



## MINUTES

REGULAR CITY COMMISSION MEETING  
WEDNESDAY, AUGUST 11, 2021, AT 6:00 P.M.

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

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I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Mayor England led the Pledge of Allegiance.

III. ROLL CALL

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

Commissioner George was absent due to a death in the family. The Commission agreed to allow an excused absence.

Mayor England requested to have an excused absence.

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

IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON JULY 6, 2021, AND COMMISSION BUDGET MEETING JULY 26, 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 July 6, 2021, and the Commission Budget meeting on July 26, 2021. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved to Item V.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions.

Commissioner Rumrell advised that Sarah Smith, a police officer from St. Augustine Beach, died tragically and wanted to express his condolences.

Mayor England advised that the Commission all wanted to express their deep condolences to Ms. Smith's family

City Manager Royle advised that Police Chief Goble from the Orange Park Police Department would like to be placed on the agenda. He also mentioned that there were several people in the audience who would like to hear Item 7 regarding Ocean Hammock Park Improvements and suggested moving that item up in the agenda.

Mayor England asked the Commission if they would mind hearing Item 7 after Mr. Hoey's presentation.

Commissioner Torres asked how Mr. Hoey got on the agenda for a presentation and asked to postpone the item because there is no information to give the residents at this time. He asked what the protocol was for anyone from the public to add agenda items to the Commission presentations.

Commissioner Rumrell agreed with Commissioner Torres and advised that he feels the public has a right to speak on an agenda item.

Mayor England suggested Mr. Hoey should give his presentation since he followed procedure to get on the agenda; however, she limited the public comment to two minutes and advised that no decisions have been made about the parkettes or improving parking spaces.

Vice Mayor Samora requested to move the Ocean Hammock Park, Item 7, agenda topic up in the agenda.

#### VI. CHANGES TO ORDER TO TOPICS ON THE AGENDA

Mayor England advised that Item 7 would be moved up in the agenda after the public hearings. She then moved to Item VII.A.

#### VII. PRESENTATIONS

##### A. Recognition by Police Chief Dan Carswell of Mr. Samuel Laplante's Saving of a Swimmer from Drowning

Mayor England introduced VII.A. and asked Chief Carswell to come to the podium.

Chief Carswell explained that on September 23, 2020, there was a swimmer who was in distress on the beach due to rip currents. One of the St. Augustine Beach Police Officer was trying to save the swimmer but was having difficulties. Mr. Laplante at his own risk went to help and saved the swimmer. He then presented Mr. Laplante with the Life Saving Award from the City of St. Augustine Beach and thanked him for saving the swimmer's life.

Mayor England thanked Mr. Laplante for his action and bravery.

##### **\*\*\*\* Added Presentation**

Mayor England asked Police Chief Goble from the Orange Park Police Department and the District Director of the Florida Police Chief's Association to the podium.

Police Chief Goble presented the Public / Private Partnership Operation Cooperation Award. He explained that the award is given to the Police Department and the community partners that work together to solve a police-related problem or service. He explained that Chief

Hardwick in 2017 tasked Officer Cline to manage a K-9 unit for the City of St. Augustine Beach. Later that year, Kilo was sworn in as an officer. Debbie Johnson and Chief Hardwick worked together to get the best equipment and training for Kilo. He explained that the K-9 unit has been combatting the war on drugs which impacts the community. He commented that K-9 United had a 5K run that earned \$14,000 and purchased a heat alarm and medicine kit for Kilo. He explained that Officer Cline's vehicle air conditioner malfunctioned, and the heat alarm advised Officer Cline that Kilo was in trouble. Officer Cline realized that Kilo was endanger and got him out of the vehicle before Kilo died.

Kathi Harrell from St. Johns County Sheriff's Office accepted the award for Debbie Johnson who was unable to attend.

B. St. Augustine's Mobility Plan by Mr. Reuben Franklin, St. Augustine Public Works Director

Mayor England introduced Item VII.B. and asked Mr. Franklin, St. Augustine Public Works Director to come to the podium.

Mr. Franklin, Public Works Director for St. Augustine, showed a PowerPoint presentation on the adopted City of St. Augustine's executive summary of the mobility plan (Exhibit 1) and advised that he would like to show some areas that the City of St. Augustine could work with the City of St. Augustine Beach on. He advised that this plan is to enhance the residents' lives by reducing congestion and making it easier to walk and bike to destinations within city limits. He explained there are four parts to the mobility plan. He explained that the City of St. Augustine is trying to build parking on the periphery of the city with transit circulators for people to use. He mentioned that the City of St. Augustine would like to use shared parking environments with businesses who close their business after 5:00 p.m. to be able to use their parking lot. He suggested to remove the minimum parking requirements from the business and allow them to redevelop parking facilities.

Mayor England advised that she and staff would like to be present on the share parking discussions and suggested aerial transit between the City of St. Augustine, City of St. Augustine Beach, and the City of Jacksonville in the future.

Mr. Franklin advised that he put an aerial transit on the mobility plan for the future.

Discussion ensued regarding the City of St. Augustine working on modifying the Bridge of Lions on the west side and prioritizing the transit to jump the que so they could cross the bridge sooner, but because of historic preservation community, it was not a popular idea; using the City of St. Augustine Beach's city hall parking lot during events and holidays for shuttles; using golf carts instead of cars to visit St. Augustine and St. Augustine Beach; the North Florida Transportation Planning Organization helps with funding studies, but not implementation; and River to Sea Trail survey is not finalized, but the City of St. Augustine is working on its completion.

Vice Mayor Samora asked about the circulators for parking whether the circulators to parking would be a private / public partnership.

Mr. Franklin explained that it would be easier to contract it out. He advised that he has been talking with Jacksonville Transportation Authority to see if they would be interested in

running it for the City of St. Augustine. He is hopeful that more funding will come from Florida Department of Transportation for a city-to-city circulator plan. He explained that it would have to be branded as a link between the two cities.

Commissioner Rumrell advised that a dedicated bus loop would be helpful to drop people off at the pier to eliminate parking issues and whether the City of St. Augustine would agree to have a memorandum of understanding between the two cities.

Mr. Franklin advised that St. Johns County and the City of St. Augustine may be able to utilize the circulator. He explained that people going to the beach with all their chairs, drinks, etc. are different than those going shopping and that may cause problems loading onto a bus, but he would be open to ideas.

Commissioner Torres thanked Mr. Franklin for his presentation and thanked him for thinking ahead for the combined needs for both cities.

Mayor England asked to keep the City of St. Augustine Beach involved with decision making because of the tourism in our city.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that the shuttle should run in the loop and the city should demand the funding from the Tourist Development Council from bed taxes to pay for it. He explained that it takes two buses to get to the City of St. Augustine Beach from the City of St. Augustine.

Mayor England closed the Public Comments and moved to Item VII.C.

#### C. Planning for Public Parking by City Resident, Mr. Kevin Hoey

Mayor England introduced Item VII.C. and asked city resident Mr. Kevin Hoey to the podium.

Mr. Hoey, 1657 Makarios Drive, St. Augustine Beach, FL, explained that he was a concern citizen and advised that the Commission has identified 162 parking spaces and their locations. He explained 139 parking spaces are green or open spaces. He advised that people crossing A1A Beach Boulevard to go to restaurants or shopping will cause more congestion, the slowing of traffic, and safety concerns. He commented that they have more than 1400 signatures in a petition form from the residents who do not want the additional parking. He explained that the residents are concerned about green open spaces being used for parking and showed Exhibit 2, a picture of Best Western Hotel, to prove his point. He showed the green space in front of the hotel and asked why the Commission wants to add 29 parking spaces where the green space is in front of the hotel. He asked the Commission not to move forward with this project. He agreed with the parking projects on A Street and 1<sup>st</sup> Street. He asked the Commission to protect the character, charm, and safety of the citizens of St. Augustine Beach. He explained that the traffic would cause more accidents and advised that this parking plan would not help with the number of tourists coming to the area based on the growth in St. Johns County and would eliminate the green spaces. He commented that parking is a complex issue and should be reviewed with different approaches, such as, how to manage the growth of St. Johns County population while maintaining the green open spaces, quality of life, and safety for the citizens.

Commissioner Torres advised that the Commission was discussing enhancing A1A Beach Boulevard and A Street by placing parking spaces where people are already parking, not to destroy any green space. He explained that Commissioner George was very clear at the last Commission meeting that the Commission was only talking about spaces where people are currently parking.

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

Laurel Dean, 205 A Street, St. Augustine Beach, FL, handed in several petitions (Exhibit 3) for the numbered streets and alphabetical streets. She advised that the parkettes do not belong to the City but are residential common elements to the neighborhoods. She disagreed with putting parking spaces at Ocean Hammock Park.

Tamra Rushing, 848 Ocean Palm Way, St. Augustine Beach, FL, she advised that the Commission approved the budget at the last meeting with the parking improvements in the budget.

Mayor England advised that the primarily budget has not been approved and the Commission will hold future meetings on the budget.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, reminded the Commission that parking means access to the beach and beach renourishment funding and suggested to purchase every open lot on the Boulevard for parking. He did not agree with residents blocking off the public rights-of-way so no one can park.

Beth Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, FL, advised all the parking spaces on A1A Beach Boulevard will not improve the problem; concerned over safety because she saw a man climbing over her fence at 10:00 a.m.; gates are not being locked at dusk and reopened at 8:00 a.m.; gates are not high enough and are falling off at Ocean Hammock Park on the beach; and ticket people who do not come back to take their cars out of Ocean Hammock Park on time.

Amy Capp, 410 B Street, St. Augustine Beach, FL, explained that she and her neighbors are against any of the parkettes being removed for parking. She explained that she does not want more people on the beach.

Tamra Rushing, 848 Ocean Palm Way, St. Augustine Beach, FL, advised that she gave comments to the Commission to read at their leisure (Exhibit 4). She commented that the parking plan of 162 improved parking spaces that was approved by the Commission has 139 that are green spaces. She advised that the people in the audience are doing their due diligence and the Commission is not reading the material. She asked who the Commission is working for.

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

## VIII. PUBLIC COMMENTS

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, thanked the Commission for allowing the public comments when they usually are not allowed and for the access they have through e-mail and phone calls. He explained that the COLA this year should be 5.4% and employees should be paid at least \$20 an hour; and employees deserve a raise.

Robert Langston, 673 Ocean Palm Way, St. Augustine Beach, FL, read a speech into the record (Exhibit 5).

Ray Hammel, 13 Bermuda Run Way, St. Augustine Beach, FL, thanked the St. Augustine Beach Police Department for solving the hostile situation on July 31<sup>st</sup>. He stated that his community is very concerned about Ocean Hammock Park's additional parking. He advised that it invites more people to the park because the police usually cannot stop crime before it is committed. He asked the Commission to have safety as their highest priority.

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

IX. COMMISSIONER COMMENTS

Mayor England asked the Commission for any comments. Being none, Mayor England moved on to Item 1.

X. PUBLIC HEARINGS

1. Ordinance 21-07, Second Public Hearing and Final Reading, 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 1 and asked City Attorney Taylor for a staff report.

City Attorney Taylor advised the City is looking to keep drug rehab out of certain areas of the City. He explained that this has gone to the Comprehensive Planning and Zoning Board and there have been no changes since last reading.

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

City Attorney read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve Ordinance 21-07 as read. **Moved by** Commissioner Torres, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England moved on to Item 2.

2. Ordinance 21-08, Public Hearing and Final Reading: to Amend Chapter 16 (Police Department) of the General City Code to Delete Obsolete Provisions (Presenter: Lex Taylor, City Attorney)

Mayor England introduced Item 2 and asked City Attorney Taylor for a staff report.

City Attorney Taylor had no changes to Ordinance 21-08.

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

City Attorney Taylor read the title of Ordinance 21-08.

Mayor England asked for a motion.

**Motion:** to approve 21-08 as read. **Moved by** Commissioner Rumrell, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England requested to place a revision date in the Police Department's policies and procedures manual.

Mayor England moved on to Item 3.

3. Ordinance 21-09, First Public Hearing and Second Reading: to Amend the Land Development Code to Have First Public Hearing of Ordinance to Amend the Comprehensive Plan and/or Code Done by Comprehensive Planning and Zoning Board (Presenter: Brian Law, Building Official)

Mayor England introduced Item 3 and asked City Manager Royle to give a synopsis of the procedure that the Commission and the Comprehensive Planning and Zoning Board would be following.

City Manager Royle explained that the Land Development Regulations required two public hearings by the City Commission. He advised that the Comprehensive Planning and Zoning Board does a preview of each amendment before the Commission reviews and adopts the ordinance. He explained now, one public hearing will be done by the Comprehensive Planning and Zoning Board and then the final adoption would be done by the City Commission. It would make the procedures less cumbersome.

Mayor England advised that once the Comprehensive Planning and Zoning Board approves and makes changes to the ordinance, it comes to the Commission where we could make changes and then adopt it.

City Attorney Taylor pointed out that a discussion by the Commission would be done prior to the Comprehensive Planning and Zoning Board approving the first public hearing.

Mayor England asked the City Commission if they had any questions. Being none, Mayor England opened the Public Hearing. The following addressed the Commission:

Bill Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, FL, agreed with streamlining meetings; however, felt that the Comprehensive Planning and Zoning Board was only an advisory authority and approval should be done by the Commission instead of an advisory authority for Land Development Regulations since there could be so many consequences from the approvals.

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

Mayor says that there is plenty of opportunities for public comments at the public hearings.

City Attorney Taylor read the title of Ordinance 21-09.

Mayor England asked for a motion.

**Motion:** to approve Ordinance 21-09 as read. **Moved by** Commissioner Torres, **Seconded by** Mayor England. Motion passed 3 to 1, with Commissioner Rumrell opposing.

Mayor England moved on to Item 7.

## XI. CONSENT

4. Resolutions: a) 21-24 to Amend the City Commission's Policies and Procedures Manual for Use of City Meeting Room by Public; b) 21-25, to Adopt the Updated City Commission Policies and Procedures Manual; and c) 21-26, to Adopt the Safety and Risk Management Manual

City Clerk Raddatz requested to pull Resolutions 21-24 and 21-25 from the agenda.

The Commission agreed.

Mayor England requested a motion for Resolution 21-26.

**Motion:** to approve Resolution 21-26 as read. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England. Motion passed unanimously.

5. Resolution 21-29, to Authorize the City Manager to Sign the State Highway Lighting Maintenance and Compensation Agreement with the Florida Department of Transportation

Mayor England asked for a motion for Resolution 21-29.

**Motion:** to approve Resolution 21-29. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved on to Item 6.

## XII. OLD BUSINESS

6. Light Up the Beach for City's New Year's Eve 2021 Special Event: Update Report (Presenter: Ms. Melinda Conlon, Events and Communications Coordinator)

Mayor England introduced Item 6 and asked Communications and Event Coordinator Conlon to come to the podium.

Communications and Event Coordinator Conlon advised that the New Year's Eve event will have fireworks, but no vendors at Pier Park. She explained that she is working with local businesses to get funding for the event and promoting businesses down the Boulevard by businesses hosting artists. Staff is meeting monthly to discuss transportation, funding, etc.

Discussion ensued regarding the art walks; lighting down A1A Beach Boulevard; avoiding dark spots along the Boulevard; and being careful of lighting during turtle season.

Commissioner Rumrell thanked Ms. Conlon and advised that she is doing a great job.



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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked if staff could put white lights on the branches of the trees.

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

Mayor England moved to Item 8.

7. Ocean Hammock Park: Review of Plan for Improvements (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 7 and asked for a staff report from Public Works Director Tredik.

Public Works Director Tredik advised that he and Matt Lahti from Gulfstream Design LLC. would be giving a PowerPoint presentation, Exhibits 6 A-C.

Public Works Director Tredik gave the history of Ocean Hammock Park in his presentation. He explained the permitting of the park and what the City intended to use the park for. He commented that the grant the City used to purchase the park and what the requirements of that grant were. He advised that an educational program would eventually be set up with the assistance of St. Johns County. He explained the management plan and how it would need to be changed and updated.

Matt Lahti, Gulfstream Design LLC, 906 Anastasia Boulevard, St. Augustine, FL, showed his PowerPoint presentation. He explained that there was a public meeting on June 24, 2021, to explain what the management plan was and what has been done in the park. He mentioned the boardwalk and sidewalk in the trails being designed. He explained that they shifted the boardwalk 100 feet from Bermuda Run to align with the alleyway. He is proposing a six-foot fence on the boundary to offer some additional security for Bermuda Run. Some vegetation would have to be removed and there are a lot of snakes in that area. He showed the concept plans for the park.

Vice Mayor Samora liked that the fencing was pulled back and the plans increase the buffer between the trail and Bermuda Run. He liked moving the walkway to go along to the alleyway as well. He explained that the six-foot fence stops halfway through the Bermuda Run neighborhood and asked if there was another fence for Phase II in the other portion.

Public Works Director Tredik advised that it was not in Phase II design, but it could be added.

Mayor England asked if some of these changes were the result of public meetings with Sea Colony and Bermuda Run residents.

Mr. Lahti advised that they did have a meeting on June 24<sup>th</sup>.

Public Works Director Tredik continued with his presentation to show the next steps for Phase II. He explained that the fence could be paid for by impact fees. He explained that the design must be completed before the coastal grant award can be issued, which is \$60,000. The costs for the remainder of the park improvements are \$300,000 to \$400,000. He explained that Phase II should be accomplished next year. Phase III would need to have more grants to fund the continuation of the project.

Mayor England commented that when the Maratea development was being proposed, Dr. Pat Gill and others asked that this property be bought up at every Commission meeting. The City went for funding and raised funding through a half-cent millage rate and bought the first four-and-a-half acres and then the City bought another five acres.

City Manager Royle advised that eleven and a half acres was purchased and then the City bought another four-and-a-half acres.

Mayor England explained that the City received money from the Florida Communities Trust for the purchase. At the time when the money was received there were development requirements that needed to be done.

Public Works Director Tredik advised that the development requirements were the management plan.

Mayor England advised that the management plan was written in order to receive the money.

City Manager Royle advised that there was a point system on rewarding the funding. He explained that the funding is very competitive throughout the state.

Public Works Director Tredik advised that there were two grants from Florida Communities Trust. The \$4.5 million for the first purchase and \$1.5 million for the remaining four-and-a-half acres. Each grant had management development conditions. He explained that there was a FRDAP grant, and a Coastal Partnership Initiative grant for design and construction.

Mayor England asked Public Works Director Tredik what needs to be done to not give the money back.

Public Works Director Tredik advised everything he stated in the management plan unless the state is willing to change the plan. He explained that they do expect the development to be done.

Commissioner Torres asked if the management plan has reasonable expectations and asked if the staff are meeting the timelines.

Public Works Director Tredik advised that staff has been behind on the timelines because this project did not get funded. He explained that in 2019, staff applied for a grant, and it did not make the cut. He advised that he applied again this year and it did not go through again. He commented that the reason he got funding for the restrooms was because the City asked for a midsize project and not a large project.

Vice Mayor Samora asked if this information was available on the City's website.

Public Works Director Tredik advised yes. He advised that he will add the plans that Mr. Lahti gave tonight.

Vice Mayor Samora advised that staff is addressing the safety concerns with more buffered areas and fencing.

Police Chief Carswell advised that Public Works Director Tredik has already addressed the safety concerns. He explained that residents are concerned with the gates being closed and he has met with both homeowner associations regarding the issue. He advised that his staff would start

locking the gate again. He suggested replacing the gate with a better one because it is only a four-foot gate. The access is checked every night but sometimes it gets missed because of higher priority calls for service. He has met with Public Works Director Tredik and addressed all the safety concerns.

Mayor England asked about placing security cameras in the park.

Public Works Director Tredik advised that cameras will be installed around the parking lot and the restrooms.

Commissioner Rumrell advised that the public wants enhancements to be done for safety. He asked whatever enhancements could be done for Bermuda Run and Sea Colony residents should be done.

Public Works Director Tredik advised that planting is part of the development when doing this project, which would help with a buffer and safety. He mentioned that the planting could be funding by the City's tree fund.

Mayor England asked if any other safety experts from state, county agencies have been consulted.

Police Chief Carswell advised that he would reach out to some of the park and sheriff agencies regarding safety.

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

Todd Horn, 31 Bermuda Run Way, St. Augustine Beach, FL, explained that security is a concern regarding the trails because people are in the isolated areas.

Jerry Smith, 27 Bermuda Run Way, St. Augustine Beach, FL, asked where the fence would start and end.

Mr. Lahti advised the fence starts between the fifth and the sixth house.

Tamra Rushing, 848 Ocean Palm Way, St. Augustine Beach, FL, asked if the Commission could address the inconsistencies that Attorney Burnett pointed out regarding Ocean Hammock Park and the Comprehensive Plan; stated her concern regarding the restrooms and the illicit activities that occur in a secluded park and asked if the restrooms were added from the first management plan; she asked how far the Police Department patrols in the park; and asked why SEPAC has not been engaged regarding the park.

Police Chief Carswell advised that he knows that his staff does go into the park a lot but could not say how many times a day and how far in the park they go; however, they do go in the park a lot.

Mayor England advised that SEPAC could consult with the Commission at any time if they chose to.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, explained that he would give the grant back and wants the park to remain the same. He would like the City to sell Ocean Hammock Park and purchase Ron Parker Park.

Roland Mejia, 457 Ocean Grove Circle, St. Augustine Beach, FL, asked what the fence would be for; who would monitor the cameras; and suggested to improve on the fences that are there now since

they are broken down.

Mayor England asked Mr. Mejia to speak with Public Works Director Tredik regarding his concerns.

Tim Norberg, 200 Big Magnolia Court, St. Augustine Beach, FL, advised that he is the President of the homeowners' association for Whispering Oaks. He requested more safety for the crosswalks; there have a lot of homeless people at the park; and fencing is needed for security reasons when Hammock Dunes opens.

Ray Hammel, 13 Bermuda Run Way, St. Augustine Beach, FL, advised that maintenance on the walkway of Ocean Hammock Park has not been done, so how are they going to maintain more in the park. He asked the Commission to walk halfway in the park and see the mess there.

Mayor England closed the Public Comments section and asked if this is an information topic.

City Manager Royle advised that it is an informative topic, and he wanted the Commission to know what has been done and going to be done to complete the enhancements.

Vice Mayor Samora asked to keep engaging with the public and would like to see the buffering for the two trails and to buffer to 100 feet for Phase II. He asked why there is no fencing suggested between Bermuda Run in Phase II.

Public Works Director Tredik advised that he could buffer the two trails in Phase II and advised that the fencing between Bermuda Run is not technically required; however, it is being put in for security reasons. The fence was not in Phase II because it was not put in the management plan at that time but can be added to Phase II.

Vice Mayor Samora asked for consistency in neighborhoods that back up to the same park. He asked if staff has a maintenance plan for the park.

Public Works Director Tredik advised that he does not have a formal plan yet, but he will work on that. He has made plans to maintain the restrooms as soon as they are operational. He will have staff pick up the garbage and clean the restrooms daily. The boardwalk needs handrails and maintenance. He advised that staff does clean the walkways; however, he could increase that, but it will take more staffing or more efficiencies.

Vice Mayor Samora asked for an outline of a maintenance schedule for the park to be given to the Commission. He asked about the existing boardwalk and advised that he has not seen it in the capital improvement plan for the next five years to be replaced. He asked whether to abandon the existing boardwalk and have a concrete boardwalk in the center of the park.

Public Works Director Tredik advised that there would be challenges going directly over the conservation easement. He explained that the Water District may not appreciate it, but he would check into it. He explained that there would be a lot involved in creating a different connection.

Vice Mayor Samora advised that the existing boardwalk location has been problematic and would like this discussed this year or next year before replacing it. He would like it to be in the center of the park. He asked Police Chief to also do a security plan for the park and communicate how the park is being secured.

Police Chief Carswell advised that he would take care of it.

Public Works Director Tredik advised that the pathway will be six-foot wide and six-inch thick, and the police would be able to drive their vehicle on the pathway if they needed to. He explained that it is a robust trail.

Mayor England advised it is important that the police can get out in the middle of the park. She explained that when the purchase of the property came up, it was to prevent the development of the property. She suggested putting more money into safety.

Public Works Director Tredik advised that the restrooms are a requirement in the management plan.

Mayor England moved on to Item 4.

8. Solid Waste Matters: Resolution 21-27, to Adjust the Residential Solid Waste and Recycling Non-Ad Valorem Assessment Fees; and Resolution 21-28, to Modify Commercial Solid Waste and Recycling Fees (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 8 and asked Finance Director Douylliez for a report.

Finance Director Douylliez gave an updated report to the Commission (Exhibit 7). She explained the three options to the Commission. She explained that the City Manager and she met with St. Johns County to discuss solid waste collection by piggybacking with the County, which is Option 2. She explained that Option 1 is what the City has currently in the budget, which would increase the residents' cost of \$126 per year. She explained that the pros for Option 1 is that recycling would be handled by City staffing. The cons would be the millage rate and non-ad valorem costs would increase and projects would have to be cut to stay within the budget. Option 2 would be going with County services and the County would be billing the residents for non-ad valorem taxes. The cons are that the City would still have to raise the millage rate, the non-ad valorem taxes would increase, very little going into the reserves, many items that are currently picked up would not be picked up under the County services, recycling would be from the Advanced Disposal like the City, and 38 percent of City staff would have to be reduced. The County will be renegotiating their disposal site contract and that could increase costs to the residents. The County would not provide commercial service pick up so the City would have to do that service. The City is providing solid waste services to residents for \$315 per year per home. She explained that if the non-ad valorem is changed to \$315 this year, the City could keep the millage rate at 2.45%. The City could put into reserves \$55,000 in this year. She advised that with Option 3 all the current projects can be done.

Mayor England asked whether the commercial clients would remain the same.

Finance Director Douylliez advised that an adjustment would have to be done, Public Works Director Tredik will explain. She explained that the commercial clients' will still be done by the City. She advised that the commercial clients would have an increase.

Mayor England asked about picking up the commercial clients recycling.

Finance Director Douylliez advised that she would research that.

Public Works Director Tredik advised that the Commission needs to pass a resolution adjusting the non-ad valorem taxes from residential and commercial clients. He explained that the Commission needs to decide on what option they want. He explained that if the Commission

selects Option 3, it would keep staff whole, would increase the non-ad valorem tax to \$315, and allows the projects budgeted to continue. He broke down the fees for Option 3: \$150 for collection, \$125 for disposal, and \$40 for recycling, which totals \$315. He explained that if the prices go up or not, it can be adjusted within the price range the Commission passed previously.

Commissioner Rumrell advised that Finance Director Douylliez and Public Works Director Tredik did a great job on this. He explained that every Commissioner wants to get more money into the reserves, which Option 3 does. He asked whether Advanced Disposal has been audited on their profits.

Finance Director Douylliez advised that she has never received a refund or rebate for the sale of commodities.

Commissioner Rumrell advised that if the City does it inhouse the City would make any profit from commodities. He understands that there is no market today, but there might be in the future.

Public Works Director Tredik advised that he would send the recycling materials to Bunnell for separation and advised that the City would have to do an educational program with the residents to only accept certain items that would not be contaminated. He advised that glass and certain plastics should not be collected.

Mayor England asked what the current contaminated rate is.

Public Works Director Tredik advised that it is high but did not know the percentage.

Mayor England asked to let her know because the Commission needs to know that.

Public Works Director Tredik advised that the recyclables would be considered contaminated because there is no market for them.

Commissioner Rumrell agrees with an educational program.

Mayor England asked whether the Commission wants to move forward on this with Commissioner George not here.

Commissioner Torres advised he did not want to have staff wait on this because they have deadlines to finish. He commented that the City is wasting their money on the contract with Advanced Disposal and the contract should be cancelled immediately. He would agree to Option 3.

Commissioner Rumrell agrees with Option 3 because the millage stays the same, Option 3 allows \$55,000 to go into reserves, and the City does not lose a department, which does the work for hurricanes. He advised that Option 3 is the only choice.

Vice Mayor Samora asked if the staff collectively have a recommendation.

Public Works Director Tredik advised Option 3 would be staff's recommendation.

City Manager Royle advised that the City cannot depend on Advanced Disposal, so he would recommend Option 3. He advised that it is better that the City controls this instead of relying on

another company.

Vice Mayor Samora asked if any more vehicles are needed before October 1<sup>st</sup> to do this.

Public Works Director Tredik advised that he would have to get the truck ordered as soon as possible. He advised that additional staff can be sought. He commented that the Public Works Department could be staff ready by October 1<sup>st</sup>, but the truck might not be here by October 1<sup>st</sup>. He advised that there could be a short-term lease on a truck until the new truck comes in.

Vice Mayor Samora asked if those additional costs been figured into the budget.

Finance Director Douylliez advised that there is a purchase of a new vehicle in the budget now. She explained that the cost of the contract goes through May and the two more employees are budgeted from May through September. She advised that terminating Advance Disposal's contract should balance the amount that the City will be paying for the employees and lease vehicle.

Mayor England asked if there would be a cost to cancel Advance Disposal's contract.

Finance Director Douylliez advised no, but the City will be saving over \$100,000 next year.

Commissioner Rumrell asked if it would be better to wait on cancelling the contract with Advance Disposal until January to give the City some time to shift the work and is there a clause to give them notice before cancelling.

City Attorney Taylor advised that the City has already put them on notice and would be terminating the contract for cause.

Finance Director Douylliez advised that Advanced Disposal was honest and said that they were not going to renew the contract, so they will not be upset in cancelling the contract with the City. They suggested to go with the County.

Mayor England advised that she would like to alert the residents that there will be no recycling between the contract being cancelled and when the City would take over service. She would like that period to be used for recycling education and marketing. She suggested getting help with the education and marketing aspect.

Discussion ensued regarding the bins and how it was more financially intelligent to keep the bins the City owns for now; how many times a month the City would collect recycling; when we should cancel the contract with Advanced Disposal; whether a break is needed between service to get people's attention; the three "R's" reduce, reuse, and recycle for the education; and using incineration for recyclables.

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

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, agreed with Option 3.

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

**Motion:** to approve the fees for residential collection, disposal, and recycling in the amount of \$150 for collection; \$125 for disposal and \$40 for recycling to a total of \$315. **Moved by** Mayor

England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

City Clerk Raddatz advised that the meeting needs to be extended.

**Motion:** to extend the meeting. **Moved by** Commissioner Rumrell, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Public Works Director Tredik advised that the Commission has in the past asked that the commercial customers pay as much or more than residential customers. He explained the two different recommendations he gave to the Commission. He advised that most of the commercial clients have more than one cart. He said that the costs can be re-evaluated as needed. He explained that it costs more to use an unauthorized container.

Discussion ensued regarding allowing for one cart to be used for mixed use properties; researching whether to change Chapter 2 in the Code of Ordinances to allow one cart for both businesses if only one cart was needed; whether to stop having staff do the billing for commercial properties; and no solid waste companies will service by hand pickups for those properties that do not have room for a dumpster.

Mayor England asked for a motion.

**Motion:** to approve the fees for commercial clients to \$6.25 for 64-gallon carts and \$9.30 for 96-gallon carts effective October 1, 2021. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England. Motion passed unanimously.

Mayor England moved on to Item 9.

9. Conditional Use Permits and Home Occupations: Ordinance 21-10, First Reading, to Amend the Land Development Regulations Concerning Home Occupations and Conditional Use Permits (Presenter: Brian Law, Building Official)

Mayor England introduced Item 9 and asked Building Official Law to give his staff report.

Building Official Law explained that the Commission asked to give the Comprehensive Planning and Zoning Board more authority, which helps the Commission streamline their meetings. He classified the land use districts by C-1 for the Commission or C-2 for the Comprehensive Planning and Zoning Board. He reserved for the Commission for single-family in a commercial sector, multi-family condominiums in the commercial sector, and all group homes.

Vice Mayor Samora suggested changing C-2 to C-1 for hospitals and utility facilities in case that one day the City has those businesses. He asked who would hear cases regarding pharmacies.

Building Official Law advised that would be up to the Commission, but he would recommend C-2 for pharmacies.

The Commission agreed to have pharmacies categorized as a C-2, hospitals, and utility facilities as C-1.

Mayor England asked if the Comprehensive Planning and Zoning Board knows about the changes.

Building Official Law advised yes. They addressed this in June but have not seen the ordinance because it comes to the Commission first. He explained that page 8 was approved by the



Commission; however, it did not show up as a change so out of the abundance of caution staff is bringing it back to the Commission.

Mayor England asked how the Commission would feel changing bed and breakfasts and group homes to C-2.

Building Official Law advised that bed and breakfasts are subjected to certain requirements in the development code, such as, time periods, staffing, etc.

The Commission agreed not to change the categories.

Building Official Law advised that C-2 conditional use permits would only be seen by the Comprehensive Planning and Zoning Board. He explained that the Commission could modify any categorization with an ordinance in the future if they want to.

Vice Mayor Samora asked to change on page 7 privately owned recreation facilities, such as, golf courses, country clubs or swimming clubs to C-1.

Building Official recapped the changes.

Discussion ensued regarding whether the Commission can continue after 10:00 p.m.

City Attorney Taylor advised that if the Commission agrees unanimously, then the meeting can be extended.

**Motion:** to extend the meeting until finished or no later than 10:30. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

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

City Attorney Taylor read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve Ordinance 21-10 with the changes Building Official Law read back to the Commission. **Moved by** Vice Mayor Samora, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item 10.

### XIII. NEW BUSINESS

10. Construction of Parking Area Along North Side of Pope Road: Request for County to Include Project in a Five-Year Plan (Presenter: Mayor England)

Mayor England introduced Item 10 and advised City Manager Royle and she met with St. Johns County to discuss moving the fire station from Pier Park. St. Johns County has revised their five-year plan to include moving the fire station to the Mosquito Control property. She explained that parking is needed and asked St. Johns County to use their rights-of-way on Pope Road for parking. St. Johns County asked for a letter requesting the change.

The Commission agreed and supported the efforts for getting parking on Pope Road.

Mayor England stated that the City Manager and she would compose a letter and attach the minutes of the discussions regarding parking on Pope Road and the residents' feedback. She would like to put pressure on St. Johns County. She advised that the City Manager will send the letter out to the Commission before it is sent to the County. She said that she would wait for Commissioner George to come back before sending the letter to the County.

Commissioner Rumrell suggested swapping the Public Works building to the Mosquito Control building and having the fire station at the Public Works building.

Mayor England advised that fire stations must be in its City's jurisdiction and how it would affect insurance rates.

Discussion ensued regarding more parking at Pier Park.

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

#### XIV. STAFF COMMENTS

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

City Manager Royle asked if the Commission wants to still host the North Florida League of Cities dinner at Guy Harvey Resort. He advised that he was concerned about the high infection rate with COVID-19 variant.

After discussion, the Commission agreed not to host the dinner this year.

City Manager Royle reminded the Commission that the next Commission meeting will be on September 13<sup>th</sup> at 5:01 p.m. to adopt the tentative budget and then will have the regular Commission meeting.

Public Works Director Tredik advised that he has been working on the weir project and is making progress. He commented that the new engineer will start on September 13<sup>th</sup>.

Mayor England advised that the IT staff is renovating Building C for their new offices and the Communications and Events Coordinator has moved into the old City Manager's former conference room.

Mayor England advised that the Commission was so sorry to hear of the death of the City's former police officer Sarah Smith and gave her condolences.

Finance Director Douylliez advised that she has still not heard the guidelines for American Rescue Plan Act yet and has not received any money. She explained that the state has requested a 30-day extension before sending out the funding.

Commissioner Torres asked Finance Director Douylliez to change the title for parking improvements in the budget and asked if there was a parking study that staff could give the Commission.

Building Official Law advised that not all of the members for the Comprehensive Planning and Zoning Board were in attendance at the last meeting, so they delayed their discussion regarding parking.

Commissioner Torres asked that no agenda topics be place on the agenda without backup to be discussed.

Commissioner Rumrell stated that he wants the public to know that no Commissioner wants to change green space for parking.

XV. ADJOURNMENT

Mayor England made a motion.

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

Meeting was adjourned at 10:18 p.m. 10:18

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Margaret England, Mayor

Attest:

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Beverly Raddatz, City Clerk