY OF SAINT AUGUSTINE BEACH

CITY OF SAINT AUGUSTINE BEACH

By: _____
Margaret England, Mayor

By: _____
Max Royle, City Manager

(SEAL)

ATTEST:

Beverly Raddatz, City Clerk

By: _____
Clerk

Tax Collector Agreement - Page 4 of 6

Exhibit "B" to Agreement – 2nd Street Extension Non-Ad Valorem Tax
Resolution

Resolution No. 21-23

**A RESOLUTION BY THE CITY COMMISSION OF SAINT AUGUSTINE
BEACH, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF
AN AGREEMENT ON THE COLLECTION OF A NON-AD VALOREM
ASSESSMENT FOR 2ND STREET EXTENSION BETWEEN THE CITY OF
SAINT AUGUSTINE BEACH AND THE TAX COLLECTOR AND
AUTHORIZING THE EXECUTION OF SAID AGREEMENT BY THE
MAYOR OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA.**

WHEREAS, the City Commission of Saint Augustine Beach, Florida ("Board") enacted Resolution 2021-23, creating a 2nd Street Extension Non-Ad Valorem Assessment; and

WHEREAS, Resolution 21-23 provides for the collection of the levied assessments by the Tax Collector in accordance with Florida Statute 197.3632; and

WHEREAS, Florida Statute 197.3632 requires a written agreement attached hereto as **Exhibit "A"**, incorporated by reference and made a part hereof, with the Tax Collector for the collection of the non-- ad valorem assessments pursuant to the City of Saint Augustine Beach, Florida Code Article II. 2nd Street Non-Ad Valorem Special Assessment and the reimbursement of administrative costs associated with those collections. Said reimbursement is defined in the agreement as 2% of payments received by the Tax Collector.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSIONERS OF THE CITY
OF ST. AUGUSTINE
BEACH, FLORIDA**, as follows:

Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The Commission hereby approves the Agreement with the Tax Collector attached hereto and authorizes the Mayor of the City to execute said Agreement.

Section 3. The Clerk of the Court of St. Johns County, Florida is instructed to record the original Agreement in the Public Records of St. Johns County, Florida.

Section 4. To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the City Commissioners.

PASSED AND ADOPTED, this 6th day of July 2021.

CITY OF SAINT AUGUSTINE BEACH

CITY OF SAINT AUGUSTINE BEACH

By: _____

By: _____
City Manager

Mayor/Commissioner

ATTEST:


Beverly Raddatz, City Clerk

By: _____

Clerk

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 18, 2021

SUBJECT: Ordinance 21-08, First Reading, to Amend Chapter 16 (Police Department) of the General City Code to Delete Certain Obsolete Provisions

At your June 7, 2021, meeting, Chief Carswell brought to your attention that Chapter 16 of the City Code, which concerns the Police Department, needed to be updated. The memo he presented to you is attached as pages 1-2.

The result of the Chiefs presentation was that Mayor England asked the staff to prepare an ordinance, which the City Attorney did. The ordinance is attached as pages 3-14.

ACTION REQUESTED

It is that you pass Ordinance 21-08 on first reading. It will then be scheduled for a public hearing and final reading at your August 11th meeting.



St. Augustine Beach Police Department

Daniel Carswell, Chief of Police



Memorandum

TO: Mayor Margret England
Vice Mayor Don Samora
Commissioner Undine George
Commissioner Dylan Rumrell
Commissioner Ernesto Torres

RE: Proposed City Code Update

FROM: Daniel Carswell, Chief of Police

DATE: May 24th, 2021

After a review of Chapter 16 of the city code entitled "Police," I am proposing a number of updates and deletions to this section. Excluding a few sections, this portion of our city code was established in 1963, prior to the formal governmental structure and law enforcement agency we have in place currently. There is a large portion of this code that dictates policy and procedure for law enforcement. Some of these policies and procedures conflict with current SABPD policy and procedure which is in accordance with the Commission for Florida Law Enforcement Accreditation (CFA) standards.

The following is a submission of the proposed updates. I have included current SABPD policy that is in place that should replace the lined-out sections of this code. Other sections I believe should stay in place but need the suggested updates.

ARTICLE II- Law Enforcement Department

16-21- General Definitions

16-22- General Duties (See attached updates)

~~16-23- Operation and maintenance of department equipment~~ (Replaced with SABPD policy 5.0 Assigned Vehicles)

16-24- General Responsibilities of Officers

16-25- Off-Duty Hours

~~16-26- Orders of Superior Officers~~ (Replaced with SABPD policy 11.0 Code of Conduct)

~~16-27- Duties to Maintain Contact with the Sheriff~~ (No longer relevant)

~~16-28- Ranking Officers at the Scene~~ (Replaced with SABPD policy 8.1 Police Sergeant Duties)

~~16-29- Fires~~ (Replaced with SABPD policy 17.0 Patrol Function)

~~16-30- Reports of Homicides~~ (Replaced with SABPD policy 18.0 Investigations)

~~16-31- Infections or Epidemic Diseases~~ (Replaced with SABPD policy 29.0 Exposure Control)

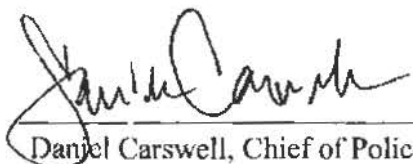
- ~~16-32- Divulging Police Information~~ (Replaced with SABPD policy 11.0 Code of Conduct)
- ~~16-33- Use of Firearms~~ (Replaced with SABPD policy 11.0 Code of Conduct)
- ~~16-34- Rewards, Presents, Gratuities, and Money~~ (Replaced with SABPD policy 11.0 Code of Conduct)
- ~~16-35- Arrests~~ (Replaced with SABPD policy 4.2 Arrests and Involuntary Examinations)

ARTICLE III- Police Reserve

- ~~16-46- Police Reserves Title~~ (Replaced with SABPD policy 6.0 Part-Time Police Officers)
- ~~16-47- Definitions~~ (Replaced with SABPD policy 6.0 Part-Time Police Officers)
- 16-48- Established (See attached updates)
- ~~16-49- Members and Bylaws~~ (Replaced with SABPD policy 6.0 Part-Time Police Officers)
- ~~16-50- Functions~~ (Replaced with SABPD policy 6.0 Part-Time Police Officers)

ARTICLE IV- Law Enforcement User Charge

- 16-100- Charge Imposed (See attached updates)
- 16-101- Definitions
- 16-102- Computation of Charges
- 16-103- Invoices, Payment (See attached updates)
- 16-104- Failure to Pay Invoice (See attached updates)
- 16-105- Appeal (See attached updates)

 5/24/21
Daniel Carswell, Chief of Police

ORDINANCE NO. 21-08

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA AMENDING CHAPTER 16 -- "POLICE" OF CITY OF SAINT AUGUSTINE BEACH CODE OF ORDINANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESSETH:

WHEREAS, the City Commission continues to seek to promote law and order;

WHEREAS, Chief Daniel Carswell was promoted to interim, and now, Chief of Police for the City of Saint Augustine Beach after the election of previous Chief of Police, Robert A. Hardwick, to Sheriff of Saint Johns County, Florida in its November 2020 election;

WHEREAS, Chief Daniel Carswell has reviewed the Law Enforcement Department section of the City of Saint Augustine Beach, Florida's City Code and recommended the following updates to that Code;

WHEREAS, many of these updates are moving sections from City Code to the Policy Manual for the City of Saint Augustine, Florida so they can more easily be kept up to date.

WHEREAS, the City Commission hereby finds that adoption of this ordinance serves the best interest and welfare of the residents of the City of Saint 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 Chapter 16 "Police" of the City's Code of Ordinances as follows:

Chapter 16 POLICE

ARTICLE I. IN GENERAL

Sec. 16-1—16-20. Reserved.

ARTICLE II. LAW ENFORCEMENT DEPARTMENT

Ordinance No. ____
Page ____ of ____

Sec. 16-21. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Civil rights means an American citizen's individual rights as defined by the Constitution of the United States of America.

Duty means action required of a law enforcement officer and that which a person is morally bound to do.

General order means a permanent order issued by the chief of police not relating to a specific instance or circumstance.

Leased motor vehicle means a vehicle owned, maintained and insured by a person and leased to the city when additional vehicles are required.

Off duty means that period during which an officer is free from routine duties.

Officer means every sworn member of the law enforcement department regardless of sex or rank.

On call means that period during which an officer, while not actually on duty, is available for immediate duty.

On duty means that period during which an officer is at his assigned station, normally in the police vehicle, performing the routine duties of a law enforcement officer.

Order means instructions given by a superior officer to a subordinate.

Police vehicle means a vehicle used for police related duties that is owned, maintained and insured by the city.

Report means a written communication.

Special order means an order issued by the chief of police to cover some particular circumstance or situation.

Superior officer means any officer having supervision, either temporarily or permanently, over officers of lower rank.

(Ord. No. 21, § I, 11-4-63)

Sec. 16-22. General duties.

(a) The duties of the individual members of the law enforcement department are as follows:

(1) *Chief of police.* The chief of police shall be the head of the law enforcement department. He shall attend the meetings of the city commission and, through the city manager, make

Ordinance No. ____
Page ____ of ____

monthly reports to the city commission concerning all matters pertaining to his department, ~~keep updated the policies and procedures of the City of Saint Augustine Beach Police Department, keep up the accreditation standards for the City of Saint Augustine Beach Police Department,~~ and shall perform such other duties as may be required by the Charter, by the laws and the ordinances of the city. The chief of police shall receive such compensation as may be fixed by the city ~~commission, and commission and~~ shall be furnished with the requisite uniforms.

(2) *Assistant chief of police.* The assistant chief of police shall be the assistant head of the law enforcement department, and shall, in the absence of the chief of police, perform the duties of the chief of police. The assistant chief of police shall receive such compensation as may be fixed by the city ~~commission, and commission and~~ shall be furnished with the requisite uniforms.

(3) *Police officers.* Each police officer is subject to the orders of the chief of police and the assistant chief of police. Each police officer shall enforce all laws and ordinances.

~~(h) — Verbal reports must be confirmed in writing before going off duty.~~

(Ord. No. 21, §§ I(a), III(2), 11-4-63)

Commented [LT1]: Replaced with SABPD policy 17.0
Patrol Function

~~Sec. 16-23. Operation and maintenance of departmental equipment.~~

~~(a) — Area of operations of police vehicles. The police vehicles shall normally be operated within the corporate limits of the city. The following are exceptions to this general rule:~~

~~(1) — When in pursuit of a lawbreaker for an offense committed in the city.~~

~~(2) — When an official business to the county jail or another county agency.~~

~~(3) — When assistance is specifically requested, by a designated authorized law enforcement agency.~~

~~(b) — General operational rules.~~

~~(1) — Officers shall at all times operate motor vehicles with due caution and at moderate speeds, taking into consideration the conditions existing.~~

~~(2) — No officer shall operate a police vehicle in excess of the legal speed limit unless the nature of his immediate duty demands that time be of the essence. If such is the case, the emergency equipment shall be in operation and the officer shall exercise extreme caution and not endanger the lives of others.~~

~~(3) — Officers shall avoid establishing a set pattern as to times and routes when conducting routine patrols.~~

~~(4) — Except for persons taken into custody and persons authorized by the mayor-commissioner, only authorized officers or city commissioners, on duty shall be permitted to ride in police vehicles.~~

Ordinance No. ____
Page ____ of ____

~~(5) — In case of an accident, regardless of the amount of damages, the officer driving the vehicle shall submit a report in writing to the city commission, giving complete details.~~

~~(6) — Officers driving police vehicles shall refrain from undue rough usage.~~

~~(7) — When an officer is operating a police vehicle, he shall do so in a manner that would reflect credit to a sensible and safe driver, and he shall bear in mind that he is demonstrating to the public the correct manner of driving and he shall not deviate from this unless conditions warrant.~~

~~(c) — Leased vehicles. The fee to be paid the owner of the leased police vehicle for such use shall be determined by the city commission and the employment of such leased police vehicles shall be authorized by the mayor-commissioner.~~

~~(d) — Special equipment. All officers shall handle special equipment with extreme due caution and care. When an officer has knowledge that any piece of the special equipment needs repairs or replacement, he shall immediately give the facts to the chief of police who shall in turn notify the city commission.~~

~~(Ord. No. 21, §§ 1(8), IV, 11-4-63)~~

Commented ILT21: Replaced with SABPD policy 5.0. . .
Assigned Vehicles

Sec. 16-24. General responsibilities of officers.

Officers shall at all times:

- (1) Preserve the peace;
- (2) Protect life and property;
- (3) Apprehend criminals;
- (4) Prevent crimes;
- (5) Enforce city, state and federal laws;

~~(6) Follow all policies and procedures set by the City of Saint Augustine Police Department in the furtherance of all their responsibilities.~~

~~(Ord. No. 21, § II(1), 11-4-63)~~

Sec. 16-25. Off duty hours.

Officers are held to be always on duty although periodically relieved from the routine performance of it. They are at all times subject to orders from superior officers and to calls from civilians. Being technically "off duty" does not relieve officers from the responsibilities of taking proper police action in matters coming to their attention.

~~(Ord. No. 21, § II(2), 11-4-63)~~

Ordinance No. ____
Page ____ of ____

~~Sec. 16-26. Orders of superior officers.~~

~~Officers shall perform all duties required of them by their superior officers regardless of whether or not such duties are specifically assigned to them. If such an order conflicts with any previous order issued by the superior officer or with a general or special order, the officer to whom such order is issued shall respectfully call attention to such conflict. If the superior officer giving such an order does not change such order so as to eliminate such conflict, the order shall stand and the responsibility shall rest upon the superior officer. It is sufficient for the officer obeying the order to know that the person giving the order is in proper command. Should an order appear unjust or improper to the officer to whom it is directed, he shall perform same and afterwards call it to the attention of the mayor-commissioner through official channels.~~

~~(Ord. No. 21, § II(3), 11-4-63)~~

~~Sec. 16-27. Duty to maintain contact with sheriff.~~

~~Officers on duty or when on call shall at all times maintain contact with the sheriff's office. If sent on an investigation which requires an unusually long time, the officer shall notify the sheriff's office of his location and the circumstances and shall notify the dispatcher when the investigation is completed.~~

~~(Ord. No. 21, §§ I(6), II(4), 11-4-63)~~

~~Sec. 16-28. Ranking officers at scene.~~

~~The ranking officer shall always take charge at fires, riots, or serious crimes.~~

~~(Ord. No. 21, § II(5), 11-4-63)~~

~~Sec. 16-29. Fires.~~

~~An officer discovering a fire shall promptly turn in an alarm from the nearest telephone unless he can give the alarm more quickly by radio. Such officer shall immediately secure the safety of all people in the building. At night he shall see that all persons in burning or threatened buildings are awakened. Officers shall post themselves in the street in the vicinity of the fire and shall divert vehicular traffic. The officer in command at the fire shall establish fire lines and shall keep all unauthorized persons beyond danger and prevent them from interfering with the work of the fire department. The ranking officer of the fire department is in command at the scene of a fire.~~

~~(Ord. No. 21, §§ (6), 11-4-63)~~

Ordinance No. _____
Page ____ of ____

~~Sec. 16-30. Reports of homicide.~~

~~All deaths resulting from other than natural causes shall be reported to the sheriff's office.~~

~~(Ord. No. 21, § 11(7), 11-4-63)~~

~~Sec. 16-31. Infections or epidemic diseases.~~

~~Officers shall be vigilant in the matter of cases of infectious or epidemic diseases not known to the health department and shall promptly make a report of such cases to the health department. Whenever an officer has reason to believe that a person is infected with a contagious disease, he shall make a report of same to the health department.~~

~~(Ord. No. 21, § 11(8), 11-4-63)~~

~~Sec. 16-32. Divulging police information.~~

~~All police information shall be treated as confidential and shall not be divulged except when authorized by the chief of police.~~

~~(Ord. No. 21, § 11(10), 11-4-63)~~

~~Sec. 16-33. Use of firearms.~~

~~Officers shall not display revolvers unnecessarily.~~

~~(Ord. No. 21, § 11(11), 11-4-63)~~

~~Sec. 16-34. Rewards, presents, gratuities and money.~~

~~Officers shall not receive gifts or compensation for the performance or omission of their duty. Officers shall not solicit rewards, presents or gratuities. They shall not collect or receive any money or anything from citizens or others, circulate subscriptions, papers, books or sell tickets for any purpose whatsoever without permission of the city commission. Officers shall not participate in any public gift contest nor give testimonials.~~

~~(Ord. No. 21, § 11(12), 11-4-63)~~

~~Sec. 16-35. Arrests.~~

~~(a) — Arrests must be lawful. It is the duty of members of the law enforcement department to enforce city Ordinances, state and federal laws by arresting persons who have committed crimes defined by such ordinances and laws, but no officer shall make an arrest unless he has the lawful~~

Ordinance No. ____
Page ____ of ____

right to do so. Officers will inform the person whose arrest is sought of their authority and purpose in making the arrest, and if the officer is acting under the authority of a warrant, he will so inform the person and will also show or read the warrant if requested. When arresting a person without a warrant, the officer will inform such person of his authority and the cause of the arrest.

(b) — Search of arrested person. Upon making an arrest, officers will immediately search the person arrested for concealed weapons so as to avoid the possibility of assault or escape.

(c) — Handling arrested persons. Officers making an arrest shall convey the prisoner or persons taken into custody or cause them to be conveyed to the county jail without undue delay. An officer may not accompany a prisoner to his home, a room or elsewhere, except for the purpose of investigation or to obtain evidence.

(d) — Use of force. In making an arrest, officers will use only such force as is necessary and proper to take the person into custody and if any force is necessary, the subject will be charged with resisting arrest and the officer shall report circumstances and action taken in detail. If such person taken into custody is injured, it will be the duty of the arresting officer to secure necessary medical care for the subject.

(e) — Promises to arrested persons. No officer shall be directly or indirectly concerned in any compromise or agreement between one accused of a crime and the person or persons who have suffered from criminal actions, with the purpose of allowing the accused to escape punishment.

(f) — Seniority regarding arrests. When two (2) or more officers are engaged in the apprehension of a law violator the senior officer will make the arrest and the other officers will be listed on the arrest as witnesses.

(g) — Searching females. All arrested females will be searched by a policewoman.

(h) — Civil rights. Under no circumstances shall an arrested person's civil rights be violated and it shall be the responsibility of each and every officer to acquaint himself with such laws governing such rights.

(i) — Officers may summons assistance. Any officer making a lawful arrest may orally summons as many persons as he deems necessary to aid him. Every person when so requested by an officer is required by state law to assist the officer in making an arrest.

(Ord. No. 21, § V, 11-4-63)

Secs. 16-36—16-45. Reserved.

ARTICLE III. POLICE RESERVE

Sec. 16-46. Short title.

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Ordinance No. ____
Page ____ of ____

This article may be known as the "Police Reserve Ordinance."

(Ord. No. 54, § 1, 5-3-76)

~~Sec. 16-47. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Bylaws means those rules and regulations which shall be established to control and maintain the operation and activities of the police reserve.~~

~~Police reserve shall mean an auxiliary unit of nonemployed persons who will assist the duly constituted chief of police and his police officers in the performance of normal police duty.~~

~~(Ord. No. 54, § 2, 5-3-76)~~

Sec. 16-48. Established.

There is established a police reserve unit. All Reserve, Part-Time, and Auxiliary police officers employed by the Saint Augustine Beach Police Department are required to complete the same selection process, basic law enforcement training and Field Training Program as any full-time member. These members will be governed by departmental policy and be selected by the Chief of Police or his/her designee.

(Ord. No. 54, § 4, 5-3-76)

~~Sec. 16-49. Members and bylaws.~~

~~(a) — Members of the police reserve unit shall serve without compensation or remuneration, in accordance with the bylaws of the organization.~~

~~(b) — The chief of police together with the commissioner in charge of police activities shall adopt and promulgate necessary bylaws consisting of rules and regulations governing the activities of the organization.~~

~~(c) — No person shall be denied membership in the police reserve by virtue of race, sex, religion or national origin. Membership shall be limited only by numbers of persons and shall consist of persons having good moral character without arrest records or convictions of crime, whether misdemeanor or felony, minor traffic violations excepted.~~

~~(d) — The chief of police may terminate any member of the organization for such cause as may be deemed to be in the best interest of the public safety, welfare, interest of the city and people of the city, or for such other reason as may be deemed appropriate in the sole discretion of the chief of police.~~

Ordinance No. ____
Page ____ of ____

~~(e) — The maximum number of members of the police reserve shall be determined by the bylaws of the organization.~~

~~(Ord. No. 54, § 4, 5-3-76)~~

~~Sec. 16-50. Functions.~~

~~The purpose of the police reserve unit is to render voluntary assistance to the chief of police and his police officers in the performance of normal police duties and activities.~~

~~(Ord. No. 54, § 4, 5-3-76)~~

Secs. 16-51—16-99. Reserved.

ARTICLE IV. LAW ENFORCEMENT USER CHARGE

Sec. 16-100. Charge imposed.

A law enforcement user charge ~~is~~ may be imposed upon every unit of real property for the consumption of law enforcement services in excess of four (4) incidents of service in any monthly period or in excess of ten (10) manhours of service in any monthly period, whichever occurs first, at the discretion of the Chief of Police.

(Ord. No. 94-4, § 1, 4-4-94)

Sec. 16-101. Definitions.

Consumption of law enforcement services means the presence of one or more certified law enforcement officers employed by the city in response to an event, occurrence, activity or condition on a unit of the property. The presence may be caused by request of any person upon the property or information developed by the police department from any source warranting a response to the property. Excluded from this definition are courtesy inspections, criminal investigations of matters not occurring on or connected with the property, paid outside details of police officers, responses caused by false reports from third parties with the intent of harassment, and responses arising from the conduct of persons who are on the property without the express or implied consent of a person in control or possession of the property. Consumption of law enforcement service shall also include preparations of written reports in connection with the furnishing of law enforcement services and transportation of suspects to the St. Augustine Beach Police Department and the St. Johns County Corrections Facility. For purposes of computing the

Ordinance No. ____
Page ____ of ____

threshold ten (10) manhours of service, and for computation of charges, the time spent includes the preparation of written reports and matters directly arising out of the response.

Incidents of service means each time one (1) or more law enforcement officers commence and completes a response to a unit of real property. An incident of service must be recorded by a written report of a law enforcement officer and contain the time of one (1) or more officers have expended as a direct result of the response.

Manhour of service means the consumption of law enforcement services of one (1) certified law enforcement officer of the city for a one-hour period of time.

Monthly period means any thirty-day period.

Unit of real property means any lot or parcel of land, including the buildings or structures thereon.

(Ord. No. 94-4, § 1, 4-4-94; Ord. No. 97-16, §§ 1—3, 5-5-97)

Sec. 16-102. Computation of charges.

The user charge shall be computed by multiplying the average hourly base salary of the law enforcement officer by two hundred (200) percent and by multiplying that product by time, computed in one-tenth-hour segments rounded to the nearest one-tenth ($\frac{1}{10}$), of each certified law enforcement officer responding to the incident in excess of four (4) incidents of service or ten (10) manhours of service in any thirty-day period, whichever comes first.

(Ord. No. 94-4, § 1, 4-4-94; Ord. No. 97-16, § 4, 5-5-97)

Sec. 16-103. Invoices; payment.

The police department shall determine the any law enforcement user charges due the city in every monthly period for each unit of real property at the end of each monthly period. Within the twenty (20) days from the end of each monthly period, the police department shall furnish by certified mail, return receipt requested, or by hand delivery, an invoice to each owner of a unit of real property which has incurred a law enforcement user charge. If the unit of real property is leased, the police department shall also furnish an invoice to the tenant. The owner and tenant shall be jointly and severally liable to the city for payment of the user charge. Such invoices shall be paid in full within thirty (30) days of the date thereon. An invoice shall not be issued when a user charge is less than ten dollars (\$10.00).

(Ord. No. 94-4, § 1, 4-4-94)

Sec. 16-104. Failure to pay invoice.

Ordinance No. _____
Page ____ of ____

If any invoice is not paid in full within thirty (30) days of the date thereon, a lien is hereby created in favor of the city upon the unit of real property in the amount of the invoice plus recordation and foreclosure costs, including attorneys' fees. The ~~City manager~~ Attorney shall record a notice of lien in the official public records maintained by the clerk of the circuit court of St. Johns County, and mail a copy of the recorded notice of lien by certified mail, return receipt requested, to the owner of the property. After recording the notice of lien, interest shall accrue on the lien at the rate of one (1) percent per month. Such lien shall be prior to all other liens on such lands except the lien of state, county, and municipal taxes, and shall be on a parity with the lien of such state, county, and municipal taxes. Such lien, when delinquent for more than ninety (90) days, may be foreclosed by the city as provided by the laws of Florida or in the manner provided by law for the foreclosure of mortgages on real property. As an additional remedy, the city may enforce the collection of the user charge by filing a civil action against the owner and/or tenant for the amount due the city, including the city's attorney fees in bringing the action. The person paying a user charge after the recording of a notice of lien shall also pay for the cost of recording a satisfaction of lien in the public records. The city manager may waive the collection of interest when the amount thereof is less than five dollars (\$5.00).

(Ord. No. 94-4, § 1, 4-4-94)

~~Sec. 16-105. Appeal:~~

~~Within thirty (30) days of the date of an invoice, the owner and/or tenant of a unit of real property may file with the office of the city manager an appeal of the imposition of the user charge. The city commission shall consider the appeal and review the correctness of the computation of the invoice and validity of the determination of the incidents of service and manhours. Ability of the owner and/or tenant to pay the user charge is not a basis for adjustment of the invoice. The city commission's decision upholding, modifying, or reversing the invoice shall constitute final administrative action.~~

~~(Ord. No. 94-4, § 1, 4-4-94)~~

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. 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 5. 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.

Ordinance No. ____
Page ____ of ____

MAYOR

ATTEST:

CITY CLERK

EXAMINED AND APPROVED by me this ____ day of _____, 2021.


MAYOR

Published in the _____ on the _____ day of _____, 2021. Posted on www.staugbch.com on the _____ day of _____, 2021.

Ordinance No. _____
Page ____ of ____

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 24, 2021

SUBJECT: Ordinance 21-09, First Reading, to Amend the Land Development Regulations to Allow the Comprehensive Planning and Zoning Board to Approve Certain Conditional Use Permits

INTRODUCTION

At this time, most conditional use permits are approved by the City Commission. The Planning Board reviews the requests for the permits and provides a recommendation to you whether they should be approved or not.

At your May 18th joint meeting with the Planning Board and the Sustainability and Environmental Planning Advisory Committee, you discussed and approved the staff's suggestion that the Planning Board approve certain conditional use permits, such as for drive-thru windows, the outside serving of food and beverages, and the outside storage or merchandise.

The Planning Board reviewed this proposal at its June 15th meeting and by unanimous consensus recommended that an ordinance be drafted to revise the Land Development Regulations to give the Board the authority to review and grant or deny all conditional use permit applications except those that request construction of new single-family and multifamily residences in commercial land use districts. Attached as page 1 is the Board's recommendation.

Though the City Attorney hasn't provided the ordinance by the date of this memo to you, if it is prepared before your meeting, we'll forward it to you by email.

ACTION REQUESTED

That if the ordinance arrives in time for your July 6th meeting, you approve it on first reading.

MEMO

To: Max Royle, City Manager
From: Bonnie Miller, Executive Assistant
Subject: PZB Authority to Grant Certain Conditional Use Permits
Date: Wednesday, June 16, 2021


Please be advised at its regular monthly meeting held Tuesday, June 15, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board agreed by unanimous oral consensus to recommend the City Commission move forward with the drafting of an ordinance to revise the City's Land Development Regulations (LDRs) to give the Planning and Zoning Board the authority to consider, review, and grant or deny certain conditional use permit applications.

Per Section 10.03.04 of the City's LDRs, the Planning and Zoning Board currently has the sole authority to grant or deny conditional use permit applications for home occupations only. All other conditional use permit applications, including those requesting to build single-family and multi-family residences and condominiums on commercially-zoned lots, outdoor dining, food service and sales outside of enclosed buildings, outdoor displays and sales of merchandise, and drive-thru windows for commercial restaurants and businesses, require applicants to attend and present their applications at two meetings: first, the application is reviewed and considered by the Planning and Zoning Board, which makes a recommendation of approval or denial to the City Commission, and second, the applicant then presents the application to the City Commission for the Commission's review and final say on the approval or denial of the application.

The Board agreed, by unanimous oral consensus, to recommend the City Commission move forward on the drafting of an ordinance to revise the City's LDRs to give the Planning and Zoning Board the sole authority to consider, review and grant or deny all conditional use permit applications except those which request construction of new single-family and multi-family residences and condominiums in commercial land use districts.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 24, 2021

SUBJECT: Ordinance 21-10, First Reading, to Amend Chapter 18 (Streets and Sidewalks) of the General City Code to Delete Requirement for a Public Hearing Before Ordinance is Prepared to Vacate a Street or Alley

INTRODUCTION

In summary, the process for vacating a street or alley is this:

1. Citizen submits an application to the Building Department.
2. Building Department schedules review of the application by the Planning Board.
3. Board reviews the application and provides a recommendation to the City Commission.
4. City Manager schedules a public hearing for the Commission to review the application and the Planning Board's recommendation.
5. Commission holds public hearing and if it approves the application asks the City Attorney to prepare an ordinance.
6. Ordinance has a first reading.
7. At a separate meeting, the Commission considers the ordinance at a public hearing and then decides whether to approve it on final reading.

At a recent meeting, the City Manager suggested that one way to lessen the number of topics on the Commission's agenda is to do away with the requirement of the public hearing (Steps 4 and 5 above) before an ordinance is prepared to vacate a street or alley. The steps seem redundant because the Commission holds a public hearing on the ordinance to vacate the alley. Also, the public has ample opportunity to comment on the proposed vacation at the Planning Board meeting and later when the ordinance is on the agenda for first reading.

If you agree with this proposal, then Steps 1-3 and 6-7 above would still be followed.


Though the ordinance to do away with the first public hearing has not been provided by the City Attorney by the date of this memo, if it arrives before your July 6th meeting, we'll forward it to you by email.

ACTION REQUESTED

If the ordinance arrives in time for your meeting, we ask that you review it and decide whether to pass it on first reading.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 24, 2021

SUBJECT: Ordinance 21-11, First Reading, to Amend the Land Development Code to have First Public Hearing of an Ordinance to Change the Regulations Done by the Comprehensive Planning and Zoning Board

INTRODUCTION

At this time, the process of adopting an amendment to the Land Development Code is the following:

- a. An ordinance is prepared and has a first reading by the City Commission.
- b. Planning Board reviews the ordinance and makes a recommendation whether or not to adopt. The Board's review is not advertised as a public hearing.
- c. Commission holds a public hearing on the ordinance and usually passes it on second reading.
- d. Commission then holds at a different meeting a second public hearing on the ordinance and decides whether to adopt the ordinance on its third and final reading.

A suggested change to the above process is this: As an ordinance to amend the Land Development Code must be reviewed by the Planning Board in order for the Board to recommend to the Commission whether the ordinance should be adopted, the Planning Board, not the Commission, hold the first public hearing on the ordinance. Thus, the Commission's first public hearing would be replaced by the Planning Board's public hearing. The Commission's public hearing would be held when the ordinance is scheduled for final reading.

Though the ordinance to accomplish this suggested change hasn't been provided by the City Attorney by the date of this memo, if it is received before your July 6th meeting, we'll forward it to you by email.

ACTION REQUESTED

If the ordinance arrives in time for your meeting, we ask that you review it and decide whether to pass it on first reading.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 17, 2021

SUBJECT: Use of City Meeting Room: Review of Recommendations and Fees

INTRODUCTION

At your June 7, 2021, meeting, you reviewed information from the City Manager concerning the meeting rooms that, before the pandemic, were used by groups such as AA chapters, and homeowners' and condo associations. These were the room in the southwest corner of city hall and Building C, which is on the west side of the city hall parking lot. In March 2020, as part of its effort to help control the spread of the coronavirus, the City ceased allowing the public to use these facilities.

Since the closing of the rooms, the staff has evaluated the space and staff needs in city hall and has proposed that some of the meeting space be used for City purposes. Thus, one of the rooms, Building C, is now being converted to office use for the Information Technology staff, which currently consists of two persons, the Information Manager and the Information Specialist. As the City has become increasingly reliant on technology for its operations, additional space is needed for a third IT employee. There is no room for that employee in the area currently being used by the IT staff.

The remaining public meeting room is located in the southwest corner of the city hall. Half of it is to be converted to an office for the Communications and Events Coordinator, who will be moved from the Building Department. Office space in the Department is needed because of the Building Official's reorganization of the staff into three divisions: building, planning and code enforcement and the hiring of a part-time planner. The remaining half of the room will be available to the public.

Attached as page 1 is the sketch of the room and the changes to it that you reviewed at your June 7th meeting. The part highlighted is the proposed public meeting room.

MEETING ROOM REGULATIONS

For the use of the room, we propose the following regulations:

- a. That the use be in two-hour time blocks for a maximum of four hours a day.
- b. That the time blocks be 9:00 – 11:00 a.m., 1:00 – 3:00 p.m., Monday through Friday,
- c. That use during evenings, Sundays, and holidays not be allowed.
- d. That weekend use be allowed only for a two-hour period on Saturday morning.

You may remember from another meeting when you discussed the meeting facilities that a resident, Mr. Nicholas Binder, asked that you allow Saturday morning use because that is when homeowner associations may meet.

Also, on Saturdays, the Public Works employee who works weekends to open and clean the 10th and A Street public restrooms and do other work can come by city hall after 11:00 a.m. to check the meeting room and adjacent restrooms, do cleanup work and remove trash.

- e. That the city hall meeting room have the following occupancy limits: 20 persons with tables, 24 without tables.
- f. That persons or groups who violate the occupancy limits lose the privilege to use the room in the future.

You may have other regulations to add to the list.

SUGGESTED FEE

For years, condo and homeowner associations, as well as other groups, such as the AA chapters, used the meeting facilities (in city hall and Building C) without charge if the group had as members persons who were City residents. The assumption was that because the residents were already paying property taxes, money from which was used to pay the costs to maintain the meeting facilities, the residents' group shouldn't be charged a fee. Non-resident groups were charged fees for the city hall meeting room, \$75 for up to four hours.

Attached as pages 2-3 is the Public Works Director's proposed fees:

- \$52 a meeting that doesn't require a Public Works employee to work overtime.
- \$88 for a meeting when overtime must be worked.

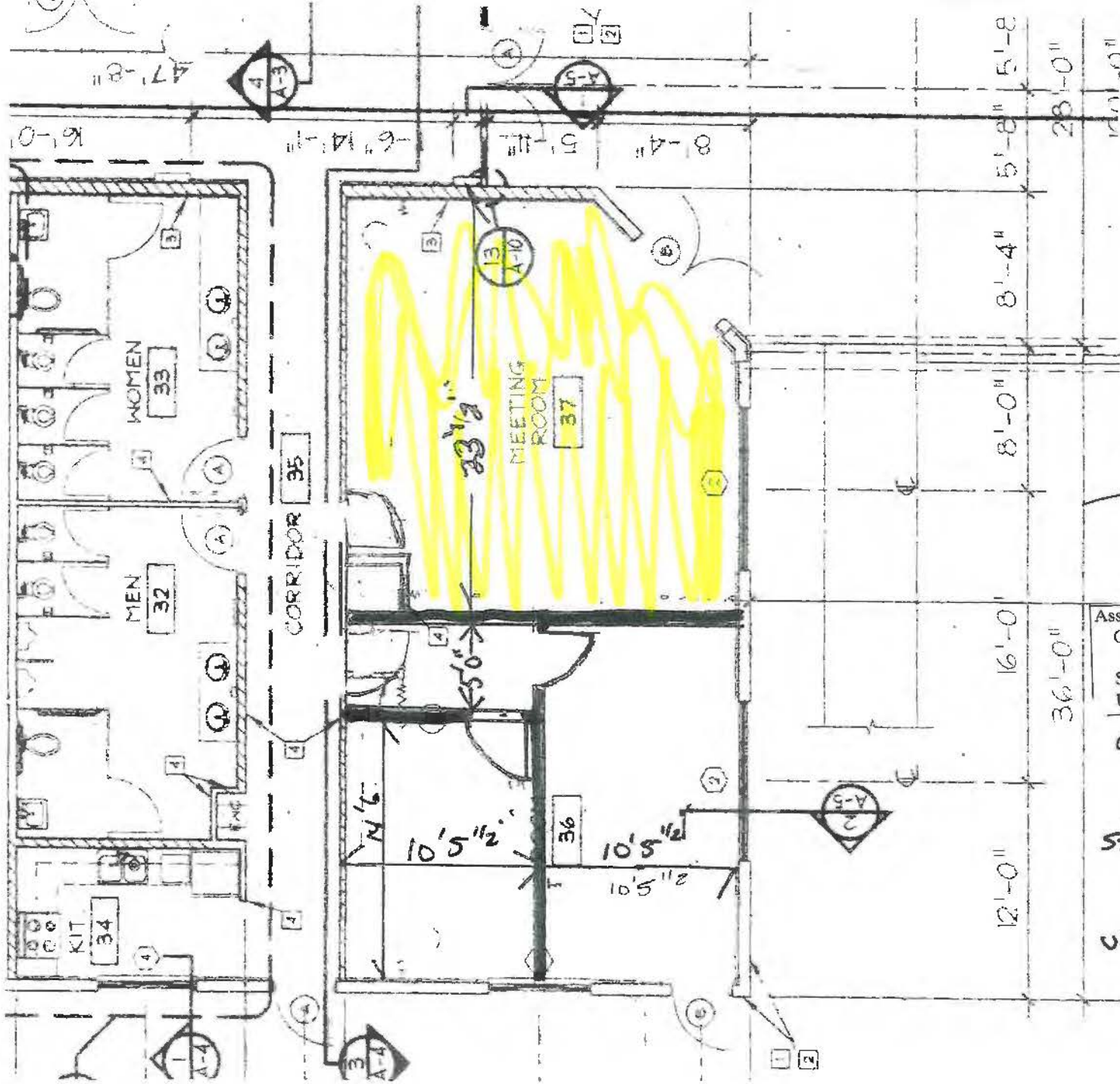
As we propose that the room be used only during normal weekday working hours and on Saturdays when an employee already is working, then the \$88 fee usually wouldn't apply.

ACTIONS REQUESTED

They are:

1. That you decide what regulations to adopt concerning the use of the city hall meeting room.
2. That you approve the fee of \$52 a meeting during normal work hours and on Saturdays for a meeting that doesn't go beyond 11:00 a.m., and that \$88 be charged for the rare group that may meet outside of the City's usual business hours.
3. That you decide whether all groups should pay the per-meeting fee, or to exempt condo, homeowner associations and perhaps other groups based in the City.

What you decide will then be made part of a resolution that will amend your Policies and Procedures Manual. You can adopt the resolution at your August 11th meeting.



Occupancy

$$23 \times 21 = 483$$

$$\frac{8.33 \times 8.33}{2} = 34.7$$

$$\sim 448 \text{ ft}^2$$

Assembly without fixed seats
 Concentrated
 (chairs only—not fixed)
 Standing space
 Unconcentrated (tables and chairs)

7 net
 5 net
 15 net

Concentrated

$$\frac{448}{7} = 64$$

standing space

$$\frac{448}{5} = 89.6$$

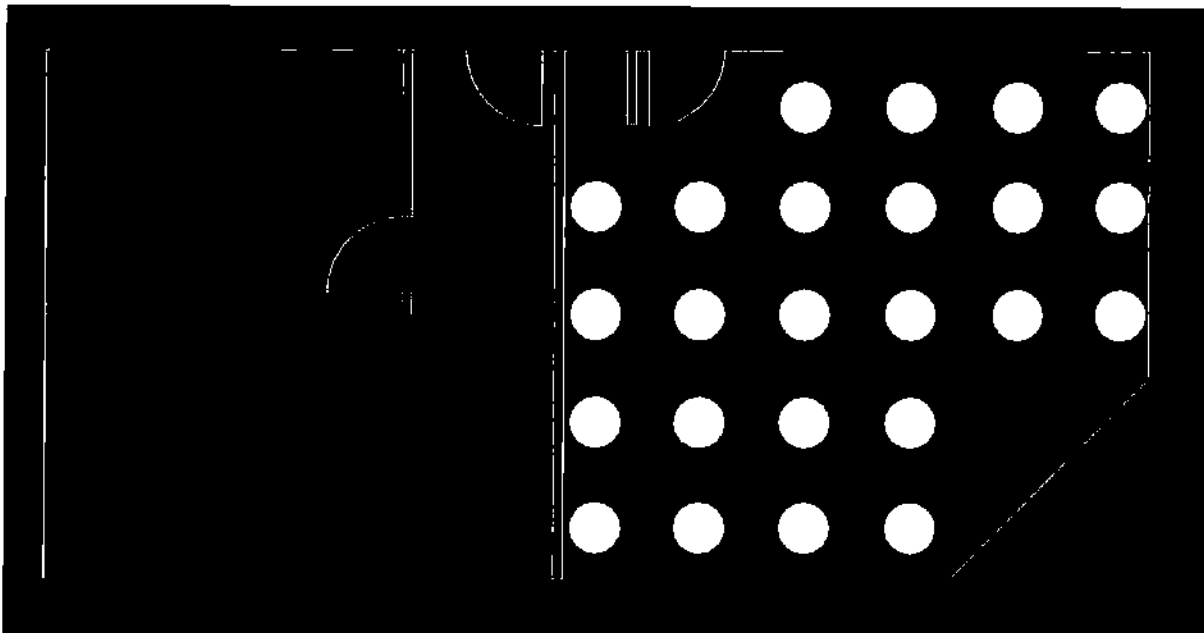
$$\text{unconcentrated} = 29.86$$

From: Bill Tredik <btredik@cityofsab.org>
Sent: Thursday, June 17, 2021 12:30 PM
To: Max Royle <mroyle@cityofsab.org>
Subject: RE: Meeting Room Cleaning Costs

Max:

Please see my updated analysis below:

If there is to be 2' of separation between people, the maximum occupancy would be 24 for the time being.



Below, please find the updated cleaning fee:

City Hall Meeting Room (inc. restrooms):	Staff Time	1.5 hours @ \$24 per hour	\$36
	Supplies		\$16
	Cleaning Fee:		\$52/meeting

Supplies include: Toilet Paper, paper towels, soap, hand sanitizer, cleaning supplies, etc.

Staff time also includes mobilization to and from the meeting room from the Public Works Facility.

The above fees assume that the sanitization work does not require the use of overtime. Meetings which occur outside of normal working hours which do not provide an opportunity for sanitization during normal working hours would incur additional costs due to the 2-hour minimum call-in for overtime. In such cases, the fee would be:

City Hall Meeting Room	2 hours at \$36 per hour + \$16 for supplies	\$88/meeting
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The lower fees would apply if the rooms can be cleaned the following Monday.

Bill

William Tredik PE, Public Works Director / City Engineer

City of St. Augustine Beach


2200 A1A South, St. Augustine Beach, Florida 32080

Ph: (904) 471-1119

email: btredik@cityofsab.org

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 24, 2021

SUBJECT: St. Johns County 2022 Legislative Action Plan: Discussion of Topics to Recommend be Included

Attached is a letter from the County Administrator, Hunter Conrad, requesting your recommendations for the County's 2022 Legislative Action Plan.

Last year, the projects/goals you recommended be included in the 2021 Legislative Action Plan were the following:

- Respect Home Rule for cities and counties and allow cities and counties to regulate short-term/vacation rentals
- Provide funding to cities and counties to make themselves sustainable, for water quality, stormwater management, and for planning to cope with sea level rise
- Provide more funding for the Florida Forever program to help cities and counties purchase environmentally sensitive land to protect it from development
- Encourage through funding and state leadership non-vehicular transportation, such as the River-to-Sea Loop
- Support Visit Florida so that the state remains competitive with other tourist destinations in the country
- Provide funding for mental health facilities to help distressed people and possibly prevent acts of mass violence

You can decide whether to send the same list or to delete or add to the one you approved in 2020.



St. Johns County Board of County Commissioners

Office of the County Administrator

June 10, 2021

Max Royle, City Manager
City of St. Augustine Beach
2200 SR A1A South
St. Augustine Beach, FL 32080

Dear Mr. Royle: *Max*.

This letter is to solicit input from the City of St. Augustine Beach as we prepare recommended items to include in the 2022 St. Johns County Legislative Action Plan. The document is a focused list of St. Johns County issues for which we request financial or legislative assistance and other support from our state and/or federal legislative delegation members.

Topics of consideration could include regulatory issues, requests for financial assistance, legal requirements, or any other potential legislative action that would impact your organization or St. Johns County. I invite you to submit any items you feel should be included in the upcoming Legislative Action Plan. When submitting an item, please include the specific action(s) being requested from members of our delegation.

Please submit all items in writing to this office no later than Friday, July 16, 2021. If no response is received, we will presume you have no issues to include in the 2022 Legislative Action Plan.

Sincerely,

Hunter Conrad

Hunter S. Conrad
County Administrator



MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: June 18, 2021

SUBJECT: Fiscal Year 2022 Budget: Scheduling Date for Meeting in Late July to Set the Preliminary Millage

Usually, you schedule a special meeting on the last Monday in July to set the preliminary millage for the upcoming fiscal year and the date when the first public hearing on the proposed budget will be held. The preliminary millage and the date you select are forwarded to the Property Appraiser, who puts this information on the notice that is sent to all owners of property in the City.

This year, the last Monday in July is the 26th. We ask that you schedule the special meeting on that date at 6:00 p.m.

If the 26th isn't convenient for all of you, please select another date that week for the special meeting. The preliminary millage must be sent to the Property Appraiser by the end of the first week in August.

MEMORANDUM

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

FROM: Max Royle, City Manager of 

DATE: June 11, 2021

SUBJECT: Florida League of Cities' Annual Conference: Selection of Voting Delegate

Each year, you select one of your members to be the City's voting delegate. Usually, it's the Mayor, if he or she will attend the conference. The delegate votes on the package of resolutions that the Florida League's Board of Directors proposed for adoption. These resolutions state the League's position on various issues that affect Florida's cities and/or that might be considered by the Florida Legislature in its session the following spring.



To: Key Official

From: Eryn Russell, Florida League of Cities

Date: June 11, 2021

Subject: 95th Annual Conference Voting Delegate Information

The Florida League of Cities' Annual Conference will be held at the World Center Marriot, Orlando, Florida on August 12-14, 2021. This conference will provide valuable educational opportunities to help Florida's municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League's by-laws, each municipality's vote is determined by population, and the League will use the Estimates of Population from the University of Florida.

Conference registration materials were sent to each municipality via newsletter and are also available online at floridaleagueofcities.com/education-and-events/annual-conference.

If you have any questions on voting delegates, please call (850) 701-3616 or email erussell@flcities.com. **Voting delegate forms must be received by the League no later than July 28, 2021.**

Attachments: Form Designating Voting Delegate



**95th Annual Conference
Florida League of Cities, Inc.
August 12-14, 2021
Orlando, Florida**

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. *Municipalities do not need to adopt a resolution to designate a voting delegate.*

Please fill out this form and return it to the League office so that your voting delegate may be properly identified. **Voting delegate forms must be received by the League no later than July 28, 2021.**

Designation of Voting Delegate

Name of Voting Delegate: _____

Title: _____

Municipality of: _____

AUTHORIZED BY:

Name

Title

Return this form to:

Eryn Russell
Florida League of Cities, Inc.
Post Office Box 1757
Tallahassee, FL 32302-1757
Fax: (850) 222-3806
Email: erussell@flcities.com

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
JULY 6, 2021**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-21

COMPREHENSIVE PLANNING AND ZONING BOARD

On May 18th, when the Board would normally hold its meeting, the Board attended a workshop with the City Commission and the Sustainability and Environmental Planning Advisory Committee. The minutes of the workshop were available at the City Commission's June 7th meeting.

SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE

The minutes of the Committee's May 12, 2021, meeting are attached as pages 22-31.

POLICE DEPARTMENT

Please see page 32.

PUBLIC WORKS DEPARTMENT

Please see pages 33-37.

FINANCE/ADMINISTRATION

Please see page 38.

CITY MANAGER

1. Complaints

A. Children Driving a Golf Cart

A resident said that unsupervised children were driving a golf cart in a reckless way on a subdivision's public streets. The complaint was forwarded to Chief Carswell.

B. Beach Visitor Parking

A resident complained about beach visitors parking the City along the west side of 2nd Avenue between 3rd and 7th Streets and asked that No Parking signs be posted. The signs can be put up when the City receives a new supply of them.

C. Ron Parker Park

The Deputy City Clerk, Ms. Dariana Fitzgerald, received a complaint about the parking lot of Ron Parker Park being flooded and about rain causing the tennis court screens to fall. She forwarded the complaint to the County, which owns the Park and the tennis courts.

2. Major Projects

A. Road/Sidewalk Improvements

1) Opening 2nd Street West of 2nd Avenue

Consideration of opening this section of 2nd Street has been discussed at various times by the City Commission and the owners of the vacant lots adjacent to it since 1992. Finally, in 2021, an agreement has been reached for the owners of the lot adjacent to the street to pay the cost of the new road that will benefit their property by making it available for development. At its June 7, 2021, meeting, the City Commission adopted a fee of \$3,940, which each lot owner will pay, or an owner can pay his or her total share in one payment. In the meantime, the City's civil engineering consultant is preparing plans for the project. The plans should be completed by September. The City will then advertise for bids.

There are two related matters: First, two lot owners want to dedicate their lots for conservation purposes to the Putnam County Land Trust. Second, the existing section of 2nd Street, which is between 2nd Avenue and A1A Beach Boulevard, will have new pavement and be slightly widened. As of the end of June, no information has been received concerning the dedication of the lots.

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. The last report from the County staff is that planning work is proceeding and should be completed by the end of June. County and City staffs will meet on July 7th to discuss the plan and when construction can be started.

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 still to be scheduled, the Commission will discuss again a parking plan and whether to have paid parking. In the meantime, in response the resident requests, the City staff posted No Parking signs along the east side of 2nd Avenue between 3rd and 7th Streets. Other residents have requested that No Parking signs be posted along the west side of 2nd Avenue between 3rd and 7th Streets.

At its May 24th continuation meeting, the City Commission discussed locations for a five-year parking improvements plan and requested that the Planning Board develop a list of prioritized projects for a five-year plan. The Board discussed this at its June 15th meeting and decided that each member is to send their respective list to the Building Department's Executive Assistant, who will compile them for review by the Board at its July 20th meeting.

Also, the County was asked about its plans from several years ago to have parking along the north side of Pope Road between A1A Beach Boulevard and the driveway to the YMCA. It responded that it had no plans for the project at this time.

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 applied 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 be done in the summer of 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.

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

There are several. The first concerns reducing 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 Ordinance 21-04 on first reading. Other changes were made at the ordinance's first public hearing on May 3rd. As the Comprehensive Planning and Zoning Board at its April 20th meeting did not recommend approval of the ordinance, it was discussed at the Commission's May 18th workshop with the Planning Board and Sustainability and Environmental Planning Advisory Committee. The outcome of the discussion was no suggestions for changes to the ordinance. Ordinance 21-04 had its second public hearing and final reading at the Commission's June 7th meeting, when it was approved by a 3-2 vote. The topic will no longer be included in this report.

ON A RELATED MATTER: Some residents who oppose Ordinance 21-04 may ask those Commissioners who voted in favor of the ordinance to reconsider their approval. This request may be made under Public Comments at the Commission's July 6th meeting.

A second change to the Land Development Regulations amends Section 3.02.03 by adding to the list of prohibited uses in the City any business or organization that is required to be regulated by the State of Florida's Substance Abuse Services law. The ordinance adopting this change was approved by the Commission on first reading on June 7th. The ordinance will have its first public hearing at the Commission's July 6th meeting.

Other changes to the LDRs will be the following: to allow the Comprehensive Planning and Zoning Board to approve most conditional use permits, and to have the Planning Board hold the first public hearing on changes to the Land Development Regulations. The Commission will review these changes at its July 6th meeting.

3. Finance and Budget

A. Fiscal Year 2021 Budget

FY 21 began on October 1, 2020, and will end on September 30, 2021. May 31, 2021, marked the end of the eighth month of the Fiscal Year. The May monthly financial report shows that for the General Fund, the City had received \$6,317,770 and had spent \$4,185,427. The year-to-date surplus of revenues over expenditures is \$2,132,352. A year earlier at the end of May 2020, the surplus was \$633,413. Though a significant amount, the surplus at the end of May 2021 will gradually diminish over the remaining months of the fiscal year as money from the City's major revenue source, property taxes, declines and as expenditures increase, such as the \$150,000 budget for Police Department vehicles. The City receives most of the revenue from property taxes between November and April. By the end of April 2021, the City had received \$3,354,874 from property taxes, or 98% of the total projected for the entire fiscal year. A year earlier, at the end of May 2020, the amount received from property taxes was \$3,110,403, or \$244,471 less than was received by May 31, 2021. Also, other significant sources of revenue by the end

of May 2021 were communication services tax (\$438,727), electric utility tax (\$368,871), building permit fees (\$233,739), electric franchise fee (\$200,804) and solid waste fee (\$459,338).

B. 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. No date has been set for a workshop on this topic.

C. Preparations for Fiscal Year 2022 Budget

City staff has begun the preparations. In July, meetings will be scheduled with individual Commissioners for a preliminary review of revenues and expenditures and to answer Commissioners' questions about the proposed budget.

4. Miscellaneous

A. Permits for Upcoming Events

In June, the City Manager approved the following: a. the Hugh Shaw Memorial Surf Contest and Beach BBQ on May 21, 2021; b. the City's Luau on June 25th, at the City's Splash Park; c. the USAHS SOTA Beach Cleanup on July 17th and d. the Florida Board Riders surfing contest on January 22, 2022.

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. to residents.

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. The results of that workshop were:

- 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 discussed whether the pay for the Commission needs to be adjusted and decided to leave the current pay unchanged.
-

Also, at the May 3rd meeting, the Commission decided to hold two workshops: a joint one with the Planning Board and the Sustainability and Environmental Planning Advisory Committee on May 18th and a workshop to review options concerning the City's solid waste/recycling operations on May 24th. Both these meetings were held.

At its June 7th regular meeting, the Commission scheduled a workshop meeting on Thursday, June 17th, to consider adopting a stormwater utility to provide funding for the maintenance of the City's drainage infrastructure; and setting the rate for the non-ad valorem assessment for the collection of household waste, special waste, and recyclables. The outcome of the workshop was direction by the Commission to the City administration to make \$211 the yearly non-ad valorem assessment for solid waste and recycling pickup/disposal, to educate residents concerning what's can be put in the recycling bins and what is not recyclable, to investigate the leasing of a garbage truck, and to meet with the company that picks up recyclables in the City concerning what can be done to reduce recycling costs.

COSAB FY'21 ZONING REPORT

Application Id	Parcel Id	Property Location	Owner Name	Building Code	Activity Type	Inspector	Date	Status
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	DENIED
3912	1693500000	106 2ND ST	DIRECT HOME BUYER 1 INC	ZONING	Z-VARIANCE	BONNIE M	6/14/2021	OPEN
3965	1698900180	16 5TH ST	16 5TH STREET LAND TRUST	ZONING	Z-APPEAL	BONNIE M	6/21/2021	OPEN

Application Id Range: First to Last Range of Building Codes: ZONING to ZONING
 Activity Date Range: 10/01/20 to 08/18/21 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last
 Included Activity Types: Both

Sent Letter: Y

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
1341	1004 ISLAND WAY	P2000359	SFR-D	2/4/2020		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
2095	138 WHISPERING OAKS CIR	P2001973	SFR-D	12/18/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2372	26 SABOR DE SAL RD	P2001362	SFR-D	8/6/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2598	7 6TH ST	P2100089	SFR-D	1/28/2021		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
3073	105 3RD ST	P2100541	SFR-D	4/23/2021		NEW SINGLE-FAMILY RESIDENCE IN COMMERCIAL LAND USE DISTRICT PER CONDITIONAL USE FILE NO. CU 2021-01	RES
3101	121 5TH STREET	P2100710	SFR-D	6/3/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3102	125 5TH STREET	P2100725	SFR-D	6/4/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3109	129 5TH STREET	P2100711	SFR-D	6/3/2021		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
3614	421 NIGHT HAWK LN	P2100817	SFR-D	6/17/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3676	104 3RD ST	P2100598	SFR-D	5/7/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3693	370 OCEAN FOREST DR	P2100618	SFR-D	5/18/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3734	108 7TH ST	P2100660	SFR-D	5/27/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

COSAB FY'21 TREE INSPECTIONS

Application Id	Property Location	Building Code 1	Description of Work 1	Issue Date	Description
2754	1144 OVERDALE RD	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	10/16/2020	RESIDENTIAL-TREE REMOVAL INSPECTION
2802	3900 A1A SOUTH	TREE	TREE REMOVAL INSPECTION	11/2/2020	RESIDENTIAL-TREE REMOVAL INSPECTION
2803	1200 MAKARIOS DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	10/29/2020	RESIDENTIAL-TREE REMOVAL INSPECTION
2900	685 POPE RD	TREE	19 INCH OAK TREE AND 18 INCH MAGNOLIA	11/16/2020	19 INCH OAK TREE AND 18 IN MAGNOLIA
3167	115 14TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	1/15/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
3460	407 OCEAN DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	5/19/2021	RESIDENTIAL-TREE REMOVAL INSPECTION 11 inch oak tree
3465	703 POPE RD	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	3/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
3481	24 DEANNA DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	3/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
3775	117 BAY BRIDGE DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	6/17/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
3786	1 SEA OAKS DR	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	5/21/2021	RESIDENTIAL-TREE REMOVAL INSPECTION 2 oak trees 14" and 24" rear of home
3827	45 OCEAN CT	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	6/15/2021	RESIDENTIAL-TREE REMOVAL INSPECTION
Totals					

Application Id Range: First to Last

Issue Date Range: 10/01/20 to 06/22/21

Expiration Date Range: First to 09/02/22

Applied For: Y Open: Y

Application Date Range: First to 06/22/21

Use Type Range: First to Last

Hold: Y

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

User Code Range: First to Last

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

Activity Date Range: 10/01/20 to 06/22/21

Activity Type Range: T-TREE REMOVAL to T-TREE REMOVAL

Inspector Id Range: First to Last

'SENT LETTER': Y Open With No Date: N

COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
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	COM
1740	116 SEA GROVE MAIN ST	P2000906	COM BUILD OUT	6/9/2020		COMMERCIAL INTERIOR BUILD-OUT FOR OFFICE SPACE/FUTURE TENANT SPACE	COM
1827	681 A1A BEACH BLVD	P2000843	COMMERCIAL NEW	4/7/2020		BUILDING--COMMERCIAL NEW BUILDING--BREWERY 1ST FLOOR AND STORAGE 2ND FLOOR	COM
1842	300 A1A BEACH BLVD	P2001952	COMMERCIAL NEW	12/14/2020		LATERAL ADDITION FOR 42 ROOMS TO AN EXISTING 175 UNIT OCEAN FRONT HOTEL	COM
2141	3930 A1A SOUTH	P2001353	COMMERCIAL NEW	8/7/2020		BUILDING ADDITION - SHELL CONSTRUCTION4987 SQUARE FEET 6 UNITS	COM
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	COM

Application Id Range: First to Last

Issue Date Range: First to 06/22/21

Expiration Date Range: First to 09/02/22

Applied For: Y Open: Y

Application Date Range: First to 06/22/21

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

Range: First to Last	Use Type Range: First to Last	Open: Y
Violation Date Range: 06/01/19 to 06/21/21	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 encroachment 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 pertaining 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 occurred. 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
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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
06/15/21	06/15/21	On 6/15/2021 Brandon from Entire Inc called to let me know that later today, they would be installing a well and that later in the week Friday the 18th, the irrigation permit will be pulled and then next week, the trees should come in at which time they will plant them.
06/15/21	06/15/21	During the May 26th meeting the code board requested that the Smith's appear before the board on June 30th for a status update. Notice to appear sent 6/15/2021 7020-0640-0000-7966-5389 Cert Mail
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 Floridas 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: 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.

IMPC 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 contact 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
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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.

Created	Modified	Note
04/26/21	04/26/21	Permit issued on 3/19/2021 for full remodel of building. (P2100342) sign permit to be applied for.

Violation Id: V2100032 Prop Loc: 2 LEE DR
Viol Date: 04/15/21 Status: Open Comp Name: City Managers Office
Comp Phone: Comp Email:

Ordinance Id	Description
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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 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.

Created	Modified	Note
05/03/21	05/03/21	Certified Mail Received APRIL 22, 2021 -- SEE ATTACHED
05/03/21	05/03/21	Notice of Violation Sent 4-16-21, removal of trailer requested by May 1st, 2021.

Violation Id: V2100037 Prop Loc: 641 A1A BEACH BLVD
Viol Date: 04/22/21 Status: Open Comp Name: Josh Patterson
Comp Phone: (904)557-5252 Comp Email: jpatterson@kleinfelder.com

Ordinance Id Description

10-3 PLACEMENT GARBAGE & TRASH-PLACEMENT

Description: Josh Patterson sent a complaint to the City Clerk on 2/17/21. See attached.

The complaint is regarding commercial dumpsters at Kookaburra and Tides which are not enclosed.

Created	Modified	Note
05/10/21	05/10/21	Felicia, the business owner called to say that she was having someone come out tomorrow to build the enclosure. 904-669-9966, she said she would call me tomorrow with a status update. 5-10-21
05/03/21	05/03/21	The property owner called on 4-30-2021 to let code enforcement know that the letter was received. The owner Kevin Vahey (471-6719) stated that the business owner Felicia was going to construct a dumpster enclosure.
04/22/21	04/22/21	Notice of violation sent on 4/22/2021. See attached. dumpster enclosure to be erected by

5/10/2021

Violation Id: V2100044 Prop Loc: 208 4TH ST
Viol Date: 05/28/21 Status: Open Comp Name: Ahua Fescoe Sikora-212 4th St
Comp Phone: Comp Email:

Ordinance Id Description

Description: On 5-26-2021 a complaint was made regarding an unpermitted 2nd story deck at 208 4th St.
See attached complaint.

The Code Enforcement Officer and Building Official visited the property the afternoon of May 26th. We spoke to the owner Joan Le Boss who showed us the second story deck. She explained that the second story deck was existing, however she had enclosed the deck with a screen and a roof. (The screen, new posts, and roof were all unpermitted work).

The Building Official explained to Ms. Le Boss that she would need to acquire an after the fact permit as well as stamped engineered plans. Ms. Le Boss stated that she would reach out to an engineer to begin the permitting process.

See notes.

Created	Modified	Note
05/28/21	05/28/21	Later in the day on 5-28, Ms Le Boss emailed. See attached.
05/28/21	05/28/21	On the 27th Ms. Le Boss came into the office to get the permit applications. Then on the 28th Ms. Le Boss called the office to request a copy of the original complaint. Code enforcement sent her the complaint via email and made note that the name "Donna C." was added to the complaint by me, after looking up ownership of the property on the property appraisers website. Ms. Le Boss called back soon after and asserted that the complaint was false, because the name of the complainant is not the name of the owner. I told Ms. Le Boss that a tenant is allowed to make a complaint, and pointed out that the owner and the complainant have the same last name, "Sikora". Ms. Le Boss insisted that the name on the complaint form is a false name and therefore makes the complaint a false record. I told Ms. Le Boss that because the complaint was verified by the Building Official and myself, that the complaint is valid, even if the complainant information is false. Ms. Le Boss then began insisting that she will not allow a false record regarding her be in our files and stated she was going to hire a lawyer. At this time, Code Enforcement ended the conversation with Ms. Le Boss. -JT

Violation Id: V2100048 Prop Loc: 860 A1A BEACH BLVD
Viol Date: 06/17/21 Status: Open Comp Name: Mark Anthony
Comp Phone: (352)425-1283 Comp Email: markanthonyocala@gmail.com

Ordinance Id Description

Description: On 6/10/2021 Mark Anthony called to complain about the fire alarm going off at the Guy Harvey resort that morning at 3 am. He stated that the fire alarm had been taped off and was not working. However, he confirmed that when the alarm went off that morning, the SJG fire department arrived and evacuated the building.
Mr. Anthony also stated that work was being done in the pool area, and that the dunes were being disturbed.
The entire pool area at the Guy Harvey Resort is seaward of the CCCL and requires a DEP

permit.

Created	Modified	Note
06/18/21	06/18/21	Until a DEP permit is received or DEP confirms that a permit is not required, this violation will remain open.
06/17/21	06/17/21	See attached email from the manager Gene. He stated he has reached out to Trey Hatch and is in the process of obtaining a permit.
06/17/21	06/17/21	On 6/17/2021, Code enforcement reached out to Guy Harvey Resort via phone call. No one answered, so I left a voicemail for Gene. I then sent him an email asking for an update.
06/17/21	06/17/21	6/10/2021 Later in the day, code enforcement visited the property. The pool area had some sand brought in and laid out as well as some fill being moved around (see attached photo). I spoke with the manager Gene Klimovsky and told him that anything occurring in the pool area would require a DEP permit. He stated that he did not know this and apologized. He stated he would reach out to Trey Hatch to obtain a field permit. As for the fire alarm, Gene said that it did in fact go off that morning and that the fire department evacuated the building. He stated that none of the fire alarms are "taped off" as the complainant stated. While code enforcement was on the property, Cintas Fire Protection was also there to service the fire alarms.

Violation Id: V2100050 Prop Loc: 46 ATLANTIC OAKS CIR
Viol Date: 06/17/21 Status: Open Comp Name: PUBLIC WORKS
Comp Phone: Comp Email:

Ordinance Id Description

Description: On Monday June 14th, Public Works sent an email of the pile of trash at 46 Atlantic Oaks Circle. It is not containerized and is larger than what Public Works will pick up in a week.

On 6/17/21, Code Enforcement visited the property and noted that some of the trash appears to be construction generated. The front door is brand new, and the old door is at the curb. The windows may be new as well as the AC unit, there is an empty box for a condensing unit.

Code enforcement knocked on the door 3 times and no one answered. The key was inside the door lock and the door was ajar.

Around 3pm Code Enforcement went back to the property and issued a stop work order. Once again, no one answered the door and it was ajar. Code enforcement could also hear work being performed inside and voices.

Created	Modified	Note
06/18/21	06/18/21	On 6/17/2021 around 4:30, one of the people working on the property called to ask what the STOP WORK order meant. He asked what type of permits needed to be pulled, and the permit tech told him that the permits needed depends on exactly what work is occurring. On 6/17/2021 around 4:45, a woman named Haley called and stated that her employee sent over a picture of the stop work order and asked what it was regarding. The Building Official asked if the people working with her were certified contractors and she stated that they were "handy men". She then stated that all work will cease until this has been resolved and the Building Official

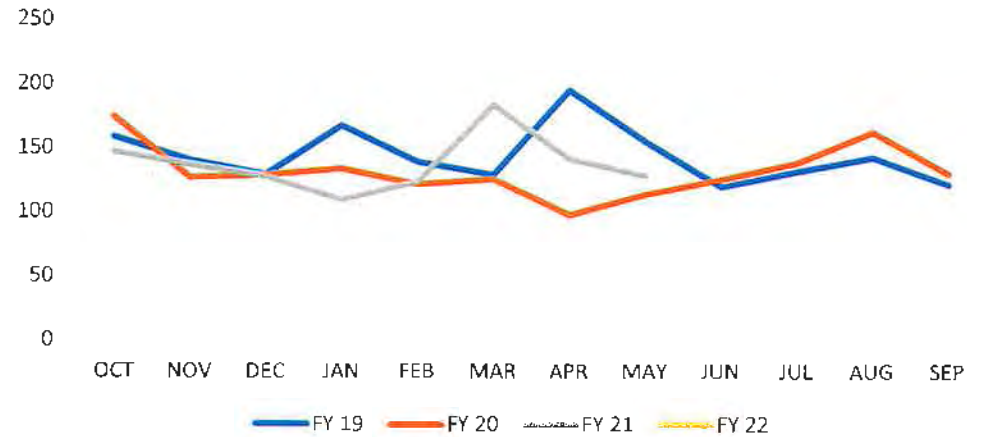
told her that the Code Enforcement Officer and Building Inspector will meet her on site on 6/18/21.

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	142	
MAY	155	114	129	
JUN	120	126		
JUL	132	139		
AUG	143	163		
SEP	122	131		
TOTAL	1729	1583	1101	

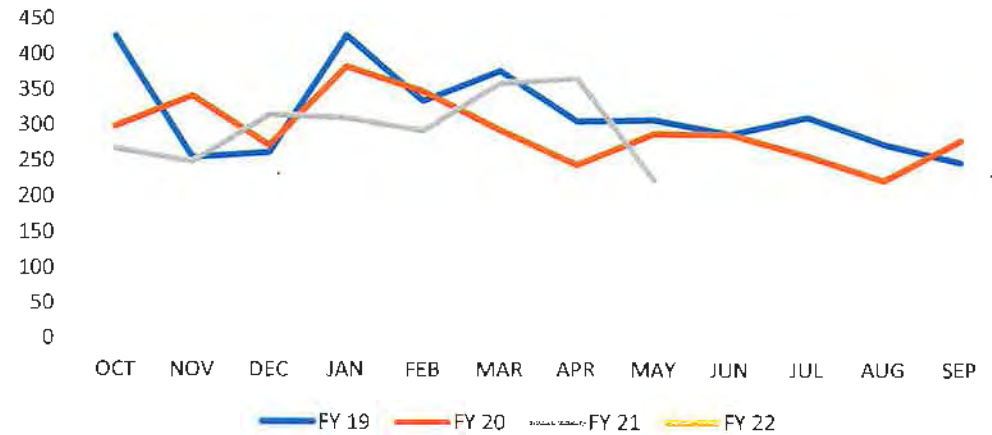
OF PERMITS ISSUED



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	367	
MAY	308	289	226	
JUN	288	288		
JUL	312	259		
AUG	275	225		
SEP	250	281		
TOTAL	3817	3524	2390	

OF INSPECTIONS PERFORMED

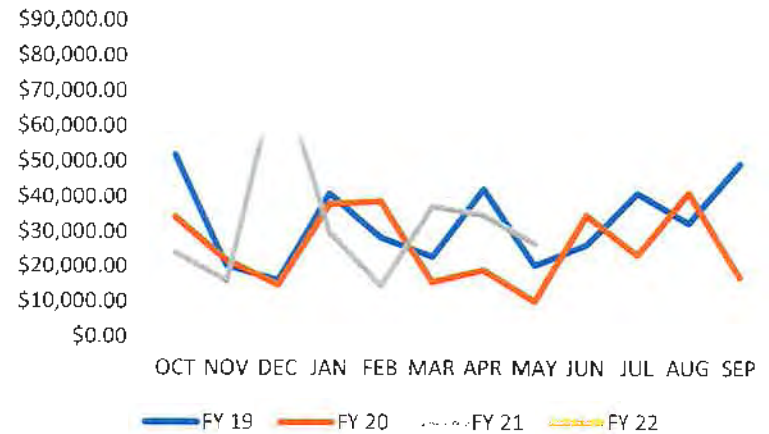


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$34,884.49	
MAY	\$20,391.12	\$10,194.02	\$26,753.41	
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	\$260,493.49	

BUILDING PERMIT FEE GRAPH

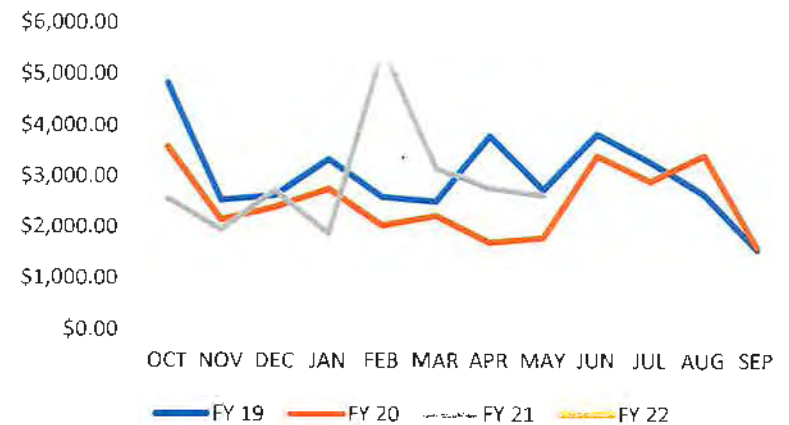


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MECHANICAL PERMIT FEE REPORT

	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	\$2,784.79	
MAY	\$2,736.33	\$1,809.00	\$2,637.52	
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	\$23,257.96	

MECHANICAL PERMIT FEE REPORT

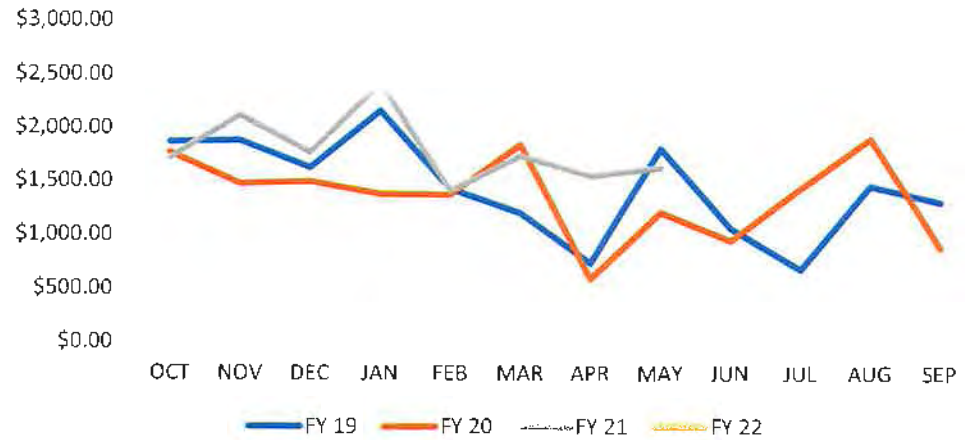


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$1,553.00	
MAY	\$1,805.00	\$1,215.00	\$1,628.00	
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	\$14,355.00	

ELECTRICAL PERMIT FEE REPORT

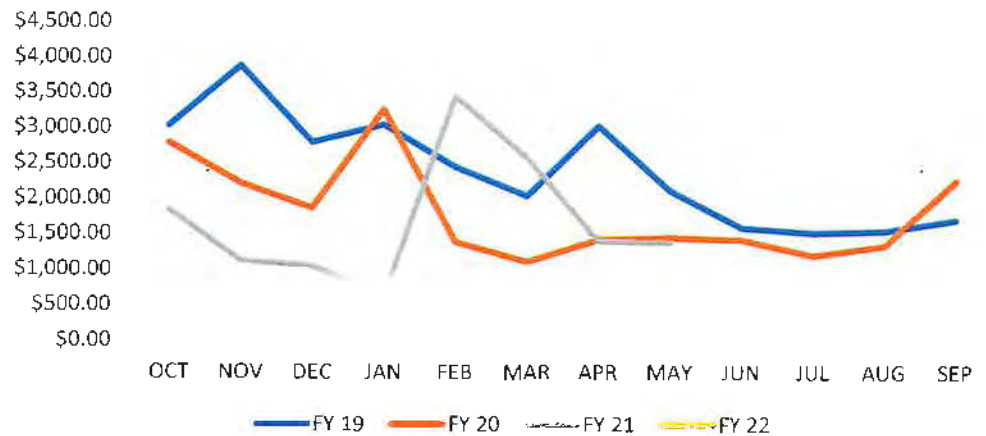


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PLUMBING PERMIT FEE REPORT

	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	\$1,411.00	
MAY	\$2,110.00	\$1,459.00	\$1,390.00	
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	\$13,496.00	

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	\$3,939,394.49	
MAY	\$2,731,410.75	\$1,003,140.58	\$3,080,108.00	
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

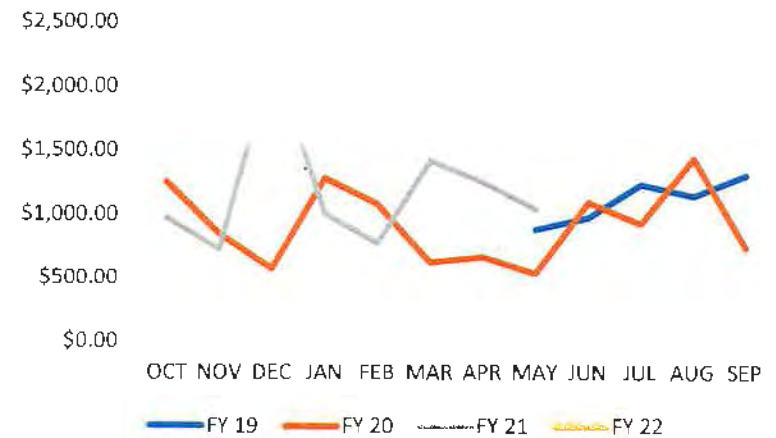


- 18 -

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	\$1,250.09	
MAY	\$881.45	\$537.83	\$1,043.38	
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



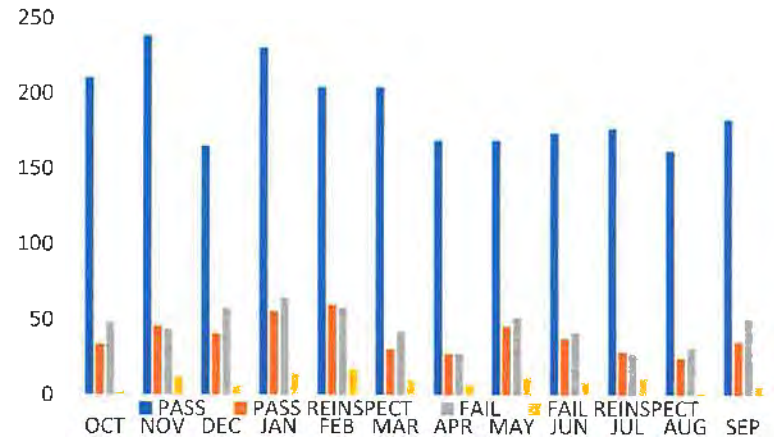
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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

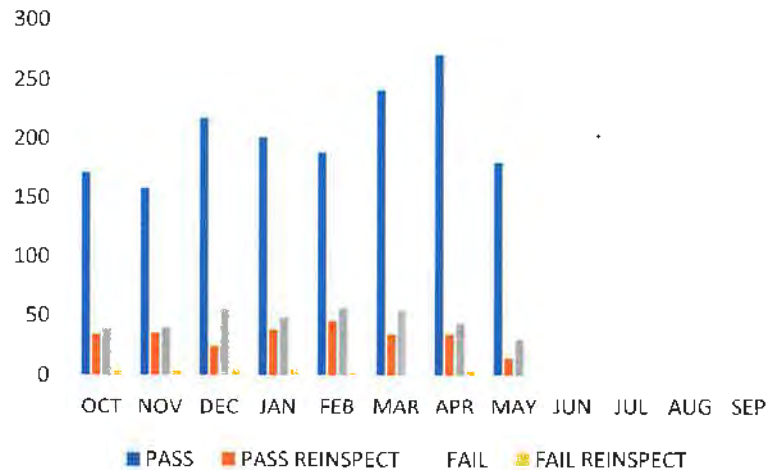


FY 21 INSPECTION RESULTS

	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	270	35	44	5
MAY	179	15	31	1
JUN				
JUL				
AUG				
SEP				
TOTAL	1619	266	373	34

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 21 INSPECTION RESULTS

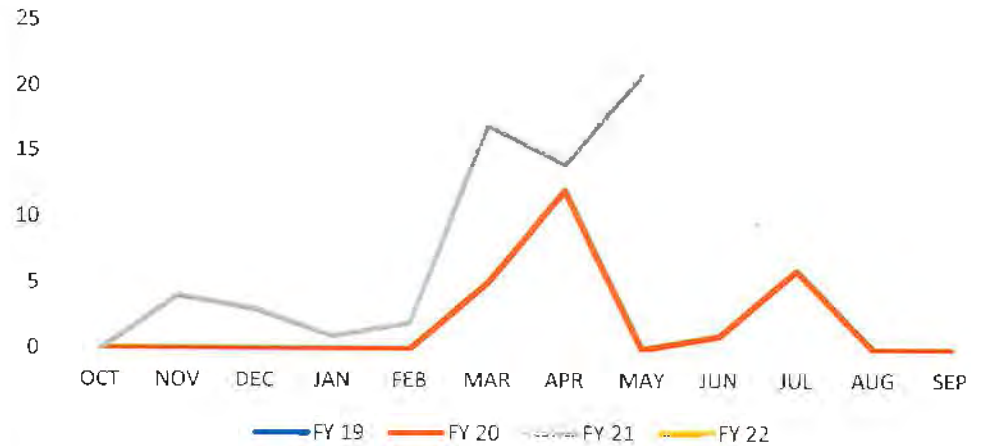


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	14	
MAY		0	21	
JUN		1		
JUL		6		
AUG		0		
SEP		0		
TOTAL	0	24	62	

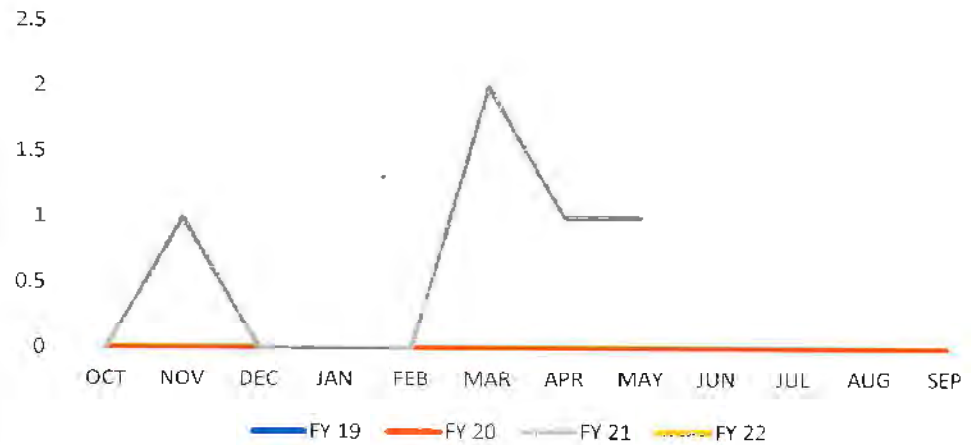
OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER



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	1	
MAY	0	0	1	
JUN	0	0		
JUL	0	0		
AUG	0	0		
SEP	0	0		
TOTAL	0	0	5	

OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

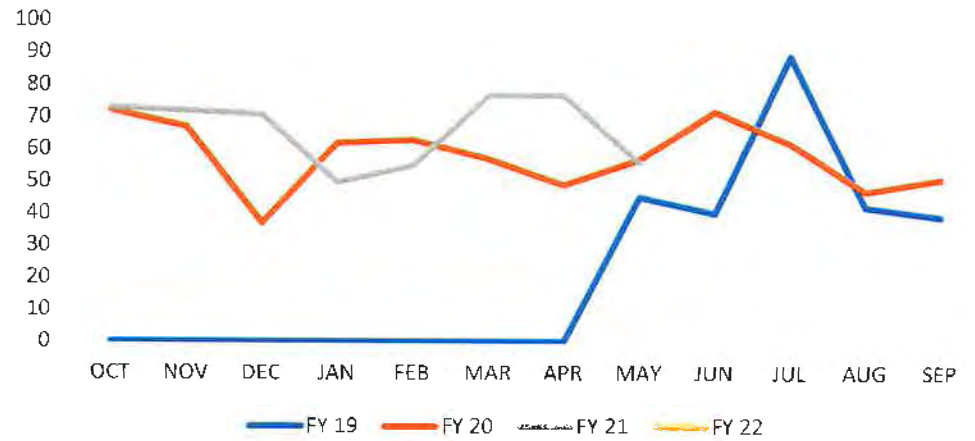


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	77	
MAY	45	57	56	
JUN	40	72		
JUL	89	62		
AUG	42	47		
SEP	39	51		
TOTAL	255	696	531	

OF PLAN REVIEW ACTIVITIES





MINUTES

SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING

WEDNESDAY, MAY 12, 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 6:00 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, Lonnie Kaczmarzsky, C. Michel Cloward, and Karen Candler.

Member Ann Palmquist was absent.

Also present: Deputy City Clerk Dariana Fitzgerald and Grounds Foreman Tom Large.

IV. APPROVAL OF MINUTES OF APRIL 14, 2021, REGULAR MEETING

Discussion ensued regarding the part of the April 14, 2021 minutes which discussed the Vulnerability Study questions, and how SEPAC can determine whether the questions were ever forwarded to those that were specified to receive them (engineer, Commission, Comprehensive Planning and Zoning Board, City Manager, Public Works Director).

Motion: to approve the minutes of April 14, 2021, with correction of typographical errors. **Moved by:** Member Cloward **Seconded by:** Vice Chair Bandy. Motion passes unanimously.

Chair Krempasky moved on to Item 1.

V. PRESENTATION OF REPORTS:

1. Climate Change Survey

Chair Krempasky asked for Member's suggestions on how to proceed with the Climate Change Survey based on the information received from Deputy City Clerk Fitzgerald.

Member Candler asked what the goal was in sending the survey out the first time. Member Thomson said that the goal was to get the community involved in climate change. He advised that a big part of SEPAC is to help educate the community on environmental issues. He said that the survey questions were related to climate change awareness and to provide educational information of how people can help.

Chair Krempasky asked if the same survey should be done again. Member Thomson said it is an educational tool and could be used again. Member Kaczmarsky advised that this could be an opportunity to add a question for people to reduce their personal climate change emissions by allowing the City to plant a tree in their yard for them to take care of.

Member Thomson advised that the survey needs an executive summary. He said that he would like to do the survey again with some additional environmental questions. Vice Chair Bandy mentioned that on page 28 of the original survey, that someone had made suggestions to add to the survey.

Member Candler said that she was confused, and possibly others were also confused, as to whether the survey was asking what "Individuals" were willing to do for the climate, or whether it was pertaining to what the "City of St. Augustine Beach" should be doing for the climate. She said that she interpreted the survey responses as leaning more toward what the City needs to do.

Discussion ensued regarding the original survey questions being confusing; that mostly homeowners replied and not renters; no copy of the actual survey; how to appeal to renters; etc.

Vice Chair Bandy suggested putting the survey on the "NextDoor" app. She said that the survey did not seem to reach the younger residents.

Member Cloward suggested to offer a gift card with the next survey. Discussion ensued regarding gift cards or possibly using donated gift cards from local businesses. Deputy City Clerk Fitzgerald advised that she would research whether gift cards/donated gift cards can be used. She pointed out that the survey responses started to decrease after about ten questions.

Member Cloward said that once SEPAC decides what response is desired from the survey, that will help to determine if changes need to be made to achieve those results.

Member Candler advised that the term "climate change" may have caused pushback from the public. She noted that some of the responses seemed defensive.

Member Thomson said that the questions were geared toward educating people to make them aware of their own carbon footprint. He said that climate change is now something that the State requires to be addressed in every city's Comprehensive Plan. SEPAC's job is to look at the policies of the Comprehensive Plan and to help educate people.

Member Candler asked if the goal of the survey is to simply get people to click through to the attached links for educational purposes. Member Thomson said yes. Member Kaczmarsky suggested to use the survey for items that SEPAC wants to promote, such as the City's adopt-a-tree program. Chair Krempasky asked if the survey was still live. Deputy City Clerk Fitzgerald advised that it has been deactivated.

Discussion ensued whether the survey should be reactivated to review it and the links inside it, or to make changes to the survey before reactivating it; the survey questions were in categories such as food, electric, transportation, environment etc.

Member Thomson asked if there is a hard copy of the survey. He discussed several of the headings on the prior survey and pointed out that it was copyrighted by Dr. Sandy Bond. He

said that Dr. Bond should have a hard copy. He advised that SEPAC could make suggestions and send a copy of the minutes to Dr. Bond.

Chair Krempasky asked if 148 responses is considered a good amount. Member Thomson said that it is better than other survey responses. Vice Chair Bandy said that the survey would need to be publicized better to try to receive more responses. Member Thomson suggested trying to find a way to give prizes, or trees.

Member Cloward said that it has been her experience that people do not show interest in sustainability. She suggested using fun words to get people interested, and to limit it to 10 questions.

Member Candler said that she would be interested in feedback from the public for suggestions they would like to see the City of St. Augustine Beach doing.

Member Thomson said that there could be a climate change survey and a survey for local sustainability initiatives.

Member Cloward said that asking people to take a survey to learn information is a confusing concept. She suggested that a short survey with action items might get better results.

Member Thomson said that education is the main goal. He suggested to move Agenda Items 1 and 2 as sub-topics under Item 5, because they should be part of Education Programs.

Member Cloward said that she does not see the benefit of doing another survey. There are already environmental concerns and she suggested to put effort into how to educate the public on those initiatives. Discussion ensued regarding how the City disseminates information to the public; whether to use a survey again; etc.

Member Candler said that if education is one of SEPAC's initiatives, then SEPAC should be highlighting those initiatives by doing newsletters. Member Cloward suggested a press release. Deputy City Clerk Fitzgerald advised that if a press release is done, it would need to be factual information, and approved by City staff.

Member Candler said that informational topics such as the St. Johns River Water Management District's watering restriction schedule, and tree trimming guidelines are factual information that SEPAC could put in a newsletter, press releases, etc.

Chair Krempasky asked to contact Communications and Events Coordinator Conlon to ask if SEPAC could utilize space in the City's digital newsletter. Discussion ensued regarding using the City's newsletter; creating a digital image as an identifiable symbol for SEPAC articles in the newsletter; how many current newsletter subscribers are there; creating a "green tip of the month" to email/post on Facebook; etc.

Vice Chair Bandy suggested that each Member should come up with a list of topics, then each Member could pick a topic they feel comfortable with. Member Candler suggested to discuss the drafted articles during the next SEPAC meeting. Member Thomson advised that SEPAC could decide at each meeting which topic to choose for the upcoming monthly newsletter.

Vice Chair Bandy advised that she would write an article summarizing the survey results.

Discussion ensued regarding other topics for the newsletter; using catchy names for the articles; creating graphic images and a logo to represent SEPAC.

Chair Krempasky moved on to Item 2.

2. Discussion of Recycling Services and Education

Deputy City Clerk Fitzgerald reported that this topic was at the request of a Committee Member. As background, she advised that Advanced Disposal has been bought out by Waste Management. She said that the turnover and labor shortages have caused some issues and that the City's current recycling contract with Advanced Disposal/Waste Management expires April of 2022. She advised that Advanced Disposal/Waste Management also collects recycling for St. Johns County under a separate contract, which is why County residents have the large, wheeled recycling carts. She said that the City of St. Augustine collects its own trash and recycling.

Member Cloward asked where the recycling is taken to. Foreman Large said that recycling is taken to a facility in Bunnell. Foreman Large advised that the City Commission is going to discuss recycling at the workshop meeting on May 24th at 1:00 p.m. and that SEPAC is invited. Deputy City Clerk Fitzgerald advised that there are four items carried over from the May 3rd Regular Commission meeting that will also be discussed at the May 24th meeting and that the agenda should be available soon.

Vice Chair Bandy asked to discuss the climate change survey again from Item 1. She said that since SEPAC is not going to do the survey again, that the original survey should still be made available and promoted for anyone who is interested in it. Chair Krempasky suggested to have a link to the climate change survey in the newsletter. Deputy City Clerk Fitzgerald advised that she could reactivate the survey and she would check to see if there is a way to filter the new responses by date to distinguish them from the old responses.

Member Thomson asked Vice Chair Bandy to contact Dr. Sandy Bond regarding the use of the survey. Vice Chair Bandy said that she wished she would have known that there was a possibility of not being able to use the survey before SEPAC paid \$300.00 for it. Member Cloward said SEPAC paid \$300.00 to have the results. Chair Krempasky advised that it was prepared for SEPAC, and that it was not copyrighted.

Vice Chair Bandy advised that she will not be at next month's SEPAC meeting, and she asked when she should provide information to Deputy City Clerk Fitzgerald. Deputy City Clerk Fitzgerald advised to send items to her no later than the Monday before the meeting. Member Cloward advised that she would also not be at next month's SEPAC meeting. Deputy City Clerk Fitzgerald advised that she has not had any contact from Member Palmquist for the past year and that SEPAC has no alternate members. Chair Krempasky advised that she met someone at the Arbor Day event that expressed interest in joining SEPAC.

Member Cloward said that she would like to see more recycling done in the City, as well as to educate the public on how to properly recycle. Member Kaczmarzsky said that he sees renters and tourists using the recycle bins for regular garbage. Member Cloward suggested that the homeowners should create a sign for their renters to educate them on how to properly recycle in the City. Deputy City Clerk Fitzgerald discussed the current items that can be recycled.

Member Candler asked about the hand-painted trash cans, and she suggested that the City could set an example by having recycling bins too. Member Cloward said there are some

recycling containers that are designed specifically to accept only certain bottles or cans to help avoid trash being put in the recycle bin. Foreman Large advised that the special recycle bins could be very costly, and that Public Works would have to empty and sort the items because the City's current recycling contract does not allow for collection from anything other than the specified 18-gallon blue recycle bins. Deputy City Clerk Fitzgerald advised that the City's current recycling contract will expire April 2022.

Discussion ensued regarding the two upcoming meetings: 1) the Joint Workshop meeting, May 18th at 6:00 p.m.; 2) the Commission Continuation meeting/Recycling Workshop, May 24th at 1:00 p.m.

Vice Chair Bandy said that it was suggested that she and Chair Krempasky attend the Recycling Workshop meeting. She asked Member Thomson if he would attend in her place because he is more knowledgeable about the recycling program. Chair Krempasky asked Member Kaczmarsky if he would join Member Thomson at the podium for the meeting as representatives of SEPAC, and that other Members would either attend in the audience or via Zoom. Member Kaczmarsky said yes.

Member Thomson said that he and Member Kaczmarsky attended the most recent Commission and the Comprehensive Planning and Zoning Board meetings, and he said that he discussed the three major concerns of SEPAC.

Chair Krempasky moved on to Item 3.

3. Update on Vulnerability Study from Public Works

Chair Krempasky asked Member Thomson for his report.

Member Thomson advised that none of SEPAC's requested recommendations were included in the Vulnerability Study. He said that after his review, he made an additional list of comments. He advised that during the Vulnerability Study, SEPAC has been asking for the design parameters. He discussed the pier park area's vulnerability and a 7-foot wall to resist a category 1 storm. He said that the estimated cost would be \$650,000. He advised that he is concerned why a category 1 risk factor was used instead of a category 2.

Member Candler asked what the wall is protecting. Member Thomson said it would protect the entire north quadrant of the City from storm surge. Member Candler said the City will end up with no beach in the Pier Park area. Member Thomson advised that there is no beach there already because of the Army Corp of Engineers.

Member Thomson discussed how the structure will block views and that it is highly controversial; if it gets approved by the Commission, that immediate attention will be needed to determine the costs and funding sources; and that the City recently approved Phase II of Embassy Suites construction plans, citing that it was not in a high hazard flooding zone which could make the City liable. He advised that in the Urban Forestry Manual, it states that City Officials may want to consider adopting codes which emphasize trees and stormwater management, as opposed to engineered systems. He said that the City paid for this consultant to make these recommendations. The consultant recommended adding tree protection standards to the City's Land Development Regulations (LDR), which would set up the "critical

protection zone". He said that SEPAC needs to make the recommendation to the City Commission.

Member Thomson said that SEPAC made a presentation and referenced the Comprehensive Plan Policy for positive incentives to the tree ordinance to preserve natural, native, vegetation and to control runoff. He advised that SEPAC is following the Comprehensive Plan and the consultant's recommendations and should request that the Commission direct the Building and Zoning Department, or the City Attorney, to draft a revision to the LDRs.

Chair Krempasky asked Member Thomson if he wanted to make recommendations regarding the "Diameter at Breast Height" (DBH) size. Member Thomson advised to use the protected tree size.

Discussion ensued regarding what the protected tree size is; clearing and building on lots, the setbacks, and to protect trees; 6-inch DBH, etc.

Motion: To have the Chair submit Member Thomson's suggestions from page 40 of the Urban Forestry Manual to the Commission with the request that it become an ordinance. **Moved by:** Member Thomson, **Seconded by:** Chair Kaczmarsky. Motion passes unanimously.

Chair Krempasky asked for any further discussion on the Vulnerability Study.

Member Thomson said that the first set of questions did not get answered, the second set of questions asks why the report does not give design parameters.

Discussion ensued regarding if the 7-foot wall would be protecting Embassy Suites; should it be a legal question; to bring it up at the workshop meeting; other cities boards work together, and SEPAC's recommendations are dismissed by the City's Boards/Commission; referenced Page 26 - Adaptation Planning; etc.

Chair Krempasky advised that the Florida Department of Economic Development has suggested five strategies for Adaptation Planning. She said that she spoke to Commissioner George today about this, and it seemed ridiculous to spend \$70,000 for a study that recommended not to decrease the setbacks. Member Kaczmarsky said the City is doing the opposite of the recommendations. Member Thomson said that the report outlined the stormwater system, and it suggested using more pumps to get water out quicker.

Member Thomson said that it went from a \$1.5 to a \$2.3 million dollar project. He advised that SEPAC needs to bring it up with the Commission. Chair Krempasky asked Member Thomson to make it a point to bring it up at the workshop meeting. Member Kaczmarsky said to focus on the hurricane assessment. Member Thomson said that the Vulnerability Study is not going to be reviewed at the workshop meeting.

Discussion ensued regarding the specific area of the Adaptation Planning - 6.3, by North East Florida Group; strategic relocation; that some Commissioners commented that it is unfair that owners must build smaller homes on smaller lots; are there any experts that can attend the meeting; SEPAC's suggestion to change the Land Ordinance to include mitigation; etc.

Member Cloward asked if the workshop meeting was open to the public. Deputy City Clerk Fitzgerald advised that all City meetings are open to the public, and that there is no action or voting done in workshop meetings. Member Cloward asked if the public will be allowed to speak. Deputy City Clerk Fitzgerald said yes.

Chair Krempasky suggested that any Member that has a social media page could encourage residents to attend the workshop meeting. Vice Chair Bandy asked how many people will be allowed in the meeting room and will Zoom be available. Deputy City Clerk advised that the IT Department has indicated that there will be streaming links available on the City's website.

Chair Krempasky moved on to Item 4.

4. Reforestation and Landscaping Projects

Chair Krempasky asked Ground Foreman Large for his staff report for Item 4.a.

a. Mickler Boulevard

Foreman Large advised that the Public Works Department researched different types of canopies for the benches on Mickler Boulevard. He said that Director Tredik and Assistant Director Gatchell do not like the idea of the canopies because they could become a hazard during hurricane season. He advised that the Public Works Department is not moving forward with canopies for the benches at this time. He said that the existing trees will provide some shade.

Member Candler asked if there is funding for the project to move forward. Vice Chair Bandy advised that she has not heard anything from the Lowe's 100 Hometowns program. Foreman Large advised that benches with canopies online were priced at \$3,000.00 each. Chair Krempasky said that SEPAC has approximately \$1,500.00-\$2,500.00 left in the budget.

Chair Krempasky asked if any leftover funds in SEPAC's budget would be rolled back into the overall budget. Deputy City Clerk Fitzgerald advised yes. Chair Krempasky asked if SEPAC should try to spend all its allocated money.

Discussion ensued regarding SEPAC's budget; the Mickler Boulevard project expenses, which department's budget would be used; to spend money before September 30th, etc.

Member Thomson left the meeting at 7:54 p.m.

Chair Krempasky moved on to Item 4.b.

b. Urban Forestry and Planning Projects

Chair Krempasky asked Foreman Large for his staff report for Item 4.b.

Foreman Large advised that he had more information from the City of Orlando regarding their tree program, "One Person – One Tree" (Exhibit A). He said that the City of Orlando's program does not begin until June 1st, with the plantings to be done in the fall of 2021. He said that the City of Orlando's website's link to the program is not available yet. He advised that Public Works Director Tredik is still trying to determine whether to plant the trees on applicant's private property, or on the City's rights-of-way. He advised that SEPAC should decide what types of trees to use for the program.

Deputy City Clerk Fitzgerald advised that the Urban Forestry Master Plan has a list of suggested trees. Foreman Large suggested for SEPAC members to visit the City of

Orlando's website to see how it is set up and that the City's program could piggy-back from it. He said that he is waiting for the City of Orlando's application to become available, and that Director Tredik would have the City Attorney review the application. Deputy City Clerk Fitzgerald advised that the City would probably receive less applications than larger cities.

Foreman Large asked if SEPAC had decided on a name for the tree program. Member Kaczmarzky suggested to use the "One Person – One Tree" name that the City of Orlando is using.

5. Educational Programs

This Item was not discussed.

6. Development of a Committee Strategic Plan

Chair Krempasky said that she would like to ask the Commission to give SEPAC direction for the Committee Strategic Plan at the May 18th workshop meeting.

7. Environmental Policy & Planning Recommendations

a. Sea Level Rise and Adaptation Plans

This Item was not discussed.

b. Climate Change Initiatives

This Item was not discussed.

c. Right-of-Way Ordinance

This Item was not discussed.

8. Sustainable Stormwater Management Research

This Item was not discussed.

VI. OTHER COMMITTEE MATTERS

Vice Chair Bandy said that SEPAC's mission is to educate the public and to encourage environmental awareness. She suggested to start a program to award any observed environmental activities with a local businesses gift card (i.e., for coffee, ice cream, etc.), which would also promote the local businesses. She suggested to possibly include something in the City's newsletter or the City's website with a "challenge" asking people to share photos of themselves recycling, using their cloth shopping bags, doing beach cleanups, etc.

Deputy City Clerk Fitzgerald advised that a give-away program would not work for the City's website, but that Facebook and Instagram could be possibilities. She said that it would need to be decided by City staff if gift cards are allowable. She suggested that a program of this nature would need to have very specific criteria, otherwise everyone will expect a free gift.

Member Cloward said she liked the idea of posting photos of people performing good environmental behavior. She said that for some people, being recognized on social media for doing something good would be the best reward.

Deputy City Clerk Fitzgerald said that this could be discussed with Communications and Events Coordinator Conlon to ask her to add a section to the City's newsletter about community involvement. She advised that it would have to be made very clear that anything submitted to the City is a public record.

Vice Chair Bandy said that while doing research on the internet, she found that a coffee shop in Indiana is putting an environmental quote on the inside of their coffee cup sleeves. She suggested to put the City's "environmental challenge" in something similar, which could then direct people to the City's Facebook page.

Deputy City Clerk Fitzgerald advised that the details would need to be worked out, and to come up with a name for the program.

Foreman Large said that at the Arbor Day event, 249 trees were given away (all 150 Beauty Berries, 30 Myrtle Oaks, 69 Dahoon Hollies). He said there are 351 trees left over and that some are still in shock. He suggested that possibly the City can have another tree give-a-way later in the year because it is hard for Public Works to take care of that many trees. He also said there is a possibility that some oak trees could be planted around the City. He advised that he spoke to Superior Trees, and they suggested possibly getting trees in December during the dry-root season. He said that he would bring back information on the specific trees that will be available during December.

Discussion ensued regarding having another booth at the Wednesday Farmers Market in the fall.

Deputy City Clerk Fitzgerald advised that Coordinator Conlon has had good feedback from the recent events and that she already has more small events planned which will utilize the Wednesday Farmers Market, the Pier Park area, and Lakeside Park. She said that maybe another tree give-a-way could be merged with something Coordinator Conlon already has planned.

Member Candler said that the Urban Forestry Study identified streets in the City that needed trees. She suggested to put signs on those streets to see if residents are interested. Foreman Large said that Director Tredik has not decided whether he wants the "adopt-a-tree" program trees on private property or use the City's rights-of-way. Member Candler said the signs could be another way to try to use the 351 leftover trees. Member Kaczmarzsky said that the Urban Forestry Study identified rights-of-way areas that need trees, not private residential areas. Foreman Large said that some of the trees given away at the Arbor Day event did not end up in the City limits.

Discussion ensued regarding the City's upcoming events.

Member Cloward asked if it was possible to post something on the City's Facebook page that the Environmental Stewardship Awards are still open until June 30, 2021. Deputy City Clerk Fitzgerald said yes, she could ask Coordinator Conlon to repost it. Vice Chair Bandy advised that the deadline date on the Environmental Stewardship Awards linked documents is incorrect.

Member Cloward asked if the St. Augustine Record (the Record) had been sent information regarding the winners of the 2019 Environmental Stewardship awards from the City's Arbor Day event. Deputy City Clerk advised that the City does not pay the Record to do articles, so any

information that is sent to the Record is at their discretion to use or not. Member Kaczmarsky asked if the City has a contact person at the Record. Vice Chair Bandy said that she would ask Coordinator Conlon about Record articles.

Chair Krempasky asked for any further Member comments.

VII. ADJOURNMENT

Chair Krempasky asked for a motion to adjourn the meeting.

Motion: to adjourn to meeting. **Moved by** Vice Chair Bandy. **Seconded by** Member Kaczmarsky. Motion passes unanimously.

Chair Krempasky adjourned the meeting at 8:15 p.m.

Sandra Krempasky, Chair

ATTEST

Max Royle, City Manager

COMMISSION REPORT

June 2021

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS May 23, 2021 – June 20, 2021

CALLS FOR SERVICE - 1148

OFFENSE REPORTS - 79

CITATIONS ISSUED - 58

LOCAL ORDINANCE CITATIONS - 64

DUI - 1

TRAFFIC WARNINGS - 144

TRESSPASS WARNINGS - 23

ANIMAL COMPLAINTS - 8

ARRESTS - 19

- **ANIMAL CONTROL:**

- St. Johns County Animal Control handled 8 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES –

- COA Lawn Mowing: May 26, 2021

MEMORANDUM

Date: June 24, 2021
To: Max Royle, City Manager
From: Bill Tredik, P.E., Public Works Director
Subject: June 2021 - Public Works Monthly Report

Funding Opportunities

Public Works is managing the following grants:

- **City of St. Augustine Beach Vulnerability Assessment**
Florida Resilient Coastlines Program - Resilience Planning Grant
Grant amount - \$72,500; no match required
Status – Project is complete. Awaiting reimbursement from FDEP
- **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. Contractor agreement is executed. Construction commencing in July 2021.
- **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 commencing in July 2021.
- **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
Bidding underway.

- **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.
- **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. Approved by FDEP. Contract execution after completion of design and permitting.
- **Ocean Walk Drainage Improvements**
Legislative Appropriation Request
Appropriation Request Amount - \$694,000
Status – Project approved. Grant agreement preparation underway
- **Hazard Mitigation Grant Program - Dorian**
HMGP grant - FEMA/FDEM
Projects Applied for: CRA1A Storm Surge Protection \$550,000
Status – Grants Applied for on 5/24/2021.

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. Seasonal mowing requirements are increasing as rainfall increases. Additional trash cans have been deployed along A1A Beach Boulevard due to the additional beach visitation related to the holiday and summer season.

Splash Park – Splash Park is operational.

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. Major repairs, however, are not done in-house due to the need for specialized equipment and expertise. The frequency and cost of major vehicle repairs has increased in the current fiscal year due to the aging of the Public Works fleet.

Lakeside Park – Statue bases have been repainted in lakeside park. The steel sculpture of a phoenix “sonorous” has been temporarily removed for reconditioning. It will be restored to its place in the park upon completion of reconditioning.

Drainage 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 grant agreement with FDEM is now fully executed. The construction contract has been executed and construction is anticipated to commence in July. 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.

Vulnerability Assessment [COMPLETE] – Work is complete on the vulnerability assessment. The final plan was presented to the City Commission on May 3, 2021 and has been approved by the State. The City has submitted a final invoice to FDEP and is awaiting reimbursement.

Ocean Walk Drainage Improvements [DESIGN] –

Interim - 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.

Preliminary Design - The City Commission approved a contract with Matthews Design Group on March 1, 2021. The contract is executed and preliminary design is underway.

Final Design and Construction – Staff is preparing support documents for a revenue agreement with FDEP for the final design and construction of the project.

Oceanside Circle Drainage [DESIGN] – The drainage and roadway improvements are currently in design. Roadway paving will be coordinated with drainage improvements. Public Works will be installing an interim temporary pump out structure and will be ready to mobilize pumps to provide flood protection until the ultimate drainage design is complete.

11th Street Pipe Repair [DESIGN] – Design and permitting is underway. The project will be bid upon completion of design and permitting.

Parks and Recreation Improvements

Ocean Hammock Park Phase 2A [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 to commence in Summer 2021.

Ocean Hammock Park Phase 2B [DESIGN] – Survey is complete and design of Phase 2B is approximately 50% complete. 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.

Mickler Boulevard Landscaping – Design of landscaping along Mickler Boulevard between Pope Road and 16th Street is being coordinated with SEPAC.

Lakeside Park Dock Repair [DESIGN] – A Request for Proposals to construct repairs to the Lakeside Park dock was advertised on Demandstar. The city received no responses to the bid and is investigating piggybacking of a St. Johns County contract to complete the work. Initial prices have are higher than anticipated and the City is working with the contractor to adjust the scope of work. Construction is dependent upon successful negotiation of a scope and fee.

Streets / Rights of Way

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 11ths Street was paved in late April. Paving of the portion of Mickler Boulevard between 11th Street and 16th Street has been 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.

Atlantic Alley is planned for paving in summer FY21, pending remaining paving funding. Oceanside Circle paving was scheduled for FY21, however is delayed due to the following:

- There is no functional drainage system for the roadway. A drainage system must be constructed prior to resurfacing
- The roadway structure is insufficient. A traditional roadway overlay will have a very short lifespan due inadequate to base and subbase. Pavement reclamation is required; increasing the cost of the resurfacing.

The City is getting survey on 7th Street to design pavement and drainage for the unpaved western end of the roadway. This section of roadway is planned for paving in Fall 2021.

Street Lighting

- With the recent installation of a new streetlight at Sevilla, all eight (8) new streetlights on S.R. A1A have been installed.
- The ten (10) new streetlights on A1A Beach Boulevard are installed. The new streetlight at A Street has been temporarily disconnected until the LED conversion, when it will be reduced in wattage and shielded.
- The Commission approved Phase 1 of the LED Streetlight replacement on May 24th. The replacement will utilize 3000K lights in most locations except S.R. A1A South, which will have 4000K streetlights.

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 station will be activated upon execution of the service contract.

MEMORANDUM

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 6/21/2021

Finance

The finances of the City are doing well for FY 21. Expenses citywide are showing 55.5%, with 66.67% of the year complete. There are some outstanding capital items that are still in process, so I do expect the expenses to increase over the remaining months as we make those purchases, but I believe we will be in a good position at the end of the year.

Information continues to be distributed regarding the American Rescue Plan Act, but no indication on when the funds will be forwarded to the City. I will continue to monitor the situation and forward information as it is received.

Communications and Events

Melinda has been hard at work on our events with Full Moon Friday Luau happening June 25th. We hope you can join us for some fun!



Friday, June 25th, 6-9pm, Pier Park

Technology: The IT Staff has no updates.

PENDING ACTIVITIES AND PROJECTS

Revised June 25, 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 had been elected Sheriff of St. Johns County, the Commission did not do his review as he had 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 CHANGES.** The first is revising 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 had its first public hearing at the Commission's May 3rd meeting, when the Commission made several revisions to it, passed it on second reading, and agreed to discuss it with the Planning Board and the Sustainability and Environmental Planning Advisory Committee at a workshop meeting on May 18th. The Board at its April 20th didn't recommend that the ordinance be adopted but be discussed at the workshop meeting, though no changes to the ordinance were made at the workshop meeting. The ordinance, 21-04, had its second public hearing at the Commission's June 7th meeting, when it was approved on final reading by a 3-2 vote. This topic will no longer be included in this report.

A second change concerns drug/alcohol rehab and medical facilities. The Commission discussed this topic at its May 3rd meeting. In response to that discussion, the City Attorney prepared an ordinance for to amend Section 3.02.03 of the Regulations. The amendment stated that businesses required to be regulated by Chapter 397, Florida Statutes, Substance Abuse Services, are prohibited in the City. The Commission reviewed the ordinance at its June 7th meeting and passed it on first reading. The ordinance is scheduled for its first public hearing at the Commission's July 6th meeting.

There are two other proposed changes to the Land Development Regulations: a) to allow the Planning Board to approve certain conditional use permits; b) to have the first public hearing on ordinances to amend the Regulations done by the Planning Board, with the City Commission doing the second public hearing. These ordinances are scheduled to be reviewed by the Commission at its July 6th 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 were provided to the Commission at its May 3, 2021, meeting. However, because that meeting ran late, the topic was postponed for discussion at the Commission's May 24th continuation meeting. As that meeting, the Commission by consensus asked that City staff present a list of parking projects to the Planning Board for it to prioritize. The Board discussed this request at its June 15th meeting and decided that each Board member will provide their list of parking projects. The Board will review the lists at its July 20th meeting. There was also mention of the County providing parking along the north side of Pope Road. Though the County has a conceptual plan for parking there, it has no plans at this time to construct parking along Pope Road.

At the Commission's 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. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC). The Commission held the workshop with these two boards on May 18th. Matters discussed included Ordinance 21-04, to change the building setbacks for small-platted lots and to abolish the overlay district; and communications/relations between the Commission and the two boards. Two outcomes of the discussion were the possibility of giving the Planning Board the authority to approve certain conditional use permits, and that SEPAC should submit its proposed Land Development Regulation changes to the Planning Board, which will then decide whether to recommend the changes to the Commission.

6. UPDATING PERSONNEL MANUAL. Past updates or changes have included:

- a. to designate Christmas Eve and Good Friday as holidays for City employees

- b. to provide compensation to the employees during emergencies
- c. to revise provisions in the Manual concerning equal employment opportunity, educational assistance program, Americans with Disabilities Act coordinators, records, interpretations, and conflicts of interest.
- d. to adopt new policies concerning transfers and categories of leave
- e. to adopt policies concerning infectious disease preparedness
- f. to adopt policies regarding types of leave for employees and to add provisions concerning employees who are enrolled in the Deferred Retirement Option Program
- g. to adopt policies concerning workers compensation and leave without pay policies

At the Commission's June 7, 2021, meeting, the following changes were approved: to adopt minor changes regarding shift work for the Police Department; to make minor modifications to the Standards of Conduct and Discipline; to delete the regulation concerning employees making long-distance telephone calls on a City phone; to delete sick leave incentive pay and add an employee's birthday as a personal holiday; and to change the criteria of employees who can denote their sick leave to another employee and who can be a recipient of the donation.

7. LED STREETLIGHTS. FPL has put eight new lights along State Road A1A. For 10 new lights along A1A Beach Boulevard, an agreement has been signed with FPL for them. Also, the Public Works Director presented 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. However, because that meeting ran late, approval of the plan was postponed to the May 24th continuation meeting. Also, at the meeting, the Commission authorized replacing the existing high pressure sodium streetlights along the Boulevard with LED lights but with lower illumination power. The City is waiting for a revised contract with FPL.
8. 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, plans are 50% complete and the City will submit an application for a permit from the St. Johns River Water Management District within the next two months.

- b. 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 state has approved the grant. The grant agreement will be executed upon completion of design and permitting.
 - 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 was presented at the City Commission's May 3rd meeting. The report has been accepted by the state and the City has requested reimbursement of the costs.
 - 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 awarded scheduled to Sawcross, Inc. A Notice to Proceed will be issued in July 2021.
9. 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.
10. 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 Attorney. Final execution of the contract is pending.
11. 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 has appropriate \$694,000 for Ocean Walk drainage improvements and in late May the City was notified that the appropriation had survived the Governor's veto. The Public Works Director is preparing information the execution of the grant agreement.

- b. Oceanside Drive. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. A survey has been done and design is underway by the City's civil engineering consultant.
 - 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. City and County staff will meet on July 7th, to discuss the work done to date and what the next steps will be. Construction of the improvements would be done three months after that.
12. 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 that time. On June 17, 2021, the Commission had a workshop meeting and reviewed the Public Works Director's list of drainage needs and projects, the proposal to have a stormwater fee that each property owner would pay and the need to hire a consultant with expertise in developing a stormwater fee. The Commission decided it need more information and that it might consider the hiring of a consultant at its August 11th meeting.

13. **SOLID WASTE COLLECTION AND RECYCLING.** The current contract for a private company to pick up recyclables in the City expires in May 2022. At its May 3rd meeting, the City Commission decided to hold a workshop meeting on Monday, May 24th, to discuss recycling. That outcome of the workshop was direction to the staff for the City to seek Requests for Proposals from solid waste companies and for the City staff to develop a proposal for the City to provide recycling pickup service with its own crews and trucks. Also, on June 17, 2021, the Commission held a workshop meeting to increase the non-ad valorem assessment that residential property owners pay for the solid waste service. The Commission decided to put a fee of \$213 per household in the Fiscal Year 2022 budget, which will go into effect on October 1, 2021.
14. **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. At the Commission's May 3, 2021, meeting, Commissioner George reported she is having ongoing discussion with the St. Johns County Cultural Council and that she will bring proposals and timelines to the Commission in June.
15. **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.
16. **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. The next report will be provided in July.
17. **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.
18. **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. Ms. Conlon will provide the next update report to the City Commission at its July 6, 2021, regular meeting.

19. 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.
20. 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 staff persons from the County and St. Augustine, 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.
21. 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 will be provided to small Florida cities through the state of Florida. On May 10th, the U.S. Treasury Department issued guidelines. Drainage projects appear to be eligible for money from the Plan. The City staff will confirm that. The state may provide the first installment of the money to the City in July 2021, along with directives as to what types of projects are eligible for funding.
22. UNDERGROUNDING OF UTILITIES. At its May 3, 2021, meeting, Commissioner George ask for Commission support to have Florida Power and Light come to a meeting to discuss the undergrounding project. The City Manager contacted Florida Power and Light, which owns the electric lines, about meeting to discuss the preparation of a presentation concerning costs and scope of work. City staff met with FPL staff on May 25th to discuss the preliminary steps, one of the first of which will be to provide FPL a list of the areas where the City proposes the lines be put underground. The City staff will prepare the list and the company will then provide a preliminary estate of the costs to do the project. This information will be presented to the Commission for a decision on the next step.