



MINUTES

REGULAR CITY COMMISSION MEETING
MONDAY, MARCH 7, 2022, AT 6:00 P.M.

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

I. CALL TO ORDER

Mayor Samora called the meeting to order at 6:02 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor Samora asked Commissioner Sweeny to lead the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor Donald Samora, Vice Mayor Dylan Rumrell, and Commissioners Margaret England, Undine C. George, and Beth Sweeny.

Also, present were City Manager Max Royle, City Attorney Lex Taylor, Police Commander T.G. Harrell, City Clerk Dariana Fitzgerald, Finance Director Patty Douylliez, Building Official Brian Law, and Public Works Director Bill Tredik.

IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON FEBRUARY 7, 2022

Mayor Samora asked if there was any discussion regarding the minutes. Being none, Mayor Samora asked for a motion.

Motion: to approve the minutes of the regular Commission meeting on February 7, 2022. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora moved to Item V.

V. ADDITIONS OR DELETIONS OF THE AGENDA

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

City Manager Royle suggested Item XII.9 from the agenda since, per Director Tredik, the contract is not ready yet. The Commission agreed to delete the item.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

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

VII. PRESENTATIONS

- A. Proclamation to Declare the Week of March 7, 2022, as Flood Awareness Week in the City
(Presenter: Brian Law, Building Official)

Building Official Law stated that this is a yearly event. The Governor has signed a proclamation already and Coordinator Conlon has begun a social media campaign.

Motion: To approve the proclamation. **Moved by** Commissioner George, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

VIII. PUBLIC COMMENTS

Douglas P. Conkey, 7775 Baymeadows Way, Jacksonville, FL, introduced himself as the new intergovernmental coordinator for the St. Johns River Water Management District, representing northeast Florida. He noted that he was sitting next to County Commission Chair Henry Dean, who was his boss for many years. He commented on the proclamation and stated that flood control is one of his core missions along with water quality, water supply, and natural resources; that next month will be Water Conservation Month; that there is a program to plug old artesian wells at little to no cost to the owners; and that the North Florida Regional Water Supply Plan is in development in conjunction with Suwanee County.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, thanked the Commission for being considered for the vacant Commission seat and congratulated Commissioner Sweeny on her appointment. He mentioned a program from New Jersey with \$3.4 million of ARPA funds going to county road improvements and provided a news article (Exhibit A); suggested that IT could do a search on what other places are doing; invitations should be sent to The Dance Studio and The Art Studio for the March 23 meeting, since it may directly impact them; and that some Commissioners look for pay raises and health benefits each budget year and suggested that discussion happen before election filings are due in June.

John Grapsas, 7 16th Street, St. Augustine Beach, FL, stated that overnight parking is a problem on 16th Street and mentioned an RV that camped out near his property which had been using his trash can. He stated that when he notified City Manager Royle, the Police and Public Works Department were notified quickly, and that one RV was asked to leave. He suggested signage for no overnight camping on any streets that have that problem; thanked the City for the lighted street signs; noted that the beach is gone from 16th Street north and people are going into the dunes; and thanked Vice Mayor Rumrell for being communicative.

IX. COMMISSIONER COMMENTS

Commissioner George wanted to make sure that the City of St. Augustine and County Commissions received invites for the March 23rd meeting.

Vice Mayor Rumrell stated that some of the lighted crosswalks were installed, and he thanked County Commission Chair Dean for his help on the project. He stated that another will be up in front of the pier, hopefully before season starts, and one more is planned for 11th or 16th Street. He reported that Chief Carswell was absent due to being Officer of the Day at the Florida House in Tallahassee and noted that Chief Carswell is the first law enforcement officer from St. Johns County to be nominated. He reported that hotel occupancy and room rates are through the roof and rates are upwards of \$500 a night. He wished Mayor Samora a happy birthday.

Commissioner England also wished Mayor Samora a happy birthday and agreed with sending out invitations to the March 23rd meeting.

Commissioner Sweeny thanked the other Commissioners for their vote of confidence in her and staff for getting her up to speed over the past week.

Mayor Samora asked City Manager Royle about assignments for the Commissioners to outside boards. There was discussion about which one former-Commissioner Torres was assigned to. Commissioner George suggested a review of those assignments.

X. PUBLIC HEARINGS

1. Driveway for Alvin's Island from Versaggi Drive: Public Hearing to Discuss Court Decision and Future Actions by City (Presenter: Lex Taylor, City Attorney)

City Attorney Taylor reminded the Commission that this was a quasi-judicial hearing, so there are specific procedures the Commission needs to follow.

Mayor Samora opened the hearing. City Attorney Taylor announced that this was a re-hearing on Alvin's Island's request for a curb cut from Versaggi Drive and asked the Commission if they had an ex-parte communication on this topic. There was none. He then asked City Clerk Fitzgerald if there had been any communication to the City. She replied that to her recollection, there was an email from Ms. O'Connell that was also copied to the Commission.

[There was a brief interruption to contact Attorney Seth Corneal by Zoom, then by telephone.]

Attorney Seth Corneal, Corneal Law Firm, representing Ms. Meg O'Connell, was included in the meeting by telephone. He stated that he was not able to attend in person due to being in quarantine.

Mayor Samora stated that witnesses would need to be sworn in. City Attorney Taylor swore in Public Works Director Tredik and three members of the public who intended to speak on the subject.

City Attorney Taylor provided background on this rehearing: that Alvin's Island requested additional ingress and egress from Versaggi Drive in 2015 and that was denied by the Commission; the owners appealed to the courts, which was remanded back to the City for review; the City denied the remanded appeal on March 1, 2016 and the owners filed a lawsuit; in February 2017, the City and Alvin's Island came to a settlement agreement which was approved on April 3, 2017; part of that agreement stated that Alvin's Island could apply for an additional curb cut in 2020, which they applied for and Public Works Director Tredik requested that a proposed ingress point also be an egress point; the amended request was presented and approved in December 2020; it was appealed by residents and the judge ruled that the current Commission needed to give a de novo review to the request.

Mayor Samora asked if there were any further questions for the City Attorney. Commissioner George questioned if the owners of Alvin's Island were notified. There was discussion on whether to continue with the hearing in their absence. Public Works Director Tredik stated that his position would not depend on their presence. Attorney Corneal stated that he and his client were ready to proceed with their position, but it would be hard to argue against the opposition in their absence. There was agreement to reschedule the hearing to a continuance meeting to allow for the owners of Alvin's Island to attend.

Motion: to table this item until a continuance meeting on Monday, March 14, 2022, at 6:00 p.m.
Moved by Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

City Manager Royle asked the Commission what information they have received on this matter and if there was any additional information they wanted to request at this time. Commissioner George stated that she had received the memo she requested from the December 7, 2020, meeting and mentioned the memo from the 2015 meeting. She also asked for any relevant ordinances. Commissioner England asked for any traffic studies or similar evidence.

2. Request for Conditional Use Permit to Construct a Single-Family Residence on a Split Commercial/Residential Lot at 12 2nd Street (Lot 11, Block 9, Chautauqua Beach Subdivision) (Presenter: Jennifer Thompson, Planner)

Planner Thompson reported that this was heard by the Comprehensive Planning and Zoning Board (CPZB) at their February 15th meeting. She stated that the lot was essentially split down the middle between commercial and medium density residential zoning, so the Commission would be required to give approval for any construction on this lot. She noted that this lot is surrounded by residences and that the CPZB voted to recommend approval of this application and requested that the proposed residence meet all medium density residential zoning requirements.

Mayor Samora asked about the CPZB's conditions and if they addressed the use of the property. Planner Thompson stated that the conditions were typical of similar Conditional Use Permits (CUP) that have been issued and the property would be treated as a residence. She noted that if they wanted to turn it into an office later, they would need a separate CUP to do so.

Commissioner George asked how the property would be treated should the owners wish to use it as a transient rental. Planner Thompson stated that in the past similar split lots were treated as commercially zoned. Commissioner England asked if that was written policy and what was the actual percentage of the split. Planner Thompson replied that it was not written, but it was the procedure the previous Code Enforcement Officer had taught her, and that it is about 40-45% in commercial zoning. Attorney Whitehouse noted from the audience that it was the opposite.

Attorney James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine Beach, FL, stated that he is here on behalf of the applicant. He showed several photos detailing the property's location and surroundings (Exhibit B) and noted that these were also provided to the CPZB. He stated that the lot is 45 feet wide with 25 feet in commercial zoning and 20 feet in medium density residential and showed several photos from the City's Land Use Map illustrating the area's zoning (Exhibits B-1 to B-5). He explained that Exhibit B-6 is a photograph of the empty lot at present, Exhibit B-8 is the boundary survey, Exhibit B-9 shows an illustration of proposed construction over the lot aerial, and Exhibits B-11 to B-16 show the surrounding residences. He remarked that some of the surrounding properties are being used as short-term rentals. He stated that there were several emails indicating a misconception that the property could be re-zoned as commercial, which is not what is being requested. He noted that the owners wanted to build here to stay near family.

Commissioner George thanked Planner Thompson for sending out emails to clarify the purpose of this hearing.

Mayor Samora asked if there was any public comment on this item. Being none, he asked for a motion. Commissioner England wanted the motion to incorporate the exact conditions.

Building Official Law stated that the phrase "to be regulated as medium density residential" incorporates a number of conditions, including setbacks and impervious surface ratio and he asked that the CUP be transferrable. Attorney Whitehouse stated that the CPZB recommended transferability, since this involves a permanent structure, and any future owners should not have to come before the Commission to keep the building.

Motion: To approve Conditional Use Permit application 2022-01 with the requirement that the single-family residence meet all medium density residential requirements and be transferrable.
Moved by Commissioner George, Seconded by Vice Mayor Rumrell. Motion passed unanimously.

3. Request to Vacate Alley Between 2nd and 3rd Streets West of 2nd Avenue in the Chautauqua Beach Subdivision (Presenter: Jennifer Thompson, Planner)

Planner Thompson explained the request and noted that 11 out of the 15 property owners have submitted written consent, which is 73%. She acknowledged two of the property owners drafted emails in opposition, which were provided to the Commission in the agenda book. At their February 15 meeting, the CPZB recommended by a 5-2 vote that the alley be vacated upon completion of a drainage project to be performed by the City's Public Works Department.

Mayor Samora asked if the applicant would like to speak on the matter.

Josh Patterson, 203 3rd Street, St. Augustine Beach, FL, clarified that he did try to address some of the concerns of the three opposing landowners. He explained that the existing ditch is vestigial and doesn't provide much drainage. He stated that Public Works started a project in 2020 to install some underground drainage, but the contractor went out of business and the project wasn't completed. He stated that the three opposing landowners would like to see the project completed and indicated that the supporting landowners would agree with that. He stated that he feels he has met the requirements to vacate this alley and asks that the Commission consider this a standalone ordinance, since the project may take some time to complete or may never be completed if City funds are needed elsewhere.

Mayor Samora asked if there were any objections to the restrictions laid out by Public Works. Mr. Patterson replied that there would be no objection and one of his reasons for approval at this time is that construction will likely begin soon on the 2nd Street lots to the south of the alley and some of the 3rd Street owners may want to move their fences back. He noted that on his lot, the soils weren't properly compacted by the builder and moving the fence back would allow him to access the retaining wall and fix that problem.

Mayor Samora asked if the Commission had any further questions for the applicant, being none, he asked Public Works Director Tredik to speak to his position.

Director Tredik stated that the drainage project was bid before the pandemic began and first the contractor suspended their operations, then the City suspended several projects due to revenue concerns. He stated that Public Works staff piped about 100 feet, but it hasn't been budgeted for completion because there were other priorities, but it is still in the Master Drainage Study and part of long-term plans. The original design had a 36-inch pipe, but a 24-inch was installed with the intention that when 2nd Street was developed it would have a parallel system. He does still intend to install both pipes. He suggested that it could be worked into the budget for next year and that the original estimate was a little over \$100,000 and guessed maybe 50% more now with the increased costs.

Mayor Samora asked for Director Tredik's opinion of the Commission moving forward on the vacation with the permanent easement. Director Tredik replied that he does not object to the easement as long as they can access the alley to finish the work. He noted that if fences need to be taken down, it may increase the costs slightly, and the owners may be responsible for replacing the fencing after work is completed.

Mayor George asked how deep the piping would be and Director Tredik stated that he didn't know right off, but it would follow the existing piping below grade and would not be visible. He stated that one property owner has inquired about raising the system, but he doesn't think that should be done by the City. Mayor George asked if it would affect the piping if property owners set fence posts about four feet deep. Director Tredik responded that would be something that would need to be considered, which is why Public Works would like to approve anything that goes into the easement to evaluate on a case-by-case basis. He noted that the pipe is a high-density polyethylene and is made to be tough.

Vice Mayor Rumrell commented that he was working on obtaining money from the State, \$500,000 for Magnolia Dunes and \$45,000 for the numbered streets, and asked if this project was part of that number. Director Tredik replied that it was not.

Commissioner England asked all of the conditions he noted in his memo be part of the approval to vacate the alley. Director Tredik stated that he would like the easement language to specify those conditions so that there is clarity on the owners' responsibilities. He noted that three lots are scheduled to go into conservation and there was a question on whether that would change the percentage of owners that are in favor of the vacation. Commissioner England also asked about the two dissenting CPZB members and their reasoning. Director Tredik replied that he could not speak to that. Building Official Law stated that there was discussion of binding the decisions of future Commissions and liability regarding the easement.

Commissioner George noted the language stating that "no portion of the vacated alley shall be allowed to be placed under conservation" and asked for clarification on how that would affect the three conservation lots. Director Tredik stated that he was concerned that if the three conservation lots were deeded to the City and 7 ½ feet ended up under a conservation easement, that the City would not be able to properly maintain the pipes. City Attorney Taylor agreed that the City would not want that under a conservation easement. Commissioner George asked if that was language that would need to be added now or later when the conservation easement is placed. City Attorney Taylor stated that it would be better to have it now.

Commissioner England noted that this particular alley vacation and easement was complicated and asked the Commission if the easement should come back in writing for review. City Manager Royle noted that it would come back. Mayor Samora stated that this was to approve the application, which would come back to the Commission as an ordinance in April.

Mayor Samora asked for public comment, being none, he then asked for a motion.

Motion: To approve the application to vacate the alley between 2nd and 3rd Streets west of 2nd Avenue subject to each of the conditions identified in the memorandum by Public Works Director Tredik. **Moved by** Commissioner George, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

4. Ordinance 22-02, Final Reading, to Amend the Land Development Regulations Relating to Mixed Use Districts, Landscaping, Plant Material, Buffer Requirements, Fences, and Retaining Walls (Presenter: Jennifer Thompson, Planner)

Planner Thompson noted that the changes discussed at the February meeting had been incorporated into the current draft.

Mayor Samora asked about the changes that were proposed regarding fences. Building Official Law replied that that was stricken from this draft and would be dealt with on a case-by-case basis.

Commissioner George stated that she thought the only change made from the previous draft was the recommendation to preserve the fifteen foot buffer. Planner Thompson replied that was left as it currently is in the Code and the change that Commissioner England requested to change the wording "between uses" to "between zoning" was made. Commissioner George noted that that phrasing was changed in the section title, but was left unchanged within the paragraph. Planner Thompson stated that that change could be made in the final draft.

Mayor Samora confirmed that this was the final reading and Commissioner George agreed that that change could be made in the motion.

Commissioner George asked to discuss that change further, since residential homes can be approved in commercial zoning. The use of the "zoning" instead of "uses" could cause a barrier

to be required between a single-family residence in the commercial zoned area and the residence next to it. Planner Thompson clarified that this would not apply to existing construction, only to new. Commissioner George remarked that if it causes an issue, applicants could ask for a variance.

Mayor Samora opened public comment, being none, he asked for City Attorney Taylor to read the ordinance title and for a motion.

Motion: to approve Ordinance 22-02 with the amendment in Section 6.06.04, paragraph C, to correct the reference of “noncompatible uses” to “different zones”. **Moved by** Commissioner George, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

XI. CONSENT

XII. OLD BUSINESS

5. City's New Year's Eve Event: Review of 2021 Event and Discussion of 2022 Event (Presenter: Melinda Conlon, Communication and Events Coordinator)

Coordinator Conlon reported that the event had to be cancelled in 2020, so she created a series of events called Light Up the Beach with Art Walks, a Holiday Market, and encouraged businesses to add colored lights and hold their own events. For 2021, the City was able to have a fireworks show, but still wanted to keep it small and local instead of a large carnival-like environment. She stated that many businesses did private events scheduled around the fireworks and some stayed open later to accommodate the extra visitors. The City had three shuttle stops at A Street, 10th Street, and the Pier with parking at Pier Park and on the beach. She commented that the feedback had generally been positive and that those she spoke with liked the idea of spreading out the crowd and encouraging local businesses. She noted that there were some things that could be improved, like more lighting on A Street. She thanked the major sponsors Old Town Trolley, Embassy Suites, Burkhardt Sales & Service, FPL, and Kookaburra; and her partners Paul Slava of The Art Studio, the Civic Association, and the Salt Air Farmers Market.

Mayor Samora asked what she was looking for from the Commission. Coordinator Conlon replied that she is just looking for any feedback they may have on the event and recommendations for how to proceed for 2022. She stated that the City would like to keep it smaller and avoid returning to a large event at Pier Park with lots of out-of-area vendors. She would like to continue encouraging local merchants, especially the brick-and-mortar businesses.

Mayor Samora asked if she has any suggestions for improvements. Coordinator Conlon replied that she would like to see a second shuttle pickup, probably at the Anastasia Square Shopping Center (at the corner of SR-A1A and SR-312), and more lighting at A Street.

Mayor Samora asked Commander Harrell if the Police Department had any comments on the event. Commander Harrell replied that from their perspective, it was a fantastic event. It kept the roadways open, so traffic flowed freely, and they have received nothing but positive feedback. He agreed with more lighting on the beach. They had very few calls for service, same for fire/rescue, and used about half the amount of law enforcement and fire/rescue personnel compared to past events.

Mayor Samora stated the Public Works Assistant Director Ken Gatchell provided a great report and asked if Public Works Director Tredik had any additional comments. Director Tredik stated that Public Works supports the style of the 2021 event. It was more doable logistically, used less overtime, and they were able to clean up quickly. He commented that the prior event was simply too large for the City and really taxed their capabilities.

Mayor Samora asked if the grant for the fireworks had been secured. City Manager Royle and Coordinator Conlon replied that \$25,000 came every year. Mayor Samora asked if the fireworks service was bid every year. City Manager Royle stated that it was not, since the City wanted to keep their current company because, with the exception of one incident, they have done a good job, know the location, and are attentive. Finance Director Douylliez noted that the City did a Request for Proposals about four years ago and the current company was the most favorable for price and quality.

Commissioner England asked about the expense for a music license. Finance Director Douylliez stated that is for music rights, required to legally broadcast, and since the City was not sure what the event would look like, they decided to continue with that license just in case. Commissioner England remarked that she had received comments saying that music would have been nice and asked if it would be possible to do something with music this year, maybe a CD given to the businesses to broadcast at a certain time. Coordinator Conlon stated that she could look into it. There was discussion regarding where the music could be heard and how to distribute it. Commissioner George suggested partnering with Flagler College Radio, or one of the local radio stations, like Beach 105.5 or WFOY 102.1. Coordinator Conlon stated that she had spoken to Kevin Geddings of WSOS 103.9 about him possibly broadcasting. He has been at the event in the past and has given the City airtime for interviews.

Commissioner Sweeny asked if Coordinator Conlon would need an increase in the event's budget for the coming year. Finance Director Douylliez stated that that is something that will be looked at during the coming budget review for fiscal year 2023.

Vice Mayor Rumrell asked how confident the City was about the grant funding. Coordinator Conlon stated that for the past year, the City did not apply for one Tourist Development Council grant because the TDC has moved to focusing on art and culture events and will only provide money for marketing for events older than five years. Finance Director Douylliez noted that the City receives \$20,000 for holiday lighting and \$25,000 for the fireworks separate from the grant Coordinator Conlon referenced.

Commissioner George asked if there was a need for a few vendors for water, t-shirts, etc. Coordinator Conlon stated that the City could do that, but didn't see a need for it. She noted that there was one person who was selling novelties on his own and there may be an opportunity to partner with someone, but she wanted to avoid putting vendors and activities back into Pier Park to keep the crowd spread out and commented that City staff had discussed local food trucks along A1A Beach Boulevard. Commissioner England commented that the businesses could have a kiosk or table outside of their stores and recalled seeing one near the sidewalk. Coordinator Conlon stated that Antonio's Pizza had a table for people to get quick to-go pizza and Panama Hattie's had a small bar outside.

Commissioner George asked about additional permits the businesses may need to have the outdoor tables. Coordinator Conlon noted that the Commission had approved a special permit for that the year before. Building Official Law noted that an outside event would normally require a permit and it is a simple application. City Attorney Taylor commented that the permits help to notify the police, so they are aware of events. Building Official Law stated that the Commission could waive the \$50 permit fee if they so choose.

Mayor Samora opened public comment, being none, he moved to Item 6.

6. 2nd Street West of 2nd Avenue: Award of Bid for Construction to DB Civil Construction, Inc. of Ormond Beach, Florida for \$579,850 (Presenter: Bill Tredik, Public Works Director)

Director Tredik stated that the City was ready to start construction on the 2nd Street extension and had opened bids on February 23. He stated that there was an extension funded by a non-ad

valorem assessment and a widening funded by impact fees and he had contractors bid those as separate elements. He showed the results of Bid 22-02 (Exhibit C-1) and noted that element A was the extension price and element B was for the widening, the alternates are for undergrounding power lines for each of those elements. He remarked that since the FPL designs were not completed, only one contractor bid on those alternates. He remarked that the City still intends to move forward with the undergrounding, but that is not being awarded tonight, just the base bids for the extension and widening. He stated that the bids were higher than expected and showed the cost estimate that was presented to the Commission in October (Exhibit C-2). He stated that even with the higher bids, the City is still within the range it set for the non-ad valorem assessment, just near the top. The assessment for each of the thirteen lots would be \$24,761 and the range maxed out at \$25,000. When the FPL design is complete, the City will try to negotiate the rate for the undergrounding with DB Civil Construction.

Vice Mayor Rumrell asked if there were clauses in the contract for deadlines. Director Tredik replied that there were liquidated damages, and it was the City's standard contract.

Mayor Samora asked where the money would come from for the undergrounding, since the assessment was maxed out. Director Tredik replied that he is recommending the full \$25,000 assessment for each lot and the rest would have to come from the City's general fund or impact fees.

Commissioner George asked what the City would be taking on with regard to utilities. That the City is acting as the contractor to widen and open the road, but would the City be responsible for bringing utilities even if they are not undergrounded. Director Tredik replied that the City is responsible for the cost of installing the underground conduit, if the power lines are not undergrounded, then FPL would install poles to run the lines. He stated that the extra cost is because the City is choosing to underground the lines.

Commissioner George asked if the cost was locked in or if the contractor would be able to charge for overages if material costs continue to increase. Director Tredik replied that this was a lump sum contract, and the contractor should have built in some cushion for occasions like that. There is the potential for change orders due to unforeseen circumstances, but in general the City would hold the contractor to the contracted amount.

Mayor Samora asked for public comment.

Attorney James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine Beach, FL, represents several owners on the unopened section of 2nd Street and they understand that the costs are higher and want to encourage the City to move forward. He clarified that the owners still have to pay for the utility connections from the road to their home.

Motion: To accept the bid from DB Civil Construction, LLC for a total price of \$579,850. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

7. Mizell Pond Stormwater Pumping Station: Approval of Easement for Florida Power and Light (Presenter: Bill Tredik, Public Works Director)

Director Tredik stated that the pump station that is under construction is about 55% complete and should be finished by the end of July. During the due diligence to connect power to the new pump station, FPL could not find an easement agreement from when the old pump station was connected and this is just trying to clean up those records.

Motion: To approve the easement to Florida Power and Light for electrical service to the stormwater pump station. **Moved by** Commissioner England, **Seconded by** Commissioner George. Motion passed unanimously.

8. Ocean Hammock Park Phase 2 Improvements: Request to Award Bid to Lowest Qualified Bidder
(Presenter: Bill Tredik, Public Works Director)

Director Tredik stated that there was only one bid for this project, and it came in extremely high at \$672,430, roughly three times what he estimated when applying for the grant (Exhibit D). He commented that there was only one bid, and the lack of interest concerns him more than the high cost. He noted that per Florida Statutes, if the City receives less than two responsive bids, the City can negotiate. He has already reached out to the bidder to see if some aspects could be removed or modified to lower the costs. If those negotiations are not successful, the City may need to bid for the project again. He stated that some aspects of the project could be done in-house, such as the educational kiosk, the picnic areas, potentially some of the ADA beach access, and parts of the nature trail. It would impact the time Public Works staff has to complete other tasks in the spring and summer. He stated that there is about a year left on the grant so if he cannot negotiate successfully within the week, he would like to re-bid as soon as possible.

Commissioner Sweeny asked if Director Tredik could reach out to companies that usually bid for City projects and ask why they did not bid for this project. Director Tredik replied that there were 27 plan holders, and he could reach out to some of them. He noted that one company was concerned about FPL service to the site. He commented that some aspects could be separated out, like the restrooms, to potentially get more interest.

Vice Mayor Rumrell addressed County Commission Chair Henry Dean in the audience if there was something that the County's General Services or Parks and Recreation contractors could do to assist.

Henry Dean, County Commission Chair, jokingly quoted \$670,000, then said he would look into it and ask County staff.

Commissioner England asked about hiring temporary staff to help with some of the projects that Director Tredik mentioned. Director Tredik replied that they could do that, but he would be more inclined to use day labor to fill in with solid waste collection and have the more experienced staff working on Ocean Hammock Park.

Mayor Samora asked about the one year constraint on the grant, if the funds needed to be encumbered or spent. Director Tredik replied that they need to be spent before the end of the grant period.

Commissioner George asked about the status of permits. Director Tredik replied that all permits were in place, except the one for the connection from the parking lot to the beach walkway through a conservation easement and Gulfstream Design is working to secure that within the next few months.

Mayor Samora asked for public comment.

Louis Geanuleas, 233 North Forest Dune Drive, St. Augustine Beach, FL, showed a photo highlighting the location of the Ocean Hammock Park walkway relative to Sea Colony subdivision (Exhibit E-1). He noted that the land for the walkway was a concession to the City from a condo developer who previously owned the land; showed on a second photo (Exhibit E-2) how close the walkway passed to a residence; recommended adding a new walkway from the overlook tower in the center of the park to the beach and decommission the current walkway; and stated that removing the current walkway could help restore the wetlands in that area.

Gregg Hammann, 648 Ocean Palm Way, St. Augustine Beach, FL, stated that the current walkway needed to be built at the time, but now there is the opportunity for a new walkway and the City would still be providing public beach access. He noted that there are a few pillars on the current

walkway that are starting to soften, and the handrails are getting rough, so it would also save the City on future maintenance costs.

Rick Barry, 460 Ocean Grove Circle, St. Augustine Beach, FL, stated that the encroachment issues, in theory, have increased as Sea Colony built northward and there have been law enforcement issues more serious than just noise abatement. He stated that it is an equity issue, the setback from Bermuda Run's southern border is fifty feet and the setback from Sea Colony's northern border is thirty feet.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, he clarified that today the Commission was dealing with Phase 2 of the improvements, not any future phases dealing with rerouting of the walkway. He noted that he encouraged the construction of the walkway for three years, from 2006 until it started construction, and it cost more than \$400,000; when the walkway was constructed in 2009, the house shown by Mr. Geanuleas was not there, it was just finished in the last few months; asked the City that when they consider any changes to the walkway, to make sure the current walkway exists until something else takes its place; and that if the City cuts items from the bid, then at minimum the City needs the restroom, the ADA parking for the restroom, and the ADA ramp, everything else is nice but not necessary at this time.

Director Tredik commented that Mr. Binder was correct, that at this time the City is not looking at the walkway, just the restrooms. He stated that the walkway was constructed with funding from FRDAP (Florida Recreation Development Assistance Program). The State typically requires facilities to be kept and maintained for thirty years and it is likely that the City would have to repay the \$200,000 if the walkway is removed. There is also the practical side of removal, they would have to back each piece out and the walkway was not designed to hold the heavy equipment needed.

Director Tredik confirmed that the house shown in Mr. Geanuleas' photo (Exhibit E-2) was a new construction, as Mr. Binder said, but he can appreciate that it is right next to the walkway. He showed the most recent design plan for Phase 3 (Exhibit F) and noted that the tie-in to the walkway was moved west, so that it wouldn't access the current walkway right next to the house, but by Ocean Palm Way.

Mayor Samora asked when the City would be looking at Phase 3. Director Tredik replied that he is working on the bid documents, and it would be ready to bid in a month to two months. He noted that the City would not be able to afford everything in Phase 3 at this time, so he will be proposing only the overlook and the path to it at that time. He noted that there may not even be enough money to do that much, after looking at the proposed costs for Phase 2. The City has a \$60,000 grant from the Coastal Partnership Initiative matched with \$60,000 from impact fees. Mayor Samora clarified that beach access would still be from the parking lot to the existing walkway.

Commissioner George asked about ADA accessibility of the beach access. Director Tredik stated that the walkway itself is currently compliant, but when Phase 2 is complete, the access from the parking lot would be ADA compliant as well. An ADA parking space will be installed next to the restrooms and from there ADA compliant pathways would be installed to the walkway and the picnic area. Currently, the east end of the walkway has ramp access to the sand, but accessing the beach itself would still require a large-wheeled beach wheelchair.

Mayor Samora commented that he thought the connection from the overlook to the existing walkway would be part of Phase 3, since traffic will likely go in that direction from the parking lot to the center of the park, then to the beach. Director Tredik referenced Exhibit F-1 and stated that Phase 2 is everything around the parking lot and Phase 3 is everything on the east side of the park. Phase 3 has been designed and permitted, and is ready for construction on whatever portions the

City can afford at this time. He stated that the walkway connection was originally supposed to follow a relic sand dune at grade, but that would connect right next to the new house so that has been shifted to the west, which would change the plans. The fence along the walkway could be reinforced for added privacy and security in that area, but that also would increase the cost. There are also environmental impacts to consider, which could mean the path switches from at grade to elevated walkway in places, all of which could increase the costs.

Director Tredik noted that all the planned items in Phase 2 are required by the grant, so those do have to be completed unless the City could get the grant conditions modified.

Mayor Samora asked about the buffer to the north side at Bermuda Run. Director Tredik replied that it would be 100 feet and about the same or more on the south side. He stated that the parcel is about 530 to 550 feet across, so the trails are easily 200 feet away from Sea Colony.

Commissioner George stated that they need to focus on getting the restrooms in to keep priorities in line and not jeopardize Phase 2.

Mayor Samora concurred and stated there were some good points brought up during the discussion for staff to consider for Phase 3, such as Mr. Binder's concern of removing the existing walkway before there is another connection to the beach in place. He summarized that as for Phase 2, staff's recommendation was to negotiate with the bidder, then would go out to re-bid if negotiations failed. Director Tredik concurred, then stated that he would see what could be done to reduce the cost of the building. Mayor Samora confirmed that staff would be back before the Commission in April with an update.

The Commission agreed with having Director Tredik move forward with the bid as discussed.

[Mr. Hammann provided a letter to the Commission prior to the meeting, which has been attached as Exhibit G]

9. Master Drainage Plan: Approval of Contract with Civil Engineering Consultant, Crawford, Murphy & Tilly, Inc., to do Update (Presenter: Bill Tredik, Public Works Director)

[This item was deleted from the agenda.]

XIII. NEW BUSINESS

XIV. STAFF COMMENTS

City Attorney Taylor reported that he has been working on several legal items for the City, but doesn't have any specific comments.

City Clerk Fitzgerald reported that a new employee has been hired in the City Manager's office to fill her old position. Melissa Keenan will start as an Administrative Assistant and possibly move into the Deputy City Clerk title. She has experience with local government in another state and some finance experience.

Finance Director Douylliez stated that they need to decide how to spend the ARPA funds. She has been taking comments from the Commission and staff on the topic, as well as watching what the County and St. Augustine are doing, but thought that perhaps it should be put out to the residents as a survey. She would like to present a proposal to the Commission in April and thinks it would be beneficial to get feedback from the residents.

Vice Mayor Rumrell asked if ARPA funds could be used for Ocean Hammock Park. Director Douylliez replied that there is a component that could apply as long as the existing grant is not Federal, Federal funds cannot match with other Federal funds. She stated that the Federal Government has put out a \$10 million threshold for lost revenue, which opens up the City's \$3.5

million for nearly any governmental use. She stated that new garbage trucks had been considered, but they didn't fit into any of the previously defined categories, but now they could. There are still some restrictions, but they are now looser.

Commissioner England asked if Director Douylliez intended to prioritize projects that are under severe time restraints and then some of the unusual capital projects to keep the City from going further into debt. Director Douylliez replied yes; that the City would not receive the Master Drainage Plan back by April, but there are some things could be discussed, like parking on A Street.

Vice Mayor Rumrell asked if the funds were capped at \$3.5 million. Director Douylliez confirmed that it was a fixed amount, and the City has received half so far.

Commissioner George commented that she likes the idea of a survey and is sure that residents would like to see a reduction in their taxes. Director Douylliez stated that reducing taxes is one use that is still restricted. Cities cannot use ARPA funds to reduce taxes, put in reserves, or pay off debt. She will be strict on enforcing the use and reporting of these funds since she does not want to be cited for a violation in a few years and have to pay back money the City does not have to spare.

Commissioner England advised to be careful how the survey is phrased since residents will not necessarily have full knowledge of the restrictions and the projects that are under time constraints. Director Douylliez stated that, for example, residents asked the City of St. Augustine last week questions like "why they didn't have any electric vehicles" and "why they need three new garbage trucks", but St. Augustine analyses the cost-benefit of electric vehicles each budget year and makes a judgement call, so the idea wasn't dismissed without cause, but residents aren't necessarily aware of those discussions. The City may receive some of the same ideas that have already been discussed, like beach walkovers. The goal is not to create a project that will be an ongoing expense, but a one-time capital expenditure. Commissioner Sweeny asked that that be specified in the survey language. Director Douylliez noted that there was a recent survey from St. Johns County that was very streamlined, it presented options that could then be checked. She suggested the City could do something similar with maybe an open-ended question at the end.

Commissioner George commented that it would be a good idea to get an idea of the dollar amounts on the priority projects to know how much to allocate after the critical projects are done and if there, was something that could save or make money down the line, like the solar farm that former-Commissioner Brud Helhoski had proposed on Mizell Road. Director Douylliez noted that there is now the restoration of the old city hall and that could potentially become a revenue generating facility.

Mayor Samora asked who would create the survey and what the timeline was. Director Douylliez replied that Coordinator Conlon would assist her, and they would like to post it as soon as possible. Commissioner George asked if a draft could be made available for the meeting on March 14th. Director Douylliez stated that something could be put together by then.

Director Douylliez also reported that the audit was still in progress.

Commander Harrell reported that they had just hired a new officer, so they are at full staff.

Commissioner George asked about the RV that was parked on 16th Street. Commander Harrell stated that it had been taken care of and a watch order has been issued. He noted that it is important for them to be notified, that even though they drive by they may not know someone is sleeping in it.

Public Works Director Tredik stated that all the projects that are in process or being planned will eventually tax the department's ability to manage them and he would like to start thinking about how to address the project management aspect.

Commissioner England stated that she was thinking the same thing and that the Public Works Department would need some help. She encouraged him to think about the manner of assistance, whether it be a temporary consultant or contracted. Finance Director Douylliez noted that staffing could be covered under ARPA, but would have to be clear on the billing side.

Director Tredik stated that Public Works is still struggling with retention and salaries, especially at the starting level, and other similar jobs usually have higher pay. He noted that they lost an employee recently for that very reason and will continue to lose employees as other places continue to increase their salaries. Finance Director Douylliez stated that she is also putting together data on the subject; that the City needs to be at \$15 an hour by 2026, but they may want to move that up; some funds for that could be taken from ARPA. If the City maintains its current path of about 3% increase per year, it would meet the 2026 goal, but it would be difficult to continue to attract and retain employees. She noted that there have been some articles from the Federal administration encouraging local governments to use ARPA funds to shore up and retain staff.

Vice Mayor Rumrell suggested that costs for a consultant or manager could be included in any future funding requests to the State.

Building Official Law agreed with the statements on salaries and staffing and suggested possibly using ARPA to address full inflation. He reported that Embassy Suites has been issued a TCO (Temporary Certificate of Occupancy) and is at full occupancy; that Oceans 13 is finally open after a three year project; and that Jack's Brewery is nearly open, they are just waiting on some final inspections.

City Manager Royle reported that he received a notice before this meeting that the County would start resurfacing 16th Street tomorrow.

Mayor Samora reminded all present that there would be a continuation meeting on March 14 at 6:00 p.m., a Planning and Zoning Board meeting in the 15th at 6:00 p.m., and a workshop on the old city hall on March 23rd at 6:00 p.m.

XV. ADJOURNMENT

Mayor asked for a motion to adjourn.

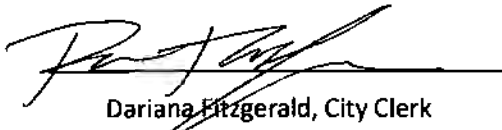
Motion: to adjourn. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora adjourned the meeting at 9:02 p.m.





Donald Samora, Mayor

ATTEST:



Dariana Fitzgerald, City Clerk

Thanks for trying out Immersive Reader. Share your feedback with us.  



With \$3.4M in federal pandemic aid, Warren County looks to cut 2022 taxes



Warren County Board of Commissioners, from left, Commissioner Director Jason Sarnoski in 2019, Commissioner James Kern III in 2020 and Commissioner Lori Ciesla in a 2020 campaign photo. lehighvalleylive.com file/courtesy photos

The Warren County Board of Commissioners on Wednesday introduced a \$99.5 million budget for 2022 that cuts taxes by 2 cents per \$100 of tax base.

Slated for a public hearing March 23, the spending plan allocates \$8.2 million for capital projects through the board's pay-as-you-go philosophy, and uses \$3.4 million from the American Rescue Plan Act federal pandemic relief package for county road improvements, 911 technology and county building upgrades, according to a county news release.

"The County Commissioners consider it one of our greatest duties to show responsibility with the taxes provided by the residents of Warren County, and this budget reflects that once again," Commissioner Director Jason Sarnoski says in the release.

The county in 2021 faced its first tax levy increase since 2015, with appropriations totaling \$91.7 million. During 2021, the estimated equalized value of assessments comprising the tax base increased by nearly \$776 million to \$12.1 billion, making for a 2021 equalized tax rate of 62.92 cents per \$100 of tax base. The 2021 rate had been estimated at 63.13 cents per \$100 of property valuation, an increase of 0.26 of a cent above the 2020 rate.

"Given the modest increase in the tax levy, plus the increase in assessments, the projected 2022 tax rate will decrease about 2 cents to 60.92 per \$100 of tax base," the county's 2022 budget message states. "While the overall County Budget is increasing in 2022, the average homeowner should pay less county taxes in 2022 due to the increase in assessments and the County's use of American Rescue Plan funds."

The county says its Open Space Fund in 2022 will see an additional \$190,000, while an extra \$265,000 will be available in the Library fund, in both cases due to the reduction of debt payments and an increase in tax ratables. Rates for both of these dedicated taxes will remain flat, ensuring a majority of

Exhibit A-1

Date 3-7-2022

Warren County property owners see a reduction in 2022 county taxes, according to the county's release.

"Warren County government has once again shown that it is committed to the taxpayers," stated Commissioner James Kern III.

"Our department heads have done a great job putting together budgets and consistently holding the line where it needs to be," noted Sarnoski, in the release.

The Warren County Prosecutor's Office Cyber Unit will receive an additional \$55,412, aimed at protecting children from adult predators. The increase would exceed the budget cap but would allow for enhanced response times, conducting forensic investigations in the field, and assisting other counties and law enforcement agencies with investigations, the county says.

"I'd like to thank everyone for all the hard work and the efforts, and extending to us the opportunity to establish our Cyber Unit," Prosecutor James Pfeiffer said in the release.

The unit has seen a 60% increase in its workload since 2015 and increased tips regarding missing and exploited children in the last three years, requiring additional personnel to lessen the threat of child endangerment, the prosecutor stated.

Warren County continues to deal with the lasting financial impacts of the COVID-19 pandemic, the release states. In addition to high inflation and supply chain issues, the county's surplus funds, which earned \$1.3 million in 2019, are projected to earn less due to declining interest rates. Kern also thanked the department heads and county employees "who treat each dollar the county spends with respect."

"We will be able to continue on with our ambitious land preservation goals, as well as road improvements, and we will be able to do all of this plus more with a tax cut to the taxpayers of Warren County," stated Commissioner Deputy Director Lori Ciesla.

The public hearing on the county's operating, open space and library budgets and 2022 tax resolution is scheduled for 6 p.m. March 23 in the Commissioners Meeting Room, Wayne Dumont Jr. Administration Building, 165 County Road 519 in White Township.

The budget is available for public review both in the office of the Clerk of the Board of County Commissioners in the Dumont building, and online at warrencountynj.gov.

Northampton County also cut its tax rate for 2022, while WFMZ-TV 69 reported that Lehigh County for 2022 kept its tax rate unchanged from 2021.

Thank you for relying on us to provide the journalism you can trust. Please consider supporting lehighvalleylive.com with a subscription.

Kurt Bresswein may be reached at kbresswein@lehighvalleylive.com.

Exhibit A-2
Date 3-7-2022



Exhibit B-1

Date 3-7-2022

LEGEND












	COMMERCIAL	MAXIMUM 40% OF LOT SIZE
	CONSERVATION	NO RESIDENTIAL OR COMMERCIAL USE
	HIGH DENSITY	12 UNITS PER ACRE
	INSTIUTIONAL	MAXIMUM 40% OF LOT SIZE
	LOW DENSITY	4 UNITS PER ACRE
	MEDIUM DENSITY	7 UNITS PER ACRE
	MEDIUM LOW DENSITY	7 UNITS PER ACRE
	MIX USE	COMMERCIAL - 40% OF LOT SIZE RESIDENTIAL - 10 UNITS PER ACRE
	PUD	COMMERCIAL - 40% OF LOT SIZE RESIDENTIAL - 4 UNITS PER ACRE
	PARKS AND RECREATIONAL	NO RESIDENTIAL OR COMMERCIAL USE
	TO BE DETERMINED	

Exhibit B-2
Date 3-7-2022

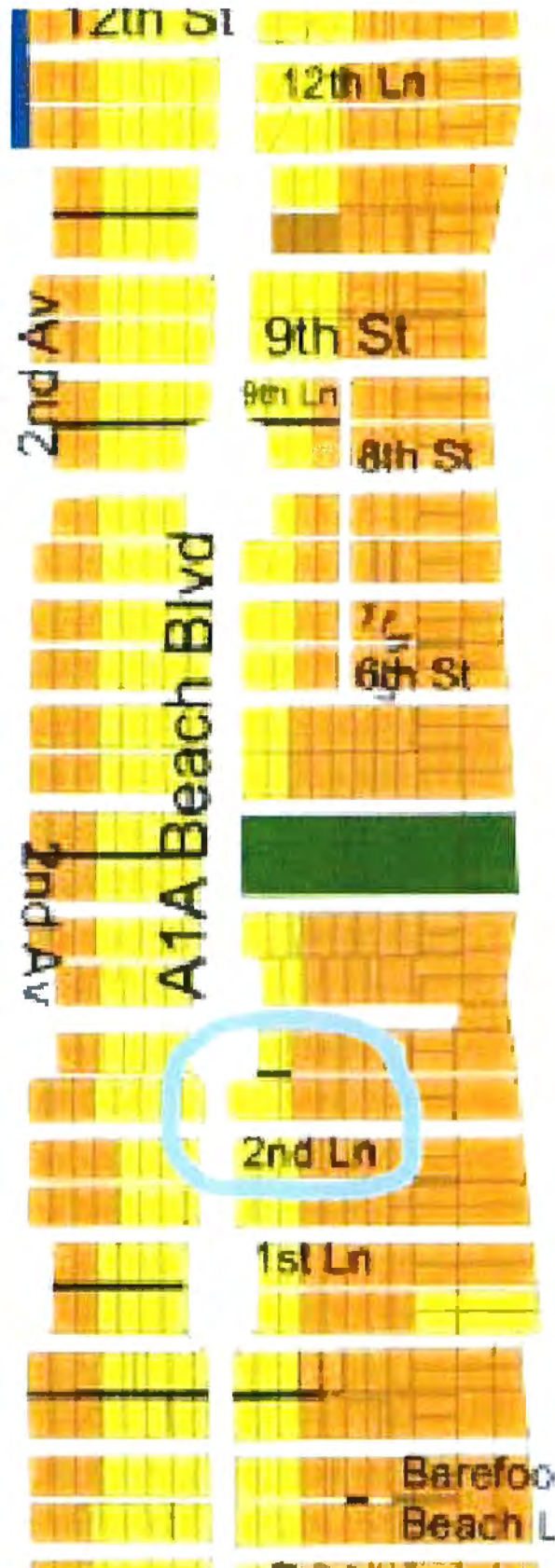


Exhibit B-3
Date 3-7-2022

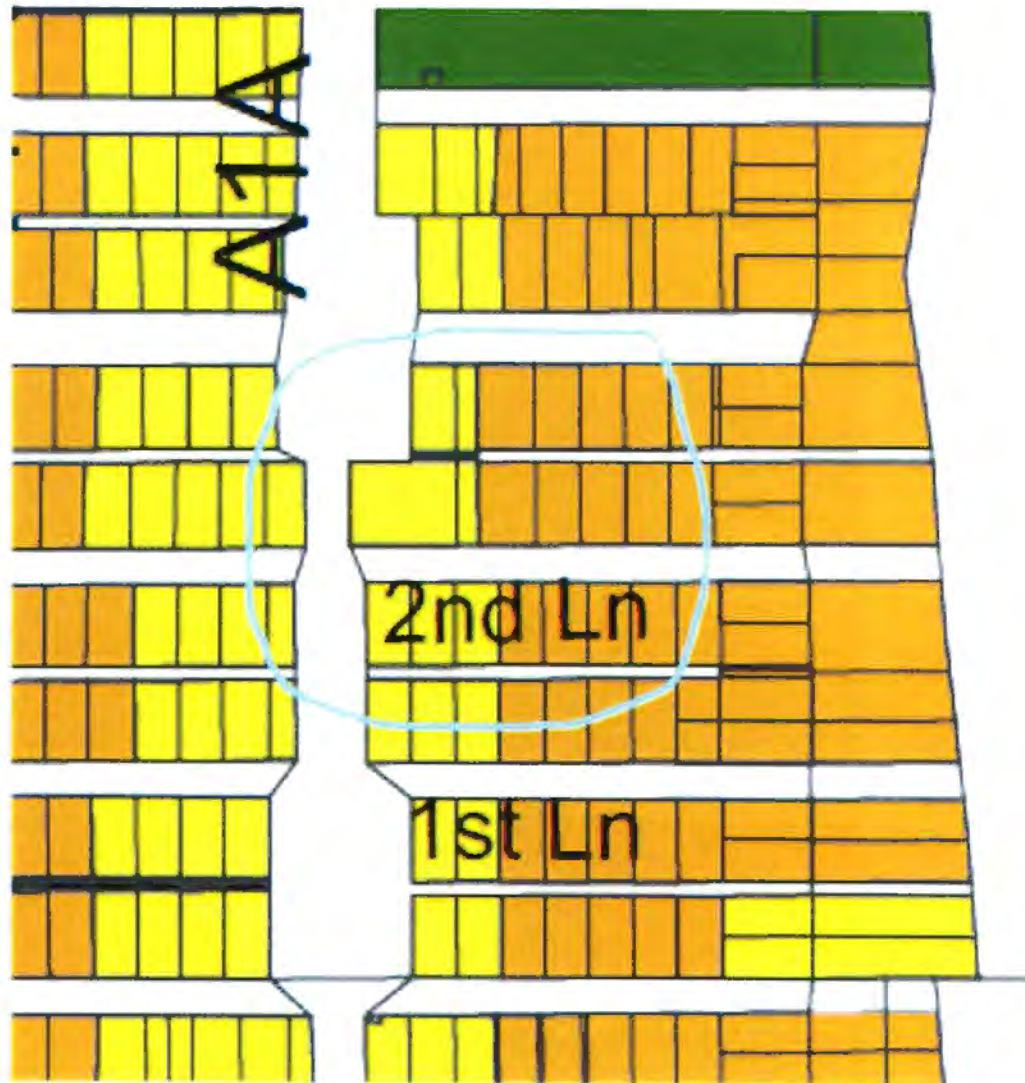


Exhibit B-4
Date 3-7-2022





Exhibit B-6

Date 3-7-2022

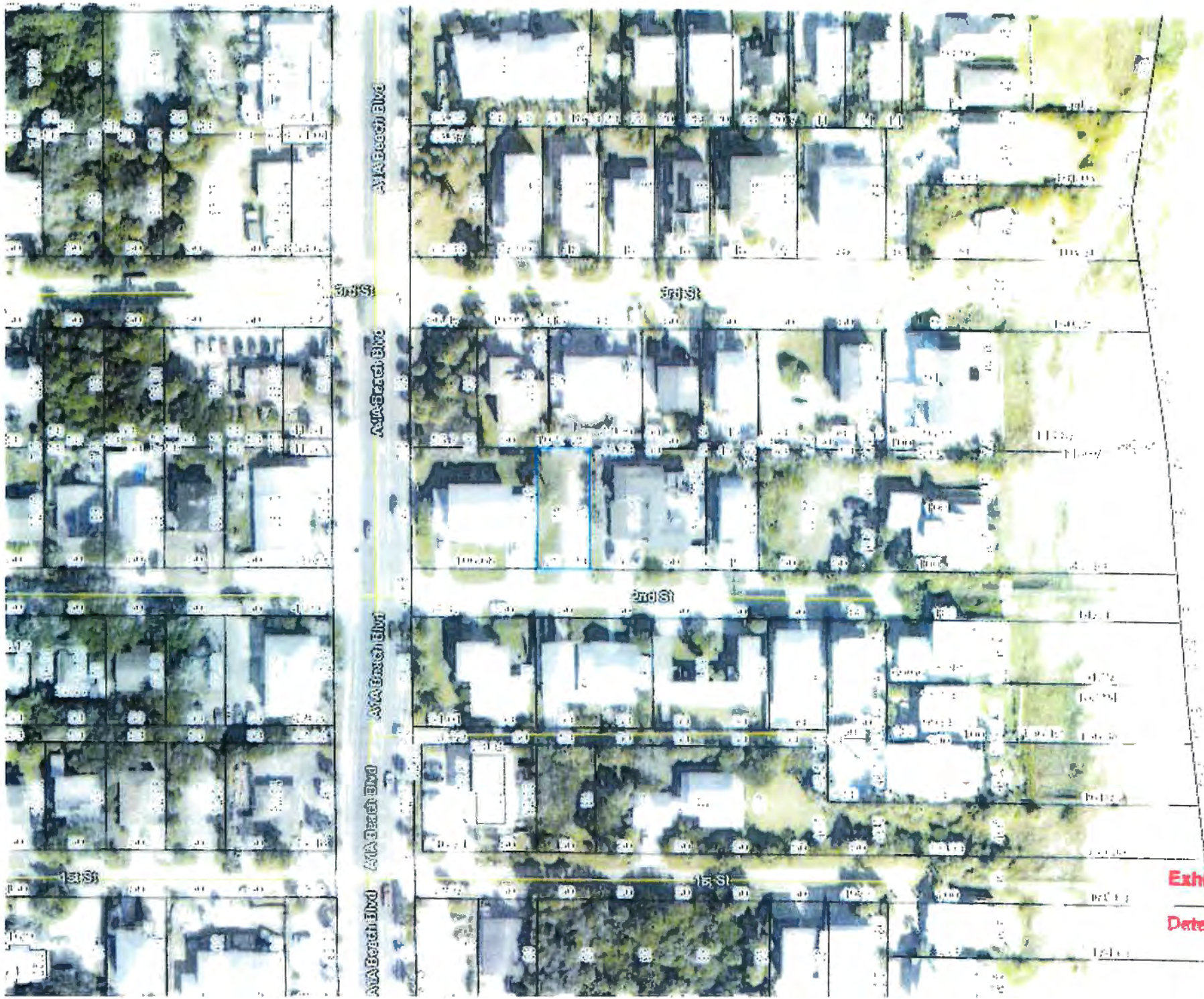


Exhibit B-7
Date 3-7-2022

MAP OF BOUNDARY SURVEY

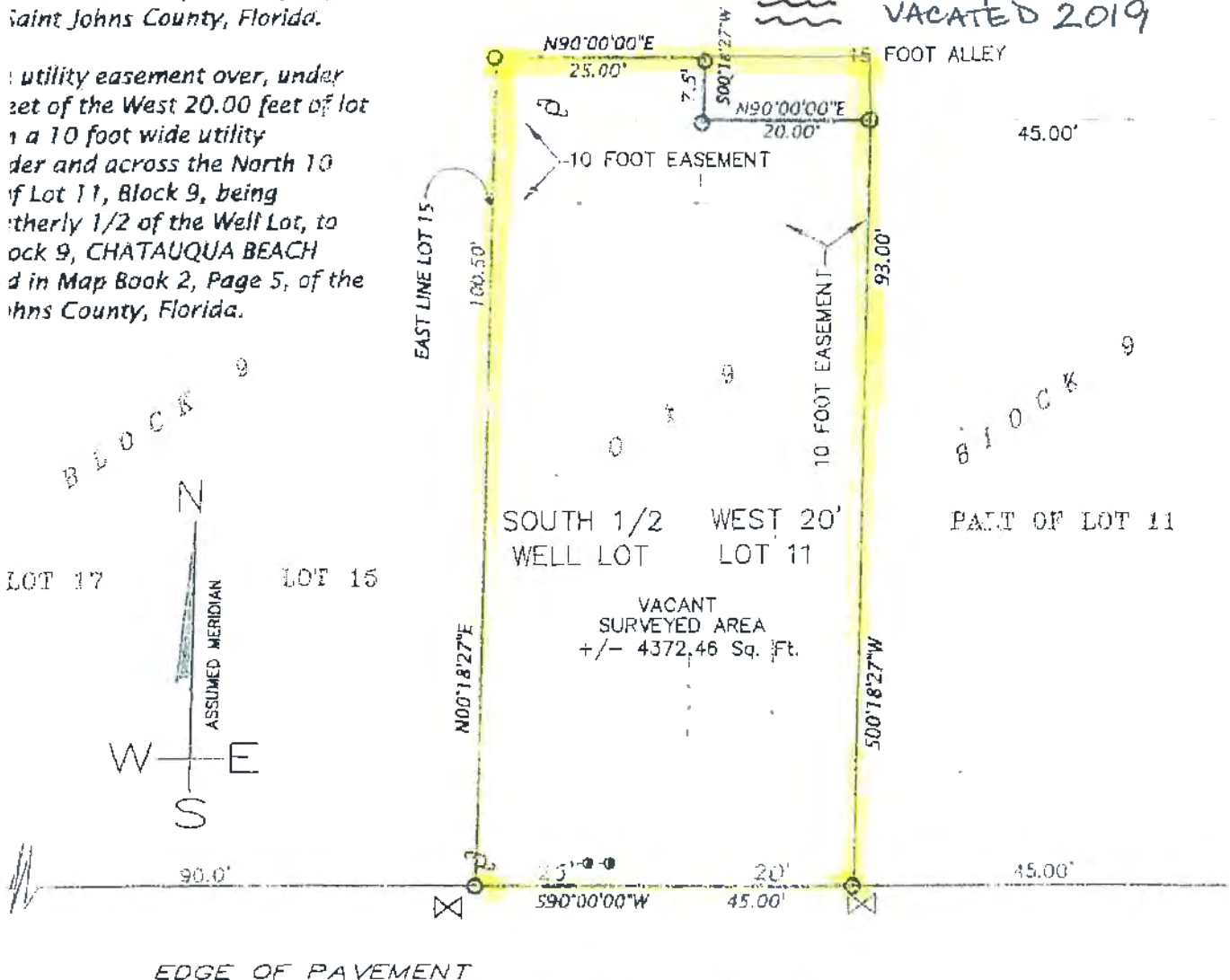
following described land:
 "LOT" described as follows:
 West by 201 feet North and South
 rd Streets bounded on the East
 ie West by lots 15 and 16 in
 BEACH SUBDIVISION, as per map
 es 5, of the Public Record of
 da.

it 11, Block 9, CHATAUQUA
 recorded in Map Book 2, Page 5
 Saint Johns County, Florida.

utility easement over, under
 et of the West 20.00 feet of lot
 a 10 foot wide utility
 der and across the North 10
 of Lot 11, Block 9, being
 therly 1/2 of the Well Lot, to
 ock 9, CHATAUQUA BEACH
 d in Map Book 2, Page 5, of the
 hns County, Florida.

CERTIFIED TO:
 RHONDA ADAMS and CHARLES ADAMS,
 Husband and Wife
 Land Title of America, Inc.
 Westcor Land Title Insurance Company

NOTE: ALLEY
 VACATED 2019



EDGE OF PAVEMENT

PAVED

SECOND STREET

40' RIGHT-OF-WAY

Exhibit B-8
 Date 3-7-2022

1 HEI
 UNDE
 STAN
 SECT

EL

SEVERAL PAVED
OVER COMPACTED
SAND

Exhibit B-9
Date 3-7-2022



Exhibit B-11
Date 3-7-2028



Across 2nd Street

Vacation Rental

Exhibit B-12

Date 3-7-2022



Across 2nd Street

Multi

Exhibit B-13

Date 3-7-2022



320 Street

Exhibit B-15

Date 3-7-2022



320 Street
(Behind Property)

Exhibit B-16

Date 3-7-2022

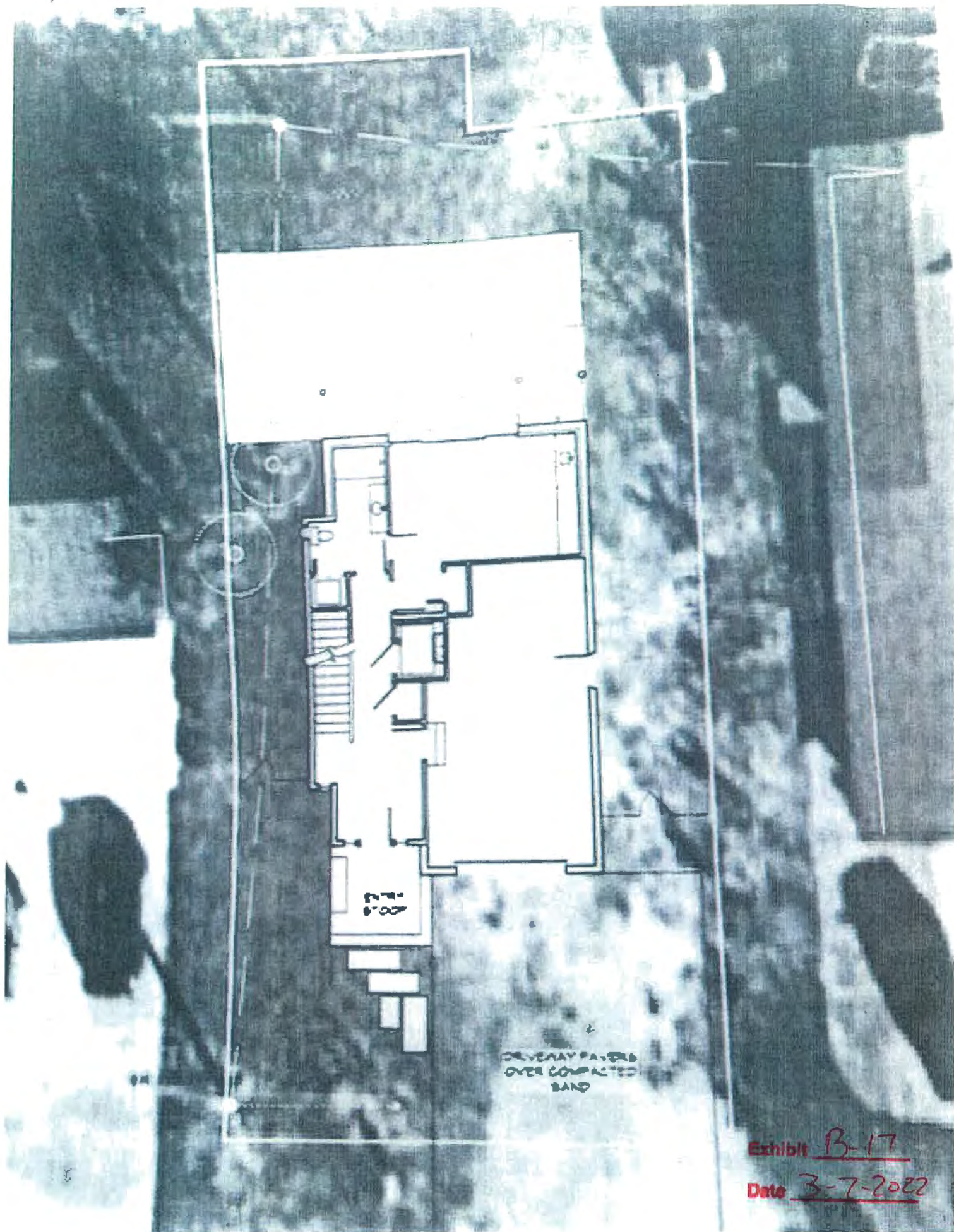


Exhibit B-17
Date 3-7-2022

Bid 22-02 2nd Street Extension and Widening Improvements

Bidders	Bidder #1	Bidder #2	Bidder #3	Bidder #4
Bidder's Name & Address	Beschand Smith Civil Group, Inc. 345 Cumberland Industrial Ct. St. Augustine, FL 32095 904-260-6393 www.beschandsmith.com	G&H Underground Construction, Inc. 2315 Dobbs Rd. St. Augustine, FL 32086 904-829-8199	DB Civil Construction, LLC 4475 US1 South, Suite 707 St. Augustine, FL 32086 386-256-7460 www.dbcivilconstruction.com	R.B. Baker Construction (Reeves Construction Company) 249 Industry Place St. Augustine, FL 32095
Total Cost	A: \$457,894.91 B: \$255,219.03 Alt A: \$103,000 Alt B: \$145,000	A: \$545,461.59 B: \$140,444 Alt A: \$ n/a Alt B: \$n/a	A: \$415,850 B: \$164,000 Alt A: \$TBD Alt B: \$TBD	A: \$445,278.40 B: \$222,573.20 Alt A: \$n/a Alt B: \$n/a
Bidders	Bidder #5	Bidder #6	Bidder #7	Bidder #8
Bidder's Name & Address				
Total Cost				

Bid opening was conducted on Wednesday, February 23, 2022, at 3:00 p.m. at City Hall by City Clerk Dariana Fitzgerald. Bids were opened, and amounts noted were read aloud. Bid opening adjourned at approximately 3:05 p.m. Opening was also attended by: City Manager Max Royle and Public Works Director Tredik.

Exhibit C-1
Date 3-7-2022

CMT

Construction Cost Estimate

	Range	
• 2 nd Street Pavement Extension	\$160,000	\$190,000
• 2 nd Street Utility Extensions	\$ 170,000	\$200,000
2 nd Street Extension Total Cost	<u>\$ 330,000</u>	<u>\$390,000</u>
• 2 nd Street Block 100 West Widening	\$ 85,000	\$100,000
Total Project Const Cost	<u>\$415,000</u>	<u>\$490,000</u>

Exhibit C-2

Date 3-7-2022



CITY OF ST. AUGUSTINE BEACH

*Regular City Commission Meeting
Monday, March 7, 2022*

*Item 8 – Bid No. 22-01 Ocean Hammock Park
Tabulation of bids*

1

BID

- Advertised on Demandstar and in the St. Augustine Record
- 27 Plan holders, but only 1 bid: Kent Bros, Inc. \$672,430
- For Grant purposes, Base Bid was divided as follows:

	<u>BID AMT.</u>
• Part A – Restrooms with beach shower	\$ 479,175
• Part B – Educational Kiosk	\$ 21,400
• Part C – Two (2) Picnic Areas	\$ 22,330
• Part D – ADA Accessible Beach Access	\$ 60,450
• Part E – Nature Trail	\$ 50,775
• Part F - Water Fountain/Bottle Filling Sta.	\$ 5,050
• Part G – Handicap Parking Space	\$ 33,250

2

Exhibit D-1
Date 3-7-2022

1

Recommendation

- Florida Statutes 287.057 (6) states:

If less than two responsive bids, proposals, or replies for commodity or contractual services purchases are received, the department or other agency may negotiate on the best terms and conditions. The department or other agency shall document the reasons that such action is in the best interest of the state in lieu of resoliciting competitive sealed bids, proposals, or replies. Each agency shall report all such actions to the department on a quarterly basis, in a manner and form prescribed by the department.

- Staff recommends negotiating with the bidder to determine if the cost can be reduced.
- If a negotiated cost cannot be reached, the project will require rebidding



01/10/2022 10:00 AM

Exhibit E-1
Date 3-7-2022



Exhibit E-2

Date 3-7-2022

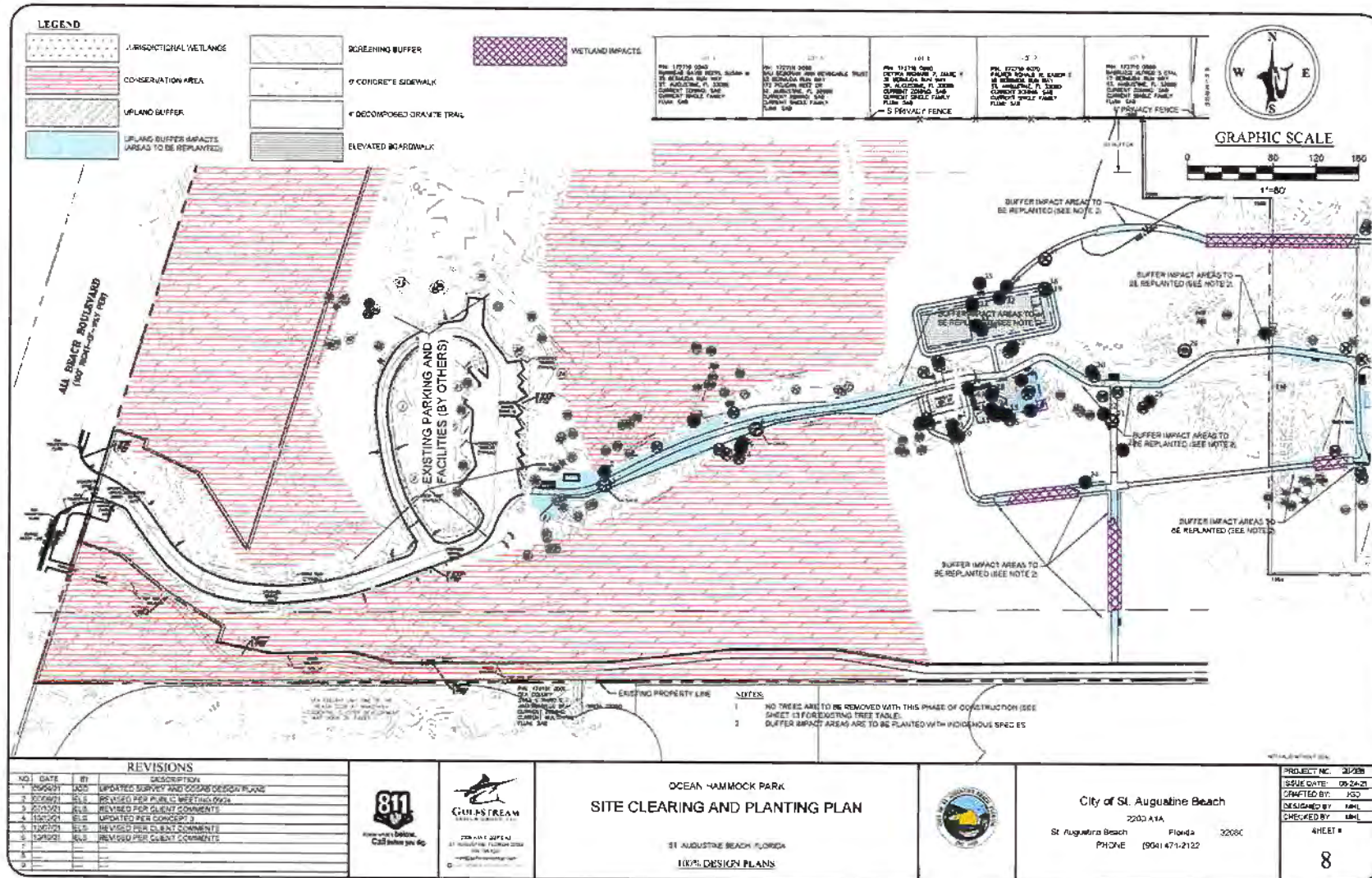


Exhibit F-1
Date 3-7-2022

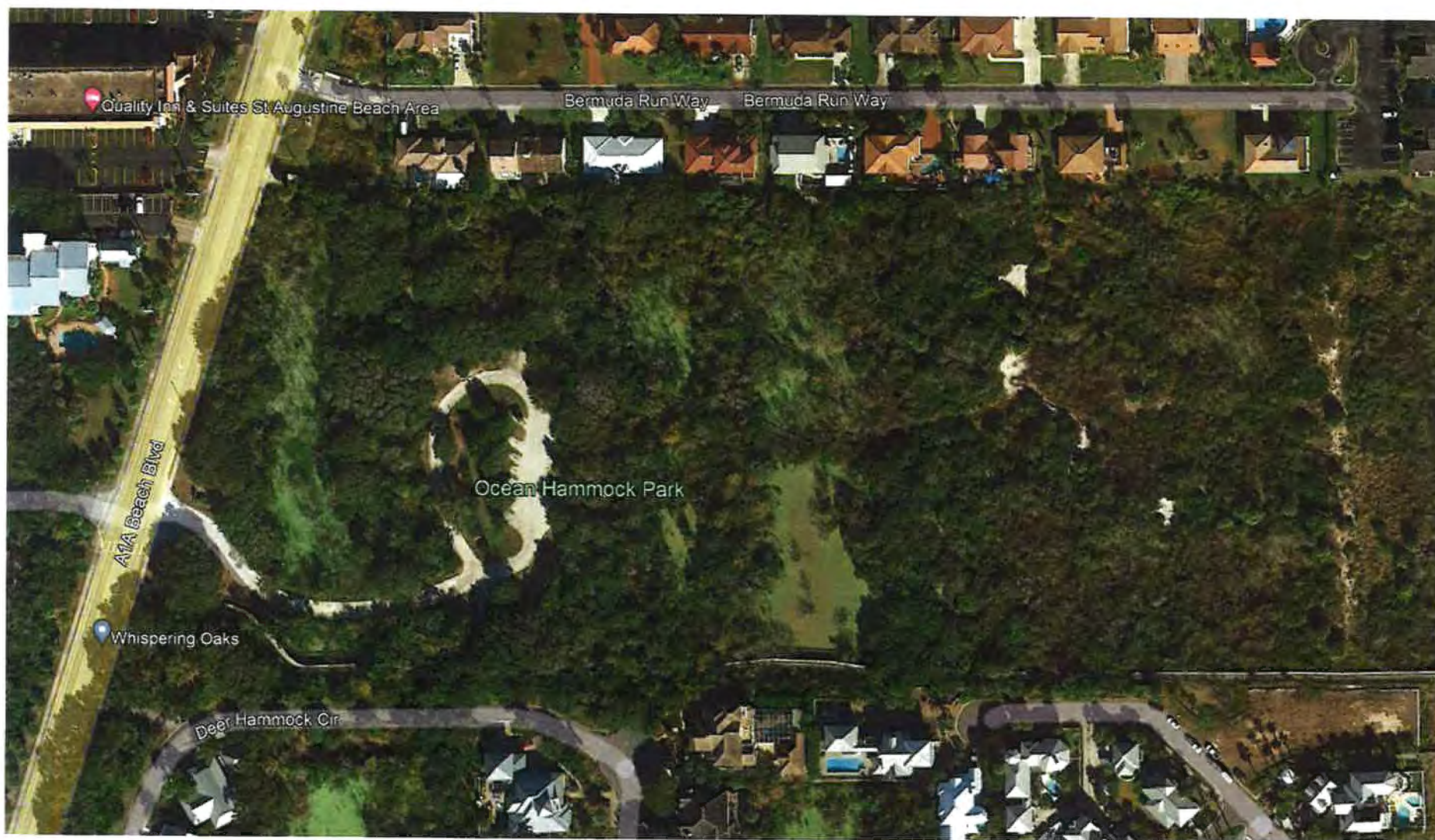


Exhibit F-3

Date 3-7-2022

MAYOR & COMMISSIONERS,

COMMISSIONER ENGLAND SUGGESTED THAT THIS BE PROVIDED TO YOU FOR YOUR DISCUSSION AT TONIGHT'S MEETING CONCERNING THE OCEAN HAMMOCK PARK BEACH ACCESS.

Dear Commissioners,

Max (3-7-22)

As the President of the Sea Colony Neighborhood Homeowners Association board of directors, I write to encourage you to correct a historical anomaly. In 2005, the city was deeded land by the owners of the Maratea subdivision for a 1,600 ft beach access walkway. The picture below shows the walkway corridor highlighted in red.



Maratea's owners intended to develop their land; as a result, the only property they could deed to the city for beach access was either along the northern or southern property boundaries. For reasons of which I am unaware, the walkway was run along the very edge of the Maratea's southern boundary, within feet of the Sea Colony subdivision.

As you may be aware, a walkway so close to our homes has been a concern to Sea Colony residents since it was built. Over the years, neighbors have reported to SABPD unruly behavior, excessive noise, and overnight camping in the park. In addition, on several occasions, despite our chainlink security fence, trespassers have exploited the easy access to Sea Colony afforded by the walkway.

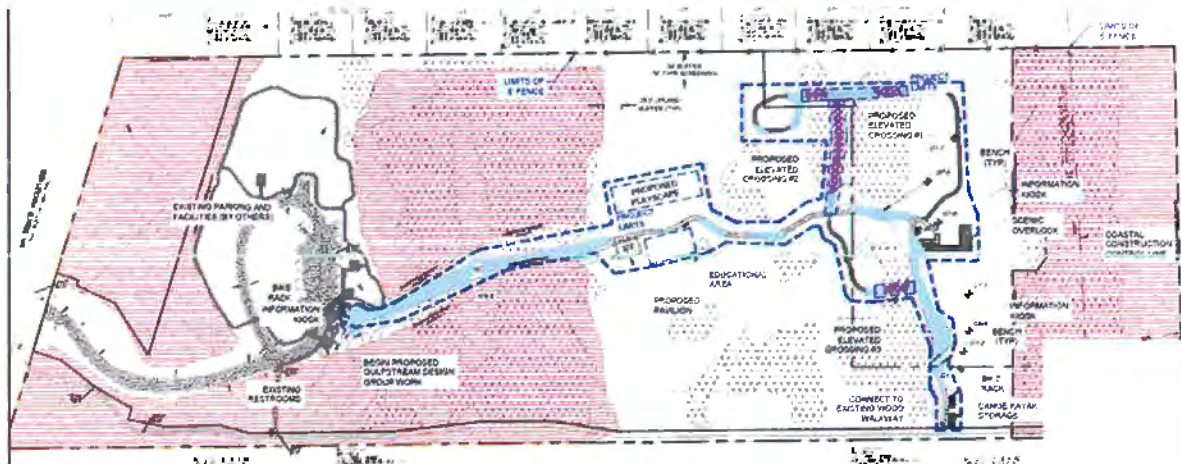
While the walkway's location is understandable given the dynamics of the 2005 negotiations, I believe that had St Augustine Beach owned the entire Ocean Hammock Park property back then, the beach access would have been run over the old roadbed down the middle of the park. Unfortunately, that was not an option.

Over the past seventeen years, the city has done an excellent job acquiring the entire Maratea subdivision property and obtaining grants to create Ocean Hammock Park. Without question, the park will be an amenity that improves the quality of life for St Augustine Beach residents and our visitors.

The residents of Sea Colony applaud the efforts of city staff and previous city commissions to create a park masterplan that allows citizens to enjoy the city's last undeveloped ocean-front parcel. We also see

Exhibit G-1
Date 3-7-2022

an opportunity to alleviate the concerns created by locating the walkway so close to our northern property line. In the city's masterplan (shown below), access from the parking area to the playscape, educational area, picnic pavilion, information kiosk, and beach scenic overlook runs down the park's center (delineated by a blue dashed line). That's because an old construction roadbed allows these improvements without disturbing the existing wetlands. Per the current plan, a path will run south from the park's central area, connecting to the existing wooden walkway on the park's southern edge. The masterplan includes a fifty-foot development buffer for the residential neighborhood on the park's north boundary. Unfortunately, no such boundary exists for Sea Colony, the residential property to the south.



Since all the attractions and amenities are in the park's center, I ask that the city revise its masterplan to include a walkover from the scenic overlook directly out to the beach. This would allow the decommissioning and (ultimately) removal of the existing old wooden walkway.

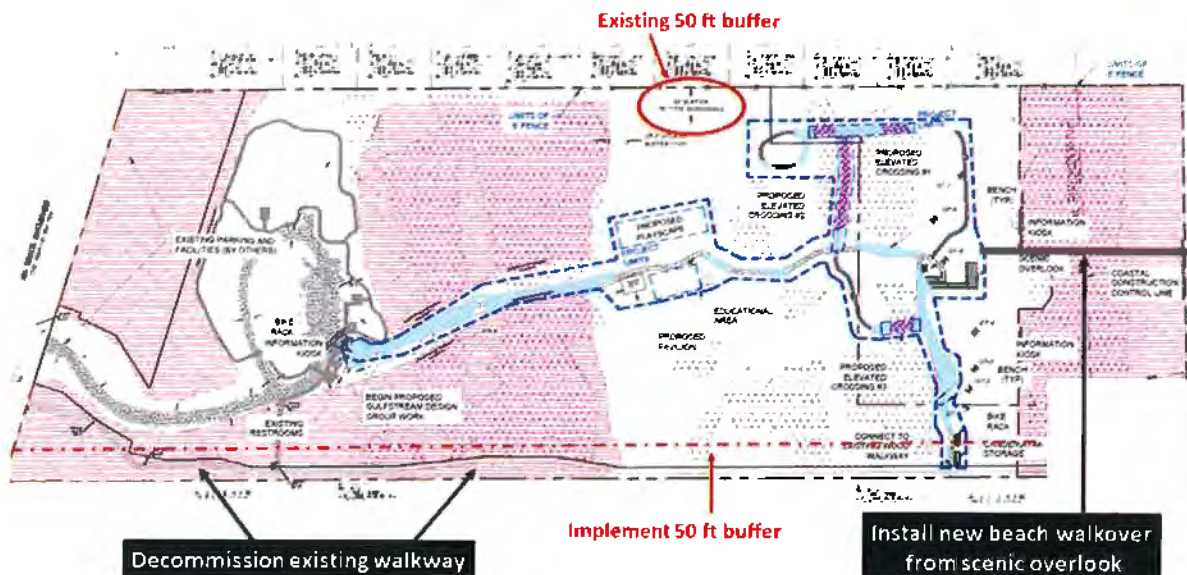
This course of action will have the following benefits:

- Corrects the anomaly of running a public walkway within feet of private property
- Provides a direct and more logical path from the scenic overlook to the beach
- Allows the city to create a buffer on the park's south side identical to the one on the north
- Allows SABPD to more efficiently ensure the park is empty after closing time
- Eliminates the cost of maintaining an old, 1,600 ft wooden walkway that runs through two wetlands and is heavily shaded
- Allows the city to restore the two wetlands through which the walkway runs (SJRWMD could help).
- Lessens the potential for complaints to SAPD

The picture below shows the proposed changes.

Exhibit G-2

Date 3-7-2022



I recognize that should the city adopt this course of action, it will mean additional work for city staff and additional upfront costs. However, avoiding the substantial costs of repairing and rebuilding the existing wooden walkway should offset these costs over time. Additionally, it may be possible to obtain support from either the St Johns River Water Management District and/or St Johns County to remove the existing walkway and restore the wetlands.

Ocean Hammock Park will be a jewel in the crown of St Augustine Beach. I appreciate the hard work of city staff who have labored to make it a reality and our elected leaders who have supported it for over fifteen years. Thank you for your service to our city and for considering my proposal.

Sincerely,

Gregg Hammann

President, SCN Homeowners Association

Exhibit G-3
Date 3-7-2022