



## MINUTES

### REGULAR CITY COMMISSION MEETING MONDAY, MAY 2, 2022, 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 Samora called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

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

Also present were City Manager Max Royle, City Attorney Jacob McCrea, Police Chief Daniel Carswell, Police Commander T.G. Harrell, City Clerk Dariana Fitzgerald, Finance Director Patty Douylliez, Building Official Brian Law, Public Works Director Bill Tredik, and Assistant Public Works Director Ken Gatchell.

**Motion:** To excuse Vice Mayor Rumrell's absence. **Moved by** Mayor Samora. **Seconded by** Commissioner George. Motion passed unanimously.

IV. APPROVAL OF MINUTES OF THE COMMISSION WORKSHOP MEETING ON MARCH 23, 2022, AND THE REGULAR COMMISSION MEETING ON APRIL 4, 2022

**Motion:** To approve the minutes of the Commission workshop on March 23, 2022, and the regular Commission meeting on April 4, 2022. **Moved by** Commissioner Sweeny, **Seconded by** Commissioner England. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

City Manager Royle advised that there is an addition of a proclamation to proclaim May 1<sup>st</sup> as Law Enforcement Appreciation Day and May as Law Enforcement Appreciation Month which would be added as Consent Item 3.E. He said there is also a typo change to Item 7 which should read Budget Resolution 22-04.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

There were no changes to the order of topics.

VII. PRESENTATIONS

- A. North Florida Transportation Organization's Transportation Improvement Program for Fiscal Years 2022/23 through 2026/27 by Ms. Elizabeth De Jesus, Transportation Program Manager

Ms. Elizabeth De Jesus, Transportation Program Manager, presented a PowerPoint of the five year Transportation Improvement Plan (TIP) which is part of the long-range transportation plan. She advised of a virtual public meeting on May 24, 2022, from 4:30-5:30 p.m., and that the Plan would be approved at the regular meeting on June 9, 2022, at 10:00 a.m. She described the different areas scheduled for improvements from the PowerPoint presentation and asked if there were any questions.

Mayor Samora said that this is a very extensive report of projects taking place all over north Florida and he thanked her for pointing out the projects that are more local to the City's surrounding areas.

Commissioner England said that the North Florida TPO (Transportation Planning Organization) does studies and she asked Public Works Director Tredik if there were any studies that he would want help with. Director Tredik advised that most of the City's major roads are controlled by other jurisdictions and that he would work with them on a study such as pedestrian safety on A1A Beach Boulevard or other traffic problems.

Commissioner England said that some of the projects are for bike trails and the City is very pedestrian friendly, but does not have formal bike trails. She said that it would be helpful to designate where the bicycles should be riding. Ms. De Jesus said that there are programs that help with designations. Commissioner England advised that residents need to know when they should be on the sidewalk and that the City could use help with the designation.

Commissioner George said that there was a presentation about two years ago which talked about putting a bike trail down A1A Beach Boulevard and she asked if that was still in the works. Ms. De Jesus said that the Florida Department of Transportation (FDOT) has done some projects and sometimes things change between the planning and the construction phases. She advised that the public would have an opportunity for input after the study is done. Commissioner George asked if the allocation was only for the study. Ms. De Jesus said yes and advised that sometimes more than one study is done before construction. Commissioner George said that the project is allocated \$600,000 for the year. Ms. De Jesus advised it would be \$600,000 for 2023 and \$600,000 for 2024, which would give two years to perform the studies and to come up with a concept design.

Commissioner George advised that when it is split over two years it usually means that the project is funded, and construction is starting. Ms. De Jesus advised that the handout provides information regarding the meanings.

Commissioner George asked for clarification about the State Road 206 bridge project. Ms. De Jesus said that the bridge has a part that needs to be repaired and that she would find out if the project would close the bridge at all.

Commissioner Sweeny asked if the funds are guaranteed. Ms. De Jesus advised yes.

Mayor Samora said that the two bike path study projects do not align with the River-to-Sea Loop project and that the City voted on an approved path through the City. He asked how the City can be involved in the discussions. Ms. De Jesus said that both studies have elements for public participation and are from one specific FDOT office. She said that the projects are in the same area and that FDOT would make them align. Mayor Samora asked how the City could make sure to be part of the discussion. Ms. De Jesus advised that FDOT would request input, and she could provide contact information. Mayor Samora said that both studies are \$600,000 each and it would be a shame if it took a different path.

Ms. De Jesus advised that Vilano Beach is in a list of priority projects. She said that there are two funding sources, and one is used for smaller projects, and that the Vilano Beach project is \$60 million dollars, which is listed because it helps to prepare the trail.

Commissioner George asked if the Sun Trail was in conjunction with the River-to-Sea Loop. Ms. De Jesus advised that the Sun Trail is a funding program to identify trails throughout the state that qualify to apply for the Sun Trail funding.

Mayor Samora thanked Ms. De Jesus for her presentation. He moved on to Item VIII. He encouraged the public to speak, asked everyone to fill out a speaker card, and advised that each speaker would have three minutes to speak on non-agenda items. He advised that any questions would be noted, and that staff would respond at a later time.

#### VIII. PUBLIC COMMENTS

Anthony Brown, 931 A1A Beach Blvd #202, St. Augustine Beach, FL, said that he began a petition to keep the Ocean Hammock Park walkway (Exhibit A) and that he obtained over 100 signatures in just a few days.

John David, 149 Bilbao Drive, St. Augustine, FL, wants to honor Ben LaMendola who owned La Fiesta/Fiesta Falls and passed away a month ago; asked the City for help to rename the County pavilion after him.

Michael English, 115 F Street, St. Augustine Beach, FL, (Exhibit B) asked to increase the 100 limit for transient term rentals allowed in Section 3.09.00 of the Land Development Regulations; the ordinance was passed in 2008 which established the 100 limit in medium density zones; there were 10 houses on the standby list which is down to 8 and is now frozen so that no one else can get on the list; there is about a five year waiting period to get on the list; the ordinance is outdated and he asked to evaluate it and consider expanding the limit.

Michel Pawlowski, 109 Kings Quarry Lane, St. Augustine Beach, FL, asked the Commission to consider highlighting requirements for bicycle safety and that bicycles should have lights to help prevent accidents.

Mayor Samora asked for any further Public Comments. Being none, he advised that he would like to address some of the Comments that were brought up.

Mayor Samora said that Ocean Hammock Park has some construction planned for this year that is getting public attention and he asked Director Tredik for an update. Director Tredik advised that the Phase 3 design is complete and construction of a portion of it should be starting soon, which would be the main central trail through the middle. Mayor Samora said that any modification to that design plan would be done at another public meeting. Director Tredik confirmed.

Commissioner George asked for any new information regarding the question about the location of the existing boardwalk. Director Tredik said that this discussion would need to be resolved prior to making the connection to the beach walkway which would be about midway through the trail. He said that due to limited funding, the construction would not happen any time soon and that nothing is planned for relocation at this time. Commissioner George advised that she received an email referencing a new development and they are in favor of relocating it. Director Tredik advised that he is not aware of any new development that would necessitate relocation of the boardwalk. Commissioner George advised that she would reply to the email and that the community is clear that they do not want any relocation or removal to take place. Director Tredik advised that there is a petition for no relocation and that Sea Colony wants relocation but that there have been no direction changes from the Commission at this point. He said regardless of it, the main trail and overlook would still need to be constructed and for the near-term there is no

potential relocation and that there is still time to discuss it and resolve the issue. Mayor Samora asked what the timeline is for construction of the central trail. Director Tredik said that the Phase 3 plans are done, and the engineer has been asked to create a bid spec for what the City can afford right now and would go out to bid in a few months with construction starting mid to late summer 2022.

Mayor Samora said that if anything changed it would come before the Commission and the public again. Director Tredik advised yes.

[An audience member spoke away from a microphone, and it was not able to be retrieved for the minutes.]

Mayor Samora advised that this is not a question-and-answer segment, it is the Commission talking with staff regarding some items that were brought up in Public Comments. The audience member asked if it would still be on the agenda to discuss. Mayor Samora said that the topic is not on tonight's agenda. The audience member asked about the restroom topic. Director Tredik advised that the restroom topic was a budget resolution to allocate funds to build Phase 2.

Mayor Samora asked City Manager Royle for any suggestions regarding Mr. David's tribute to Mr. LaMendola. City Manager Royle advised that he might need to speak with the County Administrator about naming the Pavilion, otherwise the Commission could decide to name something after him on City property.

Mayor Samora asked the Commission to read over Exhibit B from Mr. English.

Mayor Samora asked if the City had any bicycle regulations or requirements. Chief Carswell said that the Police Department just had a Bike Safety Rodeo this past weekend to educate parents and children about bicycle safety and that there would be another one later this summer focusing on older kids and young adults. Commissioner England asked if there was a pamphlet on bicycle safety. Chief Carswell advised that he believed that Officer Martinez had some pamphlets from the State of Florida listing the bike laws and regulations. Commissioner George asked if the pamphlets were distributed throughout the schools. Chief Carswell advised that he did not know but that he could make that happen. Commissioner Sweeny suggested a summer series on social media about bike safety using tips from the pamphlet. Chief Carswell advised that the St. Augustine Record is doing an article for bike safety awareness month coming up soon.

Mayor Samora moved on to Item IX.

## IX. COMMISSIONER COMMENTS

Commissioner England advised that she would speak during her agenda item presentation.

Commissioner Sweeny advised that the Governor has called a special session for insurance, and she knows how important it is to the residents being in a coastal community. She encouraged the Commissioners to pass on any feedback from constituents to state legislators. She said that it is from May 23 through May 27, 2022. She commended Ms. Conlon for the Art and Bark in the Park event. Commissioner England said that the Arbor Day event was also wonderful.

Commissioner George advised that she would give her comments during Commissioner England's topic.

Mayor Samora liked the Art and Bark in the Park and he also commended Ms. Conlon for putting on a great event. He advised that he would be at the Economic Development Council breakfast this Friday and would be giving an update on the City.

Mayor Samora moved on to Item X.1 and asked Planner, Jennifer Thompson, for her presentation.

X. PUBLIC HEARINGS

1. Ordinance 22-03, Final Reading, to Vacate Alley between 2<sup>nd</sup> and 3<sup>rd</sup> Streets, West of 2<sup>nd</sup> Avenue, in the Chautauqua Beach Subdivision (Presenter: Jennifer Thompson, Planner)

Planner Thompson advised that the Commission saw this request last month and a motion was made to approve the application subject to each of the conditions identified in the memo by Public Works Director Tredik which was passed unanimously. She said that this would be the final public hearing unless the Commission has any further changes. Mayor Samora asked if there have been any changes since the last presentation. Ms. Thompson advised no. Mayor Samora asked if there were any questions.

Commissioner Sweeny said that during the Commission meeting to discuss the American Rescue Plan Act (ARPA) funds that the Commission approved allocating funds to speed up the drainage project. She asked Director Tredik if there was a timeline when it would occur. Director Tredik advised that he is working with the City Attorney to build it into the contract/change order to ensure the language meets the ARPA requirements and once it is finalized, then the piping would be included in the work.

Mayor Samora asked if there was any reason to hold up the vacation of the alley based on the project moving forward. Director Tredik advised that he did not see any reason to hold it up as long as the City has rights to the easement to do the work.

Mayor Samora asked for any Public Comments. Being none, he asked the City Attorney to read the preamble. City Attorney McCrea read the preamble.

Mayor Samora asked for a motion.

**Motion:** To approve Ordinance 22-03. **Moved by** Commissioner George, **Seconded by** Commissioner England. Motion passed unanimously.

Mayor Samora moved on to Item X.2 and asked Building Official Law for his presentation.

2. Ordinance 22-04, Final Reading, to Amend the City's Flood Regulations (Presenter: Brian Law, Building Official)

Building Official Law advised that the Commission saw this Ordinance last month and that no changes have been made. He recapped that it addresses some statutory changes that affect the flood management program such as accessory sheds and that he worked with state coordinators to draft it. He said that this is what they propose for the State of Florida and that any changes would have to go back to the State. It is in the City's best interest to do it now as opposed to during its five-year audit.

Commissioner George asked if this governs any permitting on alterations of a dune structure. She referenced Page 10, Subchapter C, Section 5 Paragraph C, which referenced the requirement of an engineering analysis. She advised that she does not want to encourage alteration of dune structures by making a mechanism for it to be permitted. Building Official Law advised that Ms. Quinn, from the State, got rid of the four exceptions which were standard flood plain management language. Commissioner George advised that she wanted to make sure that the City is not weakening any standards. Building Official Law advised that it would not and that the Land Development Code still takes precedence in the event that someone applies to alter a sand dune and it would automatically be rejected based on the Comprehensive Plan and the Land Development Code and the applicant can then elect to use the variance process.

Commissioner Sweeny pointed out a typo to change "flood damaged" to "flood damage". Building Official Law advised that the typo would be corrected.

Mayor Samora asked for any Public Comments. Being none, he asked the City Attorney to read the preamble. City Attorney McCrea read the preamble.

**Motion:** To approve Ordinance 22-04. **Moved by** Commissioner George, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora moved on to Item XI.3.

XI. CONSENT

Mayor Samora advised that he would read through the topics to entertain a possible single motion to approve everything.

3. Proclamations:

- A. To Proclaim May 1-7, 2022, as 53<sup>rd</sup> Annual Professional Municipal Clerks Week
- B. To Proclaim May 2022 as Motorcycle Awareness Month
- C. To Proclaim May 2022 as Building Safety Month
- D. To Proclaim June 2022 as Gay Pride Month
- E. To Proclaim May 2022 as Law Enforcement Appreciation Month

4. Resolution 22-02, to Declare Certain Items of City Property as Surplus and to Authorize Their Disposal

5. Approval to Schedule Public Hearing on June 6, 2022, to Levy Non-Ad Valorem Assessment for Condominiums and Town Homes

6. Budget Resolutions:

- A. 22-01, to Amend the Fiscal Year 2022 General Fund Budget to Appropriate \$60,000 from the Building Department's Restricted Fund Balance to the Protective Inspections Account to Purchase a Vehicle
- B. 22-03, to Amend the FY 22 General Fund Budget to Appropriate \$136,000 from American Rescue Plan Act Funds for Adjustments to Employee Salaries

Mayor Samora asked for a motion to approve the Consent Agenda.

Commissioner George made a motion to approve the Consent Agenda, with a second by Commissioner England.

Commissioner Sweeny asked what the procedure was for asking a question during a motion. Commissioner George advised that there could be discussion during a motion.

Commissioner Sweeny asked to discuss Budget Resolution 22-03 regarding salaries. She said that \$136,000 was allocated for the salary adjustments and that staff was given flexibility, but that she still has concerns using non-recurring funds for a recurring purpose and she is also concerned that \$45,000 has been set aside that would not be going into employee pockets but will go into a contingency fund. Finance Director Douylliez advised that the way it is structured and laid out is based on the increase of the hourly rate of \$1.12 per hour for each employee. She advised that some departments will be impacted more, and she would have that money available to move to those department to cover a deficit. Commissioner Sweeny asked if the department allocation was based on a typical 40 hour work week. Finance Director Douylliez advised yes. Commissioner England said that she thought the City was doing bonuses. Finance Director Douylliez advised that it was left up to manager discretion, and they decided to do the \$1.12 increase. She advised that since then, two employees have left, and possibly a third, and that if they had been given a bonus

then the City would have potentially paid out of pocket for them to leave. She said that management felt it was better to bring everyone up to \$15.00 an hour and give everyone an increase of \$1.12 an hour.

Commissioner Sweeny asked how much overtime Public Works employees typically have. Director Tredik advised that there is overtime during events and weekends but not a significant amount. He said that there is one worker that straddles the weekend without overtime. Finance Director Douylliez advised that it will be hurricane season soon and it would allow for the flexibility to fund for overtime for a weather event. Commissioner Sweeny said that the additional \$1.12 an hour would only add up to about \$1,000 for the rest of this fiscal year and she would have liked for more to be going to the employees. Mayor Samora advised that the Commission could always revisit those concerns. Finance Director Douylliez agreed and said that a type of hybrid could be done to recognize employees with small bonuses towards the end of the year.

Commissioner George asked if the Commission passed a resolution for the \$45,000. Finance Director Douylliez advised that it is in this Budget Resolution. She advised that she had to move the entire amount because that was what the Commission approved and that she moved it into the General Fund to fund the salaries and the balance is sitting in a reserve account for emergencies and contingencies. Mayor Samora advised that it would then be a separate agenda item at another meeting. Finance Director Douylliez said yes, that there would be a budget resolution to move it from reserves and allocate funds to each department. Commissioner George said she agreed with Commissioner Sweeny that it was a consensus from prior discussions and that going forward she would not want to rely on these one-time funds. Commissioner England agreed and said that she thought the City was doing a one-time bonus with the ARPA funds. She said that the City is losing employees and she does not understand the logic to give a \$1.12 an hour increase. Commissioner George said that it creates incentives to stay for the long-term. She advised that she saw it as emergency funding for the short-term and there could be a different allocation for certain positions that need more, and for the positions that are at risk of people leaving. She said that maybe it could be an ongoing discussion and that the Commission did grant manager discretion. Mayor Samora said that they are concerned that if someone gets a bonus and then they leave that there is no way to recover the bonus. Commissioner England said the City is giving them a bonus for their loyalty and staying through the pandemic. Finance Director Douylliez said that the people that are leaving have only been with the City for six months or less and the City can look at using the funding for those that were here during that period of time.

**Motion:** To approve the consent agenda. **Moved by** Commissioner George, **Seconded by** Commissioner England. Motion passed unanimously.

Commissioner George said that for the record there were no requests to speak on the Consent Agenda topics.

Mayor Samora moved on to Item XII.7 and he asked Director Tredik for his presentation.

## **XII. OLD BUSINESS**

7. **Ocean Hammock Park Restrooms**; Budget Resolution 22-04, to Appropriate \$300,000 from American Rescue Plan Act Funds (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that only one bid came in for Phase 2 on March 3, 2022, which was very high at \$677,000 and as a result he recommended not to award the contract. He advised that he was then asked to research a less expensive way to do it and he found a prefabricated restroom, which was discussed at the last meeting along with using a St. Johns County annual contractor to complete some of the work. He advised that the total cost to do the prefabricated restroom is about \$440,000 with a possible additional \$20,000 this fiscal year for

permit fees, etc. He advised that the remaining Phase 2 work in 2023 would be done primarily by City staff and some potential contractors, which would bring the project down about \$180,000 from the bid price. He said that the restroom he would like to get has four stalls and would be unisex. He said that the City currently has \$160,000 allocated in the budget and he would like to use \$300,000 from the ARPA funds. He is working with the City Attorney on the contract language because if the City uses a County contractor it would need specific clauses. It would bring the total year funding to \$460,000 and would allow the City to move forward. He said that if it is approved, he would order the restroom and get the contract executed with the County's contractor for this summer. He recommended approval of Budget Resolution 22-04.

Mayor Samora asked what the time frame was for getting the restroom. Director Tredik advised that it is approximately ten weeks and that is another reason he wanted to order it now.

Commissioner Sweeny asked if the request for \$300,000 was on the ARPA list. Director Tredik advised that it was not and that is why he had to bring it to the Commission to get approval specifically. He said that he would have to alter the list and pull something else off which could work too. Commissioner Sweeny said that she would like to ensure that nothing is being pulled from other projects specifically the ones that received a lot of feedback from residents such as the beach walkovers, paving, etc. She said that the restrooms have a valid purpose and are an important use of the funds, and she wants to weigh where that money would come from vs. what was already discussed. Commissioner George advised that it provides restrooms in the Park, which provides beach access, and it makes that access much more feasible. She said there are no facilities there, it is a major parking source and a major pedestrian access source, so it furthers the access for the beach category as well as the parks category. Commissioner Sweeny said that she understands that the City is not legally held to what was on the list, but it is out to the public now, and that everything may not be able to be done. Director Tredik advised that he would be seeking partners, such as the Port and Waterway, for the beach walkovers which would help reduce the cost. He said that the Port and Waterway had expressed interest in the past and they wanted to make sure that the City was serious since it was not in the budget at the time. Commissioner George said that the County has been receptive to using the money from bed tax for walkover construction.

Commissioner England suggested an updated ARPA list if this passes. Director Tredik said that he would provide updates because it is critical and should be done.

Finance Director Douylliez said that the original dollar amount for pay increases was \$436,000 and only \$136,000 was used, so the other \$300,000 is now being used for the restroom and that nothing would need to be removed from the project list.

Commissioner George suggested that when individual items come before the Commission in budget resolutions to allocate ARPA funds, that a running, updated list should be provided to the Commission. Mayor Samora agreed. Finance Director Douylliez advised that the only ARPA funds that have been allocated so far is \$951,000. She advised that she would provide two lists; one for what has been approved and one for what remains to be allocated for from the original list.

Commissioner George thanked Director Tredik for thinking outside of the box and finding a great solution to save the City a lot of money.

Mayor Samora opened Public Comments and asked that each speaker please fill out a speaker card. He advised that they would have three minutes to speak and to please state their name and address for the record.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, asked if there were any of the restrooms nearby to look at; do they have any issues during hurricanes; and do they meet codes.



Director Tredik advised that he would try to find local restrooms and would post that information on the website. He said that they are prefabricated, 100% concrete, are amazingly strong, require very little maintenance, and meet all building requirements. He advised that each stall is a handicapped accessible single stall with a floor drain and a skylight. He said that he would be purchasing the four stall restroom.

Commissioner Sweeny asked if showers are being proposed. Director Tredik advised that the original concept was an attached beach shower, but that he would be getting together with the contractor to install a separate beach shower which would be about ten feet away to rinse off.

Mayor Samora asked Director Tredik to exchange information with the resident and ask the manufacturer for locations nearby.

Commissioner England suggested that it could be painted a different color. Director Tredik advised that there is a paint pallet, and he would need to know what color the Commission would like when he orders it. He advised that when you start upgrading, it adds cost. He advised that he could go with a beachier themed color.

Mayor Samora asked for any further questions or comments. Being none, he asked for a motion.

**Motion:** To approve Budget Resolution 22-04. **Moved by** Commissioner George, **Seconded by** Commissioner England. Motion passed unanimously.

Mayor Samora moved on to Item XIII.8 and asked Ms. Longstreet for her presentation.

### XIII. NEW BUSINESS

8. Holiday Season Lighting: Request by Ms. Hester Longstreet, Planning & Zoning Board Vice Chair, to Address the Commission Concerning Solar-Powered Holiday Season Lighting

Ms. Hester Longstreet, 200 16<sup>th</sup> Street, St. Augustine Beach, FL, Comprehensive Planning & Zoning Board (CPZB), thanked the Commission for allowing her to speak today. She advised that during the holiday season she received about 70 phone calls asking where the City's holiday lights went. She said that she addressed it with the CPZB, and the members were interested in doing something solar or something else that would not use electricity from the poles. She said that in April, SEPAC was asked to speak with the CPZB to coordinate efforts and they were on board as well. She said that she Googled commercial solar holiday lights and provided photos from that search (Exhibit C). She advised that the stars and the snowflakes are roughly 32 inches and that there are other companies that Public Works might have catalogs of such things. She asked for the Commission to consider the request and she advised that both the CPZB and SEPAC are on board to help.

Commissioner Sweeny asked if all the poles on the Boulevard were owned by Florida Power and Light (FPL). Director Tredik advised that they are all owned by FPL. She said that the backup information showed that the City reached out to FPL to find out what the issue was with using the poles. She advised that she served on the Chamber Board with Mr. Jim Bush from FPL, and she reached out to him and that he advised that the memo specified illumination. She said that he advised that if the City could come up with a plan to use solar, then the City could have some flexibility with FPL.

Mayor Samora asked if staff has looked at these types of solar decorations before. Director Tredik advised that he has not done any research into large, commercial grade, solar lights before, but that he could research it. He said that he has concerns for the size from Exhibit C, because the old holiday lights are approximately six to seven feet, and that 32 inches might not meet the need.

Commissioner George suggested to restring the existing holiday lights with solar powered LED lights. Director Tredik advised that some lights have been replaced on those in the past and that he would have to research it to see what is involved to convert them. Commissioner George said depending on how they are constructed, that maybe it is possible to use volunteers to clip new string lights on the old fixtures. Assistant Public Works Director Gatchell said that it would not be clips and that he talked to one of the vendors about restringing with LEDs and he was told that they simply buy new fixtures from China. Commissioner George said that they are like an armature and asked what would make it so difficult to restring. Assistant Public Works Director Gatchell advised that tying the different links together and pointed out that one fixture has nearly forty different connections.

Commissioner Sweeny asked how much the fixtures from Exhibit C would cost. Ms. Longstreet said that it would depend on the company, such as some companies would offer discounts for purchasing multiple fixtures. She said that the smaller ones were \$30 and up to \$600-\$800.

Commissioner Sweeny asked if there was a current budget for holiday décor. Director Tredik advised that something of this magnitude would require accessing additional funds. He advised that he has a small budget to replace as necessary to keep things working and that the City purchased the rope lights for the palm trees which look very nice.

Commissioner Sweeny asked how many decorations the City has. Assistant Public Works Director Gatchell advised 72 total.

Finance Director Douylliez advised that the City receives \$20,000 Tourist Development Council (TDC) grant funds each year for holiday lighting.

Director Tredik advised that the City should make sure to purchase something with a long life span and that the salt environment is very hard on electronics. He said that whatever is purchased would probably be pricey to survive the elements.

Ms. Longstreet advised that we do not want the TDC to take away the funds if the City is not using them. She said that people enjoy the lights, they are a tradition, and the City was holding its own compared to what the City of St Augustine does with their lights. She said now the beach is not holding its own and she would like to see the beach do something special too.

Mayor Samora advised that he received a lot of calls too and questioned how to move forward because staff is already overtasked with things to do. City Manager Royle advised that staff would use the information provided and find a way to move forward. He said it was his understanding that the \$20,000 from the TDC paid for the electricity. Finance Director Douylliez said yes, and that the City uses electricity for lighting the trees and the side of old city hall, etc. and would need to spend wisely to cover everything.

City Manager Royle advised that staff would research what decorations are available and that he did not know if the existing decorations could be connected to a solar powered source.

Commissioner George asked if the City has its own outlets on the plazas or parkettes. City Manager Royle said that the City has plugs adjacent to the palm trees that are used to plug in the string lights. Commissioner George suggested that there may be some locations where the classic decorations could be used. Commissioner England said that people really like the beachy themed décor.

Commissioner Sweeny said that if the City comes up with a proposal, to run it by FPL before doing anything and that she would be happy to help.

Mayor Samora said that he is hearing a consensus for staff to put resources into bringing the City holiday decorations back.

Mayor Samora asked for any Public Comments. Being none, he moved on to Item XIII.9 and asked Finance Director Douylliez for her presentation.

9. Review of Long-Range Financial Plan (Presenter: Patricia Douylliez, Finance Director)

Finance Director Douylliez said that she does not have a formal presentation and that the graphs and charts are in the Agenda Books. She said with the economy being so volatile, she attempted to adjust where she could with expenditures/revenues to add in the additional revenues from ARPA and offsetting the expenses. She said that for the Capital Outlay Plan over the next five years she tried to remove the items that were going out as being requested from ARPA funds. She advised that this is the best educated guess that she could make at this time. She said that the City does not have any true revenue to add, and the numbers are based on ten years of data with adjustments based on economic conditions. She said that the one big item that impacted the financials was the change that the State made for the new Impact Fee Fund versus it being in the General Fund. She said that she understands the logic because when the City is balancing the budget, those numbers were inflating the revenue and it is not for the general use for expenses throughout the year and should be used for targeted projects like roads and parks. She advised that it was a challenge to balance the budget without those Impact Fee funds, but it was done this year successfully.

Finance Director Douylliez advised that FY 2022 is significantly inflated due to the projects that the City has this year, such as the weir at \$2.9 million, which revenues offset, coming either from the Impact Fee Fund or the grants that have been received.

Commissioner Sweeny asked if the taxes for revenue are based on keeping the millage rate the same each year and taking into account the increases in home values each year. Finance Director Douylliez advised yes. Commissioner Sweeny asked what percentage of homes in the City are homesteaded. Finance Director Douylliez advised that she would see if the Property Appraiser could provide that information.

Commissioner England said there has been a tremendous increase in property values over the past year and she asked if a consistent increase was used. Finance Director Douylliez advised that it is an average based on a percentage over the past ten years of data. She said that the City had a significant adjustment from the State of Florida for Communication Services taxes and that she has been budgeting lower. She said that last year there was a vendor who was not remitting their taxes and now our Communications Services taxes are increasing, which accounts for some of the change as well.

Mayor Samora said that for FY 2023 and beyond an 8.3% increase was used, however from FY 2022 to 2023 it was 20% and he asked what accounted for it. Finance Director Douylliez said that she would have to go back to the formulas to answer that question.

Commissioner Sweeny asked when to expect the projection from the Property Appraiser. Finance Director Douylliez said she would have it by June 30<sup>th</sup> for the next fiscal year and it would be the last thing added before finalizing the budget and it would be adjusted again before the final presentation in September.

Commissioner George asked if the tax category was for ad valorem and other tax revenue. Finance Director Douylliez advised yes, such as utility taxes, telecommunications taxes, business tax receipts, local option gas taxes, etc. She advised that the utility taxes from FPL have been increasing as well.

Mayor Samora said that everything seems to line up at this point. Finance Director Douylliez agreed and said that there are no new revenue streams, no significant increases in expenditures, and no new expenses from other charges.

Commissioner George asked if there is a way to bolster interest income. Finance Director Douylliez advised that they are in investment accounts, which are secure but very limited. She said the accounts at Ameris and TD banks both lowered their interest rates this year due to ARPA and the CARES Act and are very restrictive and need to be invested safely. She was alerted by a banking partner that an adjustment was coming this month but that she has not found out what that is yet. Commissioner George said that it seems that if the City is running \$13 million it should show a nice interest return. Finance Director Douylliez advised that she argues that point all the time but that it is very restrictive.

Commissioner Sweeny said that the projections show that the expenditures are exceeding the revenue. Finance Director Douylliez advised that it is a budget item. She said that over the past years it has been looked at to increase the non-ad valorem, a proposal for a stormwater utilities tax, and to raise the millage to continue to maintain the level of services that the City provides and cover it with the revenues.

Commissioner Sweeny asked if the projected expenditures are assuming the same level of services and allocation of budget without taking into account any new projects, potential salary increases, etc. Finance Director Douylliez advised that it does not account for any new projects, etc.

Mayor Samora asked about the five year Capital Expenditures. Finance Director Douylliez advised that she massaged the number to try to meet what was listed for ARPA and remove those.

Commissioner George advised that it looked like she was factoring in for the overall expenditure increases over time, because the number go up. Finance Director Douylliez advised that it is based on an average of what has been seen and expenses have been increasing. She said that she did not take into account the amounts or factor this year's inflationary rate (8.4% for March) and that those numbers could be low and would be looked at during budget season.

Mayor Samora asked for Public Comments. Being none, he advised that this was an overview to try to foresee any large projects a few years ahead of time. Finance Director Douylliez said there are none that she is aware of. She advised that it is an old spreadsheet, the budget software might be able to forecast something better, and that it would be based on trends.

Mayor Samora moved on to Item XIII.10 and asked Commissioner England for her presentation.

10. Vision Plan: Review of Draft (Presenter: Commissioner Margaret England)

Commissioner England advised that the Vision Plan was done jointly by her and City Manager Royle. It is a long-term vision of what the City may be twenty years out. She said that pages 1-4 are mainly a backlog of the first Vision Plan and what was/was not done. Page 3 shows what is available in the City's 2 ½ square miles such as five public parks. She said that the purpose is to become a "Smart City"; to enhance performance, optimize resources, reduce waste and consumption. She said that she has been harping on architectural design for commercial buildings, and that in the back of the packet it shows that there is a State law that the City cannot impose requirements on one or two-family residential units but can on commercial. We have some that we need to take a look at so that we do not end up with a bunch of boxes on the street. She advised that she read an article about "Safe and Complete Streets" and that the City is already working on some, such as sidewalks, improved lighting, bicycle safety, etc. She said that the City needs a Master Plan for the parkettes to determine what to do with them, to address the residents' concerns, and to follow through with a plan for SEPAC to create something natural on a parkette. She said that Sustainability and Resiliency would need the biggest input from the Commission as well as the CPZB and SEPAC to recover from emergencies.

Commissioner England recapped the other categories from her presentation and said that this is a first draft, and that she would need input on certain things such as being aggressive with St.

Johns County about the City's visioning for Pier Park to create a more useful area. She suggested to have all the feedback by June 1<sup>st</sup>, 2022, and then come back with another draft. She advised that City Manager Royle suggested that the Vision Plan become the Strategic Plan for future staff and Commissions.

Mayor Samora said that it is an overwhelming amount of work and he commended Commissioner England and City Manager Royle for getting the first draft together. He wanted to look back at the prior Vision Plan from 2006 that this was based, and that Commissioner England helped draft. Commissioner England said that it was primarily regarding Beach Boulevard, and it did not have the additional topics. She advised that it had Pope Road and A Street as Town Centers, and extensive ideas for things such as tiled areas like Vilano Beach. She advised that we are already touching these items and need to keep them in mind to go in the right direction from what we have learned from citizen feedback.

Mayor Samora asked how long the process was in 2006 when using the consultant. Commissioner England said that there were quite a few meetings and a workshop. She advised that they decided to do a first draft and then to determine if the Commission wants to use a consultant.

Mayor Samora said that the timeline was aggressive, it is much larger in scope than what was previously done with a consultant, and he does not want to rush it, but it is needed. He said that he has a copy of the 2006 Vision Plan and that he refers to it several times a year. He said that a good starting point would be to include some of the things that were not accomplished in the 2006 version. Commissioner England said that those are included in Item V.6 on Page 3.

Commissioner Sweeny said that they have done a phenomenal job getting the ball rolling. She advised that she would like to see something included regarding marketing/branding for the character of the City to carry through for the next twenty years and incorporate it into these projects because the City is a very artsy town. Commissioner England said that Events Coordinator Conlon has worked with the Arts Council and all the events have had a theme for the flyers and it could be made more formal.

Commissioner George agreed that branding is important, and it has been talked about over the years. She said that SEPAC has enlisted a volunteer landscape architect who is also talking about branding, and he is driving the idea to use signature plants as the City's branding for the parkettes, parking lots, etc. and she suggested for Ms. Conlon to use the same plants in the logo images. She advised that she is getting feedback from SEPAC that they want more direction about the parkettes because the Commission told them to come up with plans, then there was push back from residents who thought it was going to be parking, which is not the main agenda. She said that she is glad that it is being addressed in the Vision Plan to have a Master Plan for the parkettes so that they can meet that instruction.

Mayor Samora said that he agreed 100%, it was nice to identify it as a Master Plan for parkettes. Commissioner England said that the parkettes need to be budgeted to complete a certain amount each year to improve them.

Commissioner George said that SEPAC wants to make an impact and move forward and not be told later that the parkettes are being changed to a different type of use.

Mayor Samora asked if there was any Public Comments. There were none.

Mayor Samora said that looking at the timeline and the next steps for the Vision Plan, that the scope of it is well beyond what the Commission can handle during Commission meetings. Commissioner England asked for the Commission to review the draft and provide feedback. Mayor Samora said that the next step is a community workshop in June, and the Commission can discuss the results of that. He asked Commissioner England if she wanted to spearhead the

community workshop or form a committee. Commissioner England said that she serves the Commission and the City and would do whatever the Commission wanted. She advised that Commissioner comments and ideas are needed for what is going to be supported, especially parking/shared parking, encouraging retail, and the Master Plan for the parkettes. She advised that the CPZB and SEPAC would be asked to send their comments to City Manager Royle as well so that they can develop a second draft. She said that she did not think they would be ready for a community workshop by June.

Commissioner Sweeny advised that she would like to see as much community input going into the plan as possible. She liked the idea of a theme for the parkettes but advised there might be a lot of feedback about moving the volleyball courts.

Commissioner George said that coming up with a vision for Pier Park has been bounced around. It is not broken, but she questioned whether it is being used at the best capacity.

Mayor Samora asked what you would want to see there in twenty years. He advised to submit the comments to City Manager Royle. Commissioner England advised that staff should also submit comments. She advised that Building Official Law addressed "shared parking" on page 24. She suggested that to encourage retail the City would have to address parking quickly before it loses more commercial property to conditional use permits.

Commissioner Sweeny said there are opportunities to discuss new ways of transportation for the City such as bike trails, golf carts, etc. She said that Salt Life restaurant has been innovative by using their golf cart to pick people up so that they do not have to find parking. She would like for the City to think about that for the future of transportation.

Commissioner England advised to take the next month to submit comments to be incorporated in a second draft, and possibly separate the topics for Commission meetings.

Mayor Samora suggested for the Commissioners to submit their comments to City Manager Royle by the next meeting, to compile a second draft by the July meeting, with a possible community workshop afterwards. He said that this is a big enough project that there may be the need for a committee to be formed.

Commissioner George said that some components could be action items for the future because a committee could address the big items that are sub-items of the Vision Plan. Commissioner Sweeny said that a Vision Plan should be broad in nature and to then develop the tactic that could be the Strategic Plan. Mayor Samora recommended for Commissioner Sweeny to review the 2006 Vision Plan because it is laid out that way. Commissioner George advised that it was never formally adopted but it has always been referenced.

Mayor Samora moved on to Item XIII.11 and asked City Manager Royle for his report.

**11. Hammock Dunes Park: Consideration of Developing a Request for Proposals for a Park Planner (Presenter: Max Royle, City Manager)**

City Manager Royle advised that from the SurveyMonkey survey regarding uses for the ARPA funds, that one of the top six responses was for park improvements. He said that the City is already working on improvements for Ocean Hammock Park and that Lakeside Park is fairly small and has been improved to its maximum. He said that Hammock Dunes Park, which is located north of the shopping center and south of Whispering Oaks subdivision on the west side of the Boulevard, is the only remaining park that the City has no plans or guidance for improvements. He advised that it is owned by the City but was originally purchased jointly by the City and St. Johns County for \$2.5 million with each paying half. The County Commission eventually deeded ownership to the City with the condition that if the City ever wanted to sell it, that the County would have the first right of refusal. Since then, the City Charter has been amended so that the selling of City park land

requires a four-fifths vote by the City Commission plus a referendum by the citizens, which is unlikely to ever be approved. He advised that it has a unique topography which can be seen on the aerial that shows its dimensions, such as the high point of 36 feet above sea level. He pointed out that there are wetlands through it as well. He advised that if the Commission is interested in doing something with the park that there are ARPA funds available. He said that the citizens have requested to improve City parks, and this is the one park that needs long-range planning for improvements. He advised that if the Commission gives approval for a Request for Proposals (RFP) for a park planner, that he would want Commission guidance on the scope of work because the land is unsuitable for certain activities without a lot of adjustments. He said that the City would need a park planner that is skilled in developing unique/topographically challenged parks to create passive recreation such as a walking trail and possibly a parking area, which would need expert advice due to the contour next to the Boulevard with a 25 foot elevation. He advised that maybe there could be parking to the south side with an easement from Regency Centers, which owns the shopping center. He said that his request would be that the Commission allow for an RFP and to limit the scope of work to passive recreation only. The park should be left as natural as possible, have a good buffer between the Whispering Oaks subdivision, the City would fence the northern boundary, etc.

Mayor Samora said that there are some residents here that may wish to speak, and he opened Public Comments.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, said what was done across the Boulevard is great; he occasionally sees deer, fox, and gopher tortoises in the park and that is why he is against making any more changes to the walkway in Ocean Hammock Park because it would be disruptive to the animals; suggested to follow City Manager Royle's advice; has picked up a lot of trash across the street; not a fan of the walking trails because of snakes and likes walkways to keep the kids from going off the path.

Bobby Crum, 301 Spanish Oak Court, St. Augustine Beach, FL, said his house backs up to the park; there are drainage issues; the rooftop water from Regency Center goes into the park; very unique with a very high dune with wetlands; Whispering Oaks has issues with water; not in favor of fencing because it is a corridor for the amazing wildlife and fencing would hinder them from movement; would volunteer to be on a committee; the park is a wise investment and to keep it preserved is important.

Mayor Samora appreciated all the great comments. He asked for any Commissioner comments.

Commissioner England advised that she and City Manager Royle talked about beach access. The southern part of the City has so many access points, but the residents farther south do not have a direct walkthrough to the beach. She said that this might be an opportunity to look at easements to connect to the walkway to give residents from State Road A1A access to the beach. She said that she would like for the planner to add that as part of the development.

Commissioner Sweeny asked how much a planner would cost. City Manager Royle said that he would not know that until after receiving the RFP responses. Mayor Samora advised that the RFP does not cost much, needs very little staff time, and would provide the Commission with needed information.

Commissioner Sweeny said that residents have asked about biking trails in that park.

[An audience member spoke away from the microphone, and nothing could be retrieved for the minutes.]

Commissioner George said that she was going to bring that up as well. She said that the Moses Creek Water Conservation area has biking/hiking trails that were developed by volunteers,

including the owners of the bike shop that used to be in the Publix plaza and they had said they would be willing to assist the City if it ever decided to develop bike trails. She said that it would accommodate the option of providing beach access to the residents of Pyrus Street, Magnolia Dunes Circle, Serenity Bay, etc. She questioned how much park planning would really be needed for something that is going to have as minimal impact as possible. She said all the City needs to know is whether to have parking and where to put it, determine the paths, etc. and she questioned if it could be done in-house before spending the money to hire a planner.

Mayor Samora said that his opinion is that because of the uniqueness and how small it is, that the need is greater for a professional planner to make sure to not disturb it and continue to enjoy the wildlife. He said that he is interested to find out how much it would cost and to narrow down the scope of what the City wants and/or does not want is important. He said it would be worth doing the RFP to at least see what comes back.

Commissioner England agreed with doing an RFP with limited scope and maybe to try contacting those volunteers to see if they are interested.

It was the consensus of the Commission to create an RFP with a scope to include:

- Consideration of wildlife and migration
- Safe pedestrian trail, and possible bike trail
- Access for residents on the south side of SR-A1A
- Parking

Commissioner George advised that at one point the owners of the old TD Bank had expressed willingness to allow access from the back side of their parking lot, but she does not know who owns it now. She said that it is important to keep the buffering for the community and any impact should be on the southern side and keep the greenway for the wildlife on the north side which is also close to Ocean Hammock Park.

Mayor Samora moved on to Item VIII.12 and asked City Manager Royle for his presentation.

12. 2022 Election: Discussion Whether City has Referenda Topics for Voters to Consider (Presenter: Max Royle, City Manager)

City Manager Royle advised that an election is coming up and that he provided information from Vicky Oakes, the Supervisor of Elections, with the timetable she needs for anything that the City wants to propose. He reminded the Commission that in 2023 the City is due to have a Charter Review Committee formed to do a ten year review of the City Charter, so 2024 might be the time to have a referendum for any Charter changes. Commissioner George said that the City would be taking up ballot space at that time and anything that is not a Charter amendment that the City wants considered as a referendum item should be done now while there is space. City Manager Royle said that the City Attorney would have to review the Charter and there may be parts that can be changed by a simple ordinance versus a referendum. He said that he and Finance Director Douylliez have talked about the former city hall/St. Augustine Beach Hotel and the possibility of two questions: 1) do you approve protecting/preserving the building, if yes; 2) do you approve taxing yourself millage for however many years to raise money to accomplish it. There is a \$500,000 grant to improve the exterior of the building but nothing yet for the interior of the building. He said that he has read reports that there could be a recession coming and the State might not have any grants for historic buildings at that time. He suggested to not ask that question in 2022 because it would need more research.

Mayor Samora asked if staff has any recommendations for a referendum at this point. City Manager Royle said he did not have any. Commissioner England suggested underground utilities.



City Manager Royle said that if the one cent sales tax passes, the City would have a revenue source to set aside a certain amount each year to underground the utilities and after two to three years there would be enough money to do it. He said that Pinellas County has done it because they have an additional sales tax called "A Penny for Pinellas" and many cities use that additional tax. He suggested to wait and see what the voters decide this November.

Commissioner Sweeny advised that it could be a risk asking for a funding item when there is already another tax, and that people may say "no" to both.

Commissioner George asked if the undergrounding of utilities would also be required to be on one of the ballots. City Attorney McCrea advised that he did not believe that it would. City Manager Royle agreed that it would not need to be on a ballot because the Commission could decide to underground utilities.

City Clerk Fitzgerald said that she believed that the City Manager forwarded to the Commission a list of new laws that the Legislature has just passed and that one of the bills was that tax related referendum items must now be on the General Election ballot as of July 1<sup>st</sup>. City Manager Royle advised that he interpreted that as asking the residents to tax themselves, which would automatically have to go on a referendum, but he did not believe it would be necessary if you ask taxpayers to approve paving streets using sales tax money. He advised that the City Attorney would need to interpret it. City Attorney McCrea advised that he would agree with that, but that he would research it.

Commissioner Sweeny asked if the City is asking the taxpayers to approve a revenue source. City Manager Royle said no, that if the voters approve the sales tax increase, then the City gets \$1.4 million.

Commissioner George said that the Commission could use the new revenue stream and would dedicate it, but it would not bind the hands of future Commissions. She said that that money would likely not be available and could be reallocated. She said that it would have to be on the General Election ballot.

Commissioner Sweeny said that she believed that there was a local infrastructure surtax option in the statute that could be levied. City Manager Royle advised that he did not believe so. Commissioner George advised that she did not believe that municipalities could levy it. City Attorney McCrea said that he would research it.

Commissioner George asked whether there is a way to create a district category of an assessment for a different purpose. City Attorney McCrea advised that he would need to get with City Manager Royle, field questions, and do research on it quickly.

Commissioner George advised that she did not want to hold off just because the sales tax item is going to be on the ballot. Mayor Samora agreed and said that it would need to go farther than just asking to approve spending the money in principal because the in-house survey showed the residents interest in undergrounding utilities.

City Manager Royle advised that if the City is going to ask the residents to approve undergrounding utilities, the City would need to provide them with good information. He said that there would be individual costs for each residence/business, easements would have to be provided, and the City is not prepared to put that on the ballot this year.

Commissioner George said, "never say never", and to consider breaking it down functionally such as presenting it with a proposal for up to a quarter of a mill to be set aside. She advised that the City would need to hire specific people to head the project, get the easements, and that the City would not be looking to break ground for at least seven years. She said that it does not mean that the City cannot get approval now for a certain amount on an annual basis to be levied later when

the City is ready. City Manager Royle advised that normally you would tell the voters that the tax would be levied for a certain amount of years and the longer it is stretched out before using the money would shorten the time to collect it before it expires.

Commissioner Sweeny asked if it is possible to be that ambiguous about the amount of the millage on a ballot question. City Attorney McCrea said that he believed that the City could be ambiguous, but that he did not recommend it because it may make voters angry.

Commissioner George said that the City could come up with a ballpark figure needed for seed money for the design, the staff, the research, etc., and put it in the millage to generate that amount. She said that staff could advise on the appropriate phasing of it to make it doable and define how much money is needed to get to a certain point. City Manager Royle said that since FPL owns it, they could possibly come speak about it.

Commissioner George advised that there are other nearby cities that have done it and the City should find out what they did to fundraise. City Manager Royle said that he did not know of a nearby community that has done it. Mayor Samora said that Pinellas County did it and he asked for the City Manager to reach out to them. City Manager Royle asked if the Commission only wants to underground utilities on the Boulevard or the neighborhoods too. Commissioner George advised that it is most important to underground utilities on the Boulevard.

Mayor Samora asked what the deadline is for getting something on the ballot. City Manager Royle said that the deadline for the November election is August 5<sup>th</sup> and that normally a referendum item is done by an ordinance which would need to have two readings. He advised that the August Commission meeting is August 1<sup>st</sup>.

Mayor Samora said that he has sensed that this is something that the Commission wants to take seriously. Commissioner George said that if it ends up that it waits until 2024 that she does not want to hear that it is not possible. She said that she would be happy to do legwork and get the answers needed but would need guidance.

Commissioner England advised that when she attended a Florida League of Cities seminar that there was a city that did the whole project, and the Florida League of Cities may have some examples of referendum questions. She also suggested checking with those cities that have done it. She said that she believes they may have started with a general question without the specific costs narrowed down. She suggested to put the amount of the tax and the revenue and itemize what it would be used for.

City Manager Royle suggested to wait to see if the voters approve the additional one cent tax and then the City would not have to go to the voters for levying an additional tax. Commissioner England said that Commissioner George was concerned about how to tie it down. City Manager Royle advised that the City Attorney would research it.

Commissioner George asked if the City Attorney was suggesting that there is a way to restrict the sales tax funds to be used for a specific project by using a referendum or some other means. City Attorney McCrea said that he is going off of conjecture right now and would like time to research it before he advises the Commission.

Mayor Samora asked if there were any Public Comments.

Michael English, 115 F Street, St. Augustine Beach, FL, he wrote a book about 30 years ago called Best Practices Benchmarking which applied to industry; the last 15 years, city and state governments have been using it; other cities have solved the same problems that this City is trying to solve; suggested to do quarterly exchanges with other cities to see how they solved a problem as well as which cities not to replicate.

Commissioner George suggested to have an update next month, that she would do some digging as well, and staff could come up with ideas. Mayor Samora advised that there is enough push from the Commission and the residents and to keep this on the radar.

Mayor Samora moved on to Item XIV.

#### XIV. STAFF COMMENTS

City Attorney McCrea advised that he has been speaking with staff this week and that he going to start having office hours so that he is more accessible during the week.

Chief Carswell advised that the Bike Rodeo went well, and 7-Eleven has been a fantastic community partner for the Police Department by supplying pizza, slushies, etc. and is a great asset to our City. Mayor Samora asked if the Police Department is fully staffed. Chief Carswell advised that one officer just left to work for Epic Behavioral.

Public Works Director Tredik advised that his department is going to be down three employees shortly and that he is encouraging people to come on board. He said that it is a struggle when the department is down. He said that there are four lots on 2<sup>nd</sup> Street that he is trying to get the easements for the underground utilities and that the western block has everything it needs now. He advised that the eastern block may get one more and that he has done a second round of mailings and would do a third round at the end of the week which may be certified/signature required. He is pushing to get it done but it is still four easements short. Commissioner England asked if there was anything new on Versaggi. Director Tredik said no and that he reached out to a consultant to get an engineering study and has not heard anything yet.

Building Official Law advised that his department issued the Certificate of Occupancy to Jack's Brewery several weeks ago. Commissioner George said that they have a good beer there called Brud-light.

Mayor Samora advised that he plans to highlight new businesses at the legislative breakfast.

City Manager Royle said that he and Director Tredik went to Flagler Beach to see the new glass crushing machine for its inaugural demonstration. He advised that he would revisit them in about three months to see how it is going. He said that Director Tredik had preliminary figures for how much glass the City might crush, its value, etc., and that the City might have more crushed glass than it could use which really has no market. He said that he noticed that Flagler Beach has no chain motels or restaurants, and they are really the Florida from the 1950s. They have a proposal for a new motel which is causing concern from the residents. He said that they also have had a dilemma with their July 4<sup>th</sup> fireworks show and may not be able to have it again. He advised that he checked with Fireworks by Santore, and the City is on their agenda for the New Year's Eve show.

Mayor Samora asked what Flagler Beach does with the crushed glass if there is no market for it. City Manager Royle said that they did not have much of a quantity at the time and were just giving a demonstration of the machine. Director Tredik advised that they had some ideas such as fill material, selling it to potential vendors, etc., and that over the next few months would determine if those ideas would work. He advised that if the City crushed all the glass coming in that it would have more than it could use. He said that if Flagler Beach is successful that it might be an option, but the question is how to collect the glass. He said that it would have to be uncontaminated and would probably need a drop-off location.

Commissioner Sweeny said that she recently had a conversation with Mr. Todd Grant from the City of St. Augustine and that they are looking into a glass program and that there might be a potential to partner with them. Director Tredik said that he spoke to Mr. Grant several months

ago and when he is ready to go that he would communicate more. City Manager Royle said that Flagler Beach's machine cost \$200,000, which is significant.

Mayor Samora said that the Commission will meet again June 6<sup>th</sup>; City offices will be closed for Memorial Day on May 30<sup>th</sup>; there is a beach cleanup May 14<sup>th</sup> and to contact Ms. Conlon to sign up; SEPAC meets May 5<sup>th</sup>; CPZB meets May 17<sup>th</sup>.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

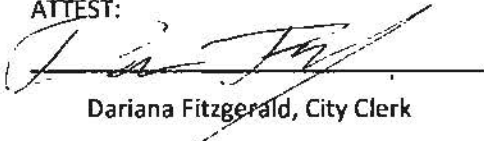
**Motion:** to adjourn. **Moved by** Commissioner George, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Mayor Samora adjourned the meeting at 9:03 p.m.



Donald Samora, Mayor

ATTEST:



Dariana Fitzgerald, City Clerk

## SAVE BEACH BOARDWALK IN OCEAN HAMMOCK PARK

I SUPPORT PRESERVATION OF OUR BEACH BOARDWALK. **DO NOT REMOVE OR RELOCATE THE OCEAN HAMMOCK PARK BEACH BOARDWALK EVEN IF ALTERNATE BEACH ACCESS IS PROVIDED.** Our tax dollars were used to purchase and develop this Park, to secure **equal access** to the education of experiencing the varied ecosystems between the beach, dunes, wetlands and inland areas of Anastasia Island. **All sections of our public park must remain accessible for ALL.**

I object to the small group of wealthy, Sea Colony residents who want to privatize a huge section of the park by having the boardwalk removed or relocated. When the boardwalk was first developed, Sea Colony residents and all other affected owners approved it! At the time, some Sea Colony residents wanted it close to their border to provide more convenient access for them. Today new Sea Colony investors (who bought knowing the boardwalk is there) want it moved – individual owners' preferences will always be changing and should not guide the City's decision; the whims of owners from year to year will always vary!!!! **OUR PUBLIC PARKS ARE NOT PRIVATE PROPERTY.** Please save our boardwalk; it was there before those few sea colonists who now ask you to adopt their "not in my backyard" agenda. Please keep ALL sections of our park accessible for all and just say NO to the "NIMBY" agenda. **DO NOT PRIVATIZE OUR PUBLIC PARKS!**

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Exhibit A  
Date 5-2-2022

Date: May 2, 2022

Subject: **Propose Commission ask City Manager to Evaluate and Propose within 60 Days the Expansion (Above 100) and Improve Administration over City Ordinance 3.09 for Vacation Rentals**

According to City Clerk Dariana Fitzgerald, city ordinance 3.09 was approved by the city commission on May 7, 2008, and it provides for not more than 100 establishments be allowed within **medium density zoned residential districts as more than one a month vacation rentals. Medium density residence and commercial zoned properties had already been established within 300 feet of A1A Beach Blvd. Once approved, the 100 are required to obtain a business tax receipt and are subject to audit.**

**Per ordinance 3.09, to be approved as one of the 100 residences priority is required by the date of application but 3.09 is silent about what the application and approval processes are for becoming one of the 100.**

**So, in practice, the city zoning department has a position named code enforcement officer who along with city clerk (tax receipts) administers processes involved with the approved 10intains0 list and the list of pending applicants. In fact, as city tax receipts are received, it appears that the city clerk maintains the official list of the approved 100.**

As of May 2, 2022, according to the code enforcement officer there is a list of only eight (8) people on the stand-by list and whereas the practice has been to have a list of ten (10), Mr.

Exhibit B-1  
Date 5-2-2022



Timmons says that by action of city officials, the list has been frozen at eight. Furthermore, on April 29, 2022, the city manager indicated he knew of no such action to freeze the list at eight

Below is the list of the pending applicants as of May 2, 2022:

1. Miller Joint Trust, 3 A Street\_\_\_\_\_ Date 9/15/19
2. Jereme Sherman, 9 E Street\_\_\_\_\_ Date 6/20/19
3. Edmond George, 216 10<sup>th</sup> Street\_\_\_\_\_ Date 6/19/19
4. Lynn Jenson, 6 – 6<sup>th</sup> Street\_\_\_\_\_ Date 8/16/19
5. Valerie Patol, 7 – 9<sup>th</sup> Street\_\_\_\_\_ Date 5/1/20
6. Marcia Media, 850 NW 12<sup>th</sup> Ave\_\_\_\_\_ Date 6/6/18
7. Patrick Boyan, etc, 201 B Street\_\_\_\_\_ Date 1/29/21
8. Upchurch Organ, 2 – 13<sup>th</sup> Street\_\_\_\_\_ Date ?

As you would expect, the list needs to be periodically audited and purged for those citizens who have sold their property, have a process for transferring property ownership, for those who have become deceased and to ensure that those on the list have up-to-date tax receipts.

The last audit was conducted in March 2022 and as a result one was dropped from the 100 and one moved from the wait list to the 100.

It is easy to see that citizens are being prevented from getting on the stand-by list and for the eight that finally made it, it could easily be over five years, if then, that they might be able to get on the 100 list. It seems like 100 is not enough, given the residential growth of SA Beach the past 10 years.

Exhibit B-2  
Date 5-2-2022

Meanwhile, city leaders (city clerk, city attorney, etc.) seem reluctant to modify 3.09 because of possible clash with Florida Statute 509.032(7)(b) which went into effect July 1, 2011, and limits cities from restricting vacation rentals. The fear seems to be that modifying 3.09 might jeopardize the grandfathering the zoning already in place (commercial versus residential medium density) before the state statute went into effect in 2011. The feared example is what has happened to the city of Saint Augustine.

Therefore:

1. the citizens of SA Beach are being denied access to a fair and equitable process for gaining access to the list of 100,
2. the existing process is inadequate for applying, approving, and getting access to the 100;
3. There is a persuasive argument that the list of 100 be expanded to 125 to 200 range. Since 2008 there has been enough growth in tourism to warrant expansion. Yet just how much of an expansion needs study.

**For these reasons it is proposed that the commission ask the city manager to evaluate and make proposals within 60 Days to expand (Above 100) and improve administration over city ordinance 3.09 for vacation rentals. Today, no city official so far can so far identify a better way to consider and initiate the improvements needed.**

*Michael J. English*

Exhibit B-3  
Date 5-2-2022



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Exhibit B-4  
Date 5-2-2022



durable  
 design  
 made of stainless  
 steel and acrylic

C-1

Date S-2-2027



Exhibit C-2

Date 5-2-2022