



AGENDA

**REGULAR CITY COMMISSION MEETING
MONDAY, NOVEMBER 14, 2022, AT 6:00 P.M.**

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

NOTICE TO THE PUBLIC

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

RULES OF CIVILITY FOR PUBLIC PARTICIPATION

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

"Politeness costs so little." – ABRAHAM LINCOLN

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **APPROVAL OF MINUTES OF THE SPECIAL BUDGET MEETING ON SEPTEMBER 26, 2022, AND THE REGULAR COMMISSION MEETING ON OCTOBER 3, 2022, AND THE JOINT VISION PLAN WORKSHOP ON OCTOBER 5, 2022**
- V. **ADDITIONS OR DELETIONS OF THE AGENDA**
- VI. **CHANGES TO THE ORDER OF TOPICS ON THE AGENDA**
- VII. **PRESENTATIONS**

Ms. Janel Finley, Public Affairs Specialist, U.S. Small Business Administration, Regarding Financial Aid Available to Businesses, Homeowners, Renters, and Non-Profits Affected by Hurricane Ian
- VIII. **PUBLIC COMMENTS**

IX. COMMISSIONER COMMENTS

X. PUBLIC HEARINGS

1. Resolution 22-15, to Discuss and Adopt a Stormwater Utility Fee (Presenter: Bill Tredik, Public Works Director)
2. Resolution 22-16, to Discuss and Adopt a Non-Ad Valorem Assessment for Solid Waste Collected from Vacation Rentals (Presenter: Bill Tredik, Public Works Director)
3. Resolution 22-17, to Discuss and Adopt a Non-Ad Valorem Assessment for the Connecting of Private Buildings to Underground Power Lines (Presenter: Bill Tredik, Public Works Director)

XI. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

4. Resolution 22-14, to Amend Section XII.4 of the Personnel Manual to Require All Non-Salaried Employees to Use Time Sheets for the Recording of Work Hours
5. Budget Resolutions:
 - A. 22-15, to Adjust Funding from the American Rescue Plan Act
 - B. 22-16 and 22-17, for Adjustments to the Fiscal Year 2022 Budget

XII. OLD BUSINESS

6. Ocean Walk Subdivision Drainage Improvements: Update Report (Presenter: Bill Tredik, Public Works Director)
7. LED Streetlight Conversion: Approval of Phase 3 Contract with Florida Power and Light (Presenter: Bill Tredik, Public Works Director)
8. Code Enforcement: Continuation of Discussion of Request to Hire Second Code Enforcement Officer (Presenter: Brian Law, Building Official)
9. Ordinance 22-13, First Reading, to Vacate Alley between 1st and 2nd Streets, West of 2nd Avenue, Block 32, Chautauqua Beach Subdivision (Presenter: Jennifer Thompson, Planner)
10. Memento of City: Review of City Coin (Presenter: Max Royle, City Manager)
11. Resolution 22-13, to Amend the City Commission's Policies and Procedures Manual Regarding When City Commission Meetings are to End (Presenter: Max Royle, City Manager)

XIII. NEW BUSINESS

12. 4th Street between 2nd Avenue and A1A Beach Boulevard: Consideration of Assessment to Pay for Paving and the Undergrounding of Power Lines (Presenter: Max Royle, City Manager)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **HOLIDAY**. It is Veterans Day, Friday, November 11, 2022. CITY OFFICES CLOSED. There will be no change to the schedule for pickup of household waste and recyclables on Friday.

2. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will not meet in November because there are no topics to be decided.
3. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE.** It will hold its monthly meeting on Thursday, November 17, 2022, at 6:00 p.m. in the Commission Meeting Room at City Hall.
4. **HOLIDAYS.** They are Thanksgiving Day, Thursday, November 24, and the day after Thanksgiving, Friday, November 25, 2022. CITY OFFICES CLOSED ON BOTH DAYS. There will be no pickup of household waste and recyclables on Thursday, November 24th. Residents scheduled for pickup on Thursday will have service on Friday, November 25th, along with Friday's scheduled pickup.
5. **BEACH ART WALK.** It will be held on Saturday, November 26, 2022, from 2:00 p.m. to 7:00 p.m. Artists will have displays at various locations along A1A Beach Boulevard from Pope Road to A Street.

NOTE:

The agenda material containing background information for this meeting is available on the City's website in pdf format or on a CD, for a \$5 fee, upon request at the City Manager's office.

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

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

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager 

DATE: November 3, 2022

SUBJECT: Request for Addition to Agenda: Approval to Transfer High Water Vehicle to the City of St. Augustine Fire Department

Several years ago, Sheriff Hardwick when he was Police Chief acquired the vehicle as a military surplus item. However, despite several tropical storms/hurricanes since the City owned the vehicle, it hasn't been used by the Police Department. Attached is a letter from Mr. John Regan, St. Augustine's City Manager, requesting that the ownership of the vehicle be transferred to his city. Our City's Police staff supports this request.

Because we didn't receive Mr. Regan's request until after the topics for your November 14th meeting had been numbered and copied, we ask that you add the request to the Consent Agenda and approve the transfer of the vehicle to St. Augustine.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: LMTV VEHICLE
DATE: 11/3/2022

The police department has requested that the Commission approve the transfer of the LMTV (High Water) vehicle to the City of St. Augustine Fire Department. This vehicle was originally approved to be listed as surplus in 2020 and scheduled to be transferred to the St Johns County Sheriffs Office, however, the paperwork was never completed. The City of St. Augustine Fire Department has expressed an interest and need for this vehicle and would like to have the vehicle transferred to them as soon as possible. Please see the memo from Commander Harrell regarding this transfer.

If there are any questions, please let me know.



St. Augustine Beach Police Department



TO: Patricia Douylliez, C.F.O.

FROM: Assistant Chief T.G. Harrell

DATE: 10/18/2022

SUBJECT: LMTV (High water rescue vehicle)

To Whom It May Concern,

Please let this memo serve as a notification that the St. Augustine Beach Police Department will transfer ownership of the vehicle, commonly referred to as LMTV vin # AT00975BDFG title # 135367367 to the City of St. Augustine Fire department as soon as is practical.

Thank you

Travis Harrell

Asst. Chief, St. Augustine Beach Police Department

2300 A1A S

St. Augustine, Fl 32080



CITY OF
ST. AUGUSTINE
EST. 1565
NATION'S OLDEST CITY

Mr. Max Royal, City Manager
City of St. Augustine Beach
2200 A1A South
St. Augustine, FL 32080

October 31, 2022

Dear Mr. Royal,

The working relationship between our cities has continued to grow over the years. Our firefighters and police officers routinely work together to assist citizens in need.

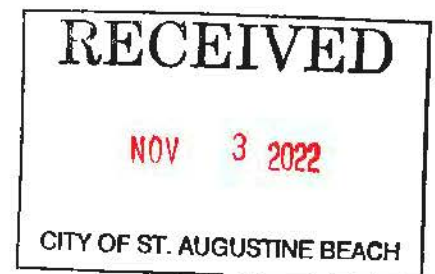
Nothing has demonstrated this more than the preparation and response to hurricanes. Four named storms have impacted our area over the past six years. During three of these storms, using your LMTV (Light Medium Tactical Vehicle) allowed our Firefighters to access flooded vehicles, homes, and businesses. During Ian, they were able to rescue 19 victims from storm waters, many of them with the assistance of this vehicle.

Each time we have used the LMTV, it has required a moderate amount of repair and maintenance for it to be operational before use. If the City of St. Augustine Beach were to transfer ownership of this LMTV to the City of St. Augustine, we could ensure its immediate operational readiness. Our Urban Search and Rescue Team would operate out of the vehicle during times of disaster and would be available to the City of St. Augustine Beach as needed.

Please let us know if this requested transfer of ownership is approved.

Thank you,


John Regan
City Manager





MINUTES

SPECIAL CITY COMMISSION MEETING

MONDAY, SEPTEMBER 26, 2022, AT 5:01 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 5:01 p.m.

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor Donald Samora, Vice Mayor Rumrell, 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, and Public Works Director Bill Tredik.

Mayor Samora advised that this would be a special meeting to adopt the millage and budget for FY 2023, but asked the Police Chief and City Manager for updates regarding preparations for the approaching storm. City Manager Royle advised that Public Works started preparations before the weekend by making sure the vehicles are fueled. Finance Director Douylliez advised that this should strictly be a budget meeting to address the millage and the budget first and that the storm preparations could be addressed afterwards.

IV. ADOPTION OF FISCAL YEAR 2023 BUDGET

Finance Director Douylliez advised that at the September 12th budget meeting, the Commission decided on 2.45 mills and 0.50 for the debt millage. She pointed out that the rollback rate was 2.2009 before moving forward with budget discussions. She said that there are two primary options for the budget. She said that during the September 12th meeting there were comments by Police Department employees regarding pay but that no clear direction was given from the Commission. She advised that the City's department heads met and that page 9 in the budget packet is a brief summary of the things that are targeted to meet and accomplish what the Police Department pointed out at that meeting. She said that our sister city and County partners have starting pay at \$52,000 for police officers, which would put the City below that rate, and we would struggle to recruit. She said that bringing the bottom officers up to \$52,000 would address that issue and that a step increase should be looked at for the remainder of the staff to reward for job performance in addition to the 5% COLA that is in the budget. She advised that one way to meet that goal is to lease two vehicles instead of purchasing them for \$100,000, which would leave \$30,000 in the budget and \$70,000 in savings. In FY 2022 we received an allocation \$143,000 to increase pay, do bonuses, and do mid-year pay adjustments, which left \$45,000 in Reserves. Bringing that \$45,000 into FY 2023 and making other adjustments such as deferring the \$5,000

leaf and litter vacuum to a future year, adjusting the Building Department's revenue to cover its share of increases at \$8,000, and other small changes to cover the remaining \$8,100. She said that those adjustments of \$136,329 would accomplish meeting the request of the Police Department to bring the lowest paid officers up to the starting pay with our sister city and County and also reward the rest of the staff with a step plan of 2.5% to 3%. She said that those adjustments could be easily made and that she has ordinances that would cover making budget adjustments if that is what the Commission decides. She advised that this is at the will of the Commission to either stay with what was presented on September 12th or make this budget change.

Mayor Samora thanked Finance Director Douylliez for giving the Commission some options to address the feedback from the last meeting.

Commissioner Sweeny asked if the \$70,000 savings for the leasing of the vehicles was just for one year. Finance Director Douylliez advised that it is for one year and that GASB (Government Accounting Standards Board) requires us to put \$100,000 to purchase it and if we lease it, we have to match that full \$100,000 in revenue as debt proceeds and record the actual expense of \$30,000 for a one-year expense. Commissioner Sweeny said that it would be \$30,000 for one year and we would have \$30,000 the following year. Finance Director Douylliez said yes, for several more years. Mayor Samora asked what the term of the lease is. Finance Director Douylliez said that they are five year leases. Mayor Samora asked if the \$70,000 would be spread over the following four years. Finance Director Douylliez said that it is a one-time adjustment for this year only. Commissioner Sweeny asked if the City would end up paying \$50,000 instead of \$100,000. Finance Director Douylliez advised that there would be interest to pay and that the first year has closing fees, etc., but that it could go down. She said that she does not have those numbers because we are not purchasing until after the budget is approved. Mayor Samora said that basically the expense gets spread over four years. Finance Director Douylliez said yes, and that the City has leased over the past three years off-and-on. Commissioner Sweeny asked if the City leases other police vehicles. Finance Director Douylliez said that the City has been leasing for about three years and was going to try to get away from doing it this year, but it is one area that we can find a large amount of savings.

Mayor Samora asked if there were any further questions. He said that there would be some expenses that would carry forward with the leases. He said that he does not like that the City is using the one-time ARPA Funds and that we would have to find that money again next year. Finance Director Douylliez advised that that money was already allocated in the FY 2022 budget, and it would carry over and roll back into ARPA, which would go towards funding it this year but that ultimately these pay raises would need to be funded forever.

Commissioner Sweeny said that she appreciates staff bringing this proposal, but that she has concerns for using a one-time fix to fund salary increases. She said that this year the City is fortunate to have available revenue because of the increase in home values but that it probably would not increase 11% next year. She said that she has concerns for next year's budget based on home values not increasing as much and the City not having as much revenue. Mayor Samora agreed.

Commissioner England said that having our starting salary less than the sister city and the County puts us at a disadvantage and that the residents really care for the Police Department. She said that the other option is the millage rate that could be used, but that was already reduced from 2.50 to 2.45.

Mayor Samora said that it could be covered this year but that he has concerns going forward and that everyone needs to be aware that the salary increases are not going away. He said that at some point they would need to be covered from the millage or the General Fund. He advised that he had a brief conversation with the Sheriff who said that there is something that happened

statewide and minimum salaries for police departments went up in certain counties, which caught him by surprise, and he had to ask for more money to raise the minimum salaries.

Commissioner Sweeny asked how much of the \$136,000 would be going towards raising the starting pay for the Police Department. Finance Director Douylliez advised that approximately \$9,000 per police officer and she believed there were seven officers. Commissioner Sweeny said that \$63,000 is just to raise the minimum. Finance Director Douylliez said yes plus the additional Florida Retirement System (FRS), payroll taxes, etc. that would be compounded.

Commissioner George asked what it would reflect for the other positions because the Commission had already decided to do a 5% raise and now this would be in addition, and she asked what it would equate to. Finance Director Douylliez advised that there is an overall increase of 5% in the original budget and that based on the position it could be between a 2.5% to 3% raise for the step plan. Commissioner George asked for clarification of the starting salary of \$52,000 vs \$54,600. Finance Director Douylliez advised that it is because the officers work 84-hours every two weeks. She said that it is \$52,000 per year/\$25 per hour and that their shift work includes the extra four hours per pay period, which totals approximately \$56,000. Commissioner George asked if it was comparable. Finance Director Douylliez said yes, it is supposed to be \$25 per hour, which is what this is based on, and that the City has 84-hour shift work, and she believed that both the sister city and the County are 80-hours every two weeks. Commissioner George said that is important information because it is not quite the same. Finance Director Douylliez said that is why she asked for their hourly rate because if the Chief decides to go back to 80-hours that it would still be comparable. Commissioner George said that at least we are providing greater opportunity with a few extra hours a year.

Commissioner Sweeny said that she believed that at the last meeting she made comments of providing flexibility within that 5% and not an additional increase or to allocate some money for merit to reward the high performers. She said that this is across the board and does not address merit. Finance Director Douylliez said correct, but that the step program is basically for merit. She said that a low performer may not receive a full step plan. Commissioner Sweeny asked if that was calculated into this. Finance Director Douylliez said that it is calculated at 100% because she does not have access to the individual managers to say how many of their staff would get 25%, etc. She advised that the managers could speak for their individual departments because they are the ones that assisted with developing this as an option.

Mayor Samora said that he would like to know if Chief Carswell feels like this addresses the concerns of his department. Chief Carswell said that he believed that it does address the starting pay, which has been an issue. He said that one of the officers spoke about it last month and that this amount of money is important to them and would help a lot. He said that the Finance Director has worked really hard to find a solution and that it should not just be about the Police Department and that all employees should be included.

Mayor Samora asked Director Tredik for his comments. Public Works Director Tredik said that the way the budget is proposed would help to maintain a full department and that it has been a challenging year even at \$15 per hour. He would hate to go back to having three vacancies in Public Works and that this storm coming is a perfect example of why we need to stay at full staff. He said that there are no scheduled vacations this week to be able to be on standby after the storm. He said that he recommends the proposed budget and if not, that the City would be struggling to keep staff again. City Manager Royle advised that he agreed with both the Finance Director and the Public Works Director.

IT Manager Anthony Johns said that this is not the first time that the Commission has heard him say that he is having a hard time retaining staff. He said that he has been notified by IT Specialist Nelson that he may not stay because of the pay and that Mr. Adams has left the IT Department.

He advised that he is trying to hire new employees, but that the job is posted at around \$41,000 and that people want upwards of \$90,000 a year, or the applicants are unqualified. He said that it is not just a Police Department issue because all departments are having the same issue, and this is a positive solution, which is a minimal amount to resolve it.

Commissioner England asked to go over the step increase again. She said that she understands that the budget would be adjusted for FY 2023 immediately and that she needs more detail about the step increase. Finance Director Douylliez advised that this proposed change would be a step increase for all other positions between 2.5% and 3% depending on the position. She said that all general positions for City employees are based on twenty steps with a beginning range and an ending range, which is divided by twenty and that each step goes up proportionately 2.5% to 3%. She said that the Police Department has fifteen steps with their beginning and ending ranges divided by fifteen. She said that theoretically each employee should increase by one step each year based on their number of years with the City and their performance. She advised that the current budget does not include any step consideration, it includes a 5% COLA but at this time COLA is over 9%. She said that this is just raising the starting pay to be competitive in the marketplace and it does not take into account employee performance. She said that the amounts provided are the total amounts for everyone to receive their full step and for the lowest paid officers to go to \$52,000 per year/\$25 per hour.

Mayor Samora said that the step increase is in the budget for everyone to receive at manager's discretion and he asked when those adjustments would be made. Finance Director Douylliez advised that for those employees receiving a step increase that it would be based on their prior year's performance and would go into effect October 1st, 2022. She said that if further details are needed that the budget could be approved, and the additional information could be obtained and implemented later in the year. She said that she has hesitation about doing a pay study because those studies are typically a year or two behind and would not provide a true picture. She said that she is looking at several months before she could even start asking for the information, which could be a mid-year preparation to look at.

Commissioner George asked if the adjustment to add an additional payout on pages 10 and 11 included the 2.5% to 3% step. Finance Director Douylliez advised that it is adjusting it with the added step level. She said for example, the Police Department has several vacancies with \$25 per hour in the right column and \$54,600 annually with the changes of the full step or the adjustment for the Police Department. Commissioner George asked if the managers' merit decisions have already been made. Finance Director Douylliez advised that this is fully loaded with everyone and that she does not receive the performance reviews. If the Commission agrees to increase the budget to accommodate this, then each manager would be looking at their individual employees and get back to her before the first payroll of FY 2023 to determine who would receive a full step and who would receive a portion.

Commissioner George asked if this would actually be in the budget. Finance Director Douylliez advised that the detail would not be in the budget but that each department's dollar amounts are in the budget. She said for example if \$200,000 was in the Public Works Department, then Director Tredik would have that amount to use for his rewards to his employees. Commissioner George asked if any of the figures put us outside of the ranges that were established from the last pay study. Finance Director Douylliez said no and that most of the employees are below the mid-range. Commissioner George said that there were representations made to the Commission regarding the State doing wage increases to five percent and she asked if it relates to the step. Finance Director Douylliez said that she is not sure how the State based the increases but that she obtained the information that they are going with a 5% increase and that she did not believe that they shared whether it was COLA or a step/merit-based increase. She advised that it was the same with the FGFOA members that shared the information for what they are putting in their budgets.

Commissioner Sweeny asked if there was any idea how much of an overall increase for the year that would give coupled with the mid-year adjustment. She said that those who were brought up to \$15 per hour would now be receiving at least another 7% increase that might put them around a 14% increase in one year. Finance Director Douylliez said yes. She said that the original budget had a page that showed from the beginning of FY 2022 to the beginning of FY 2023 with the 5% included and Service Worker I going up to \$15 per hour, then receiving a 5% increase would take them to \$15.75, which is a 13.47% increase from the beginning of FY 2022 to the beginning of FY 2023 and then add another 2.5% or 3%.

Mayor Samora said that from \$15.75 an hour to \$16.06 would be another 30¢ per hour. Director Tredik said that it might not seem like much, but to them it really matters and that they probably were not making enough before they got that raise. He said that with inflation that they are still probably losing 4%. He said that it is difficult to hire and keep people and that they would not stay if they could find a job for 30¢ more an hour.

Mayor Samora said that that is where we will see the largest percentage increase year after year at about 16.5%, which is a lot, but these are unprecedented times. He said that for the years that he has been in business and owned a business that he has never seen it go up like this.

Mayor Samora opened Public Comment.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, looking at the budget he thinks some money is coming from the ARPA funds to buy vehicles; there is \$300,000 uncommitted from ARPA; there are some items adopted by the Commission but not approved; next month's meeting is moving to purchase two garbage trucks; there is money to use over the next year to take care of needs; when on the New Jersey School Board the interest rates were 12%, employees were hurting, and it had to be built into the budget; keep in mind ARPA is supposed to be used for more than salary increases; the City needs talented employees; next month's agenda does not have Ocean Hammock Park walkway and he asked for assurance that it would not be voted on next Monday. Mayor Samora advised that the Commission would stay on the budget topic and would address the Ocean Hammock concern at the end of the meeting.

Mayor Samora closed Public Comments.

Mayor Samora said that the Finance Director did a good job of presenting something that addressed the concerns of staff and the others that have spoken to the Commission. He said that he thinks that it is probably the right thing but that it is difficult in a tough budget year and that he is more worried about next year's budget than this year's budget. He asked for the Commissioners and staff to remember this going forward because if we do this now then we might be cutting things next year. He said that he agreed with Mr. Binder that the City needs talented employees, and that the City has talented employees and that he hopes to attract more.

Vice Mayor Rumrell said that he echoed the Mayor and that he is okay with it for this year but that there might be projects that do not happen next year. He said that he is a big proponent of retaining employees because we would spend more to hire new people.

Commissioner England said that she remembers many years in the budget where the Commission held overall personnel increases to 3% and that wages were pretty stagnant for a long time. She said that this is an unusual year and that she supports the changes for now because wages may stabilize again.

Commissioner George said that she does not like that it is coming up at the last minute of the final budget meeting. She said that she also has a problem with the fact that this arose in conversation from the last meeting from one specific issue from one specific department. She also has an issue with the fact that we have already created a policy decision regarding 5% that was based on certain data and those data benchmarks are now changing and she does not feel like she has

enough information to be comfortable as a fiduciary. She said that she supports all the staff, and she wants to give the department heads what they need but that as fiduciaries there are certain procedures that need to be followed. She said that we are all guessing on numbers tonight and she is not comfortable voting in favor of it. She said that she needs to know that it is funds that would be granted some discretion by the department heads and that the attachments do not show that. She said that the agenda book is so scant with very little to give confidence on the issues. She said that she did not understand why the money was not allocated by the department heads in prior budget drafts if this is money that has been needed. She said that the Commission needs to know in the beginning of the process how much each department needs to be earmarked for step increases on top of the across-the-board adjustments, which is the only way the Commission can be sure it is doing its fiduciary responsibility by keeping the categories consistent with the comparisons that are used to make the decisions. She wants to support the sentiment of it, but she does not feel ethically in a position to vote in favor of it tonight.

Mayor Samora said that those are fair concerns and that he does not like having it come up at the last minute either. He said that in the individual meeting he was disappointed to not see any merit-based program and instead have a 5% COLA across the board. He said that he did not like the fact that the managers did not have the money available to reward the employees that deserved it. He would have liked to have that information available in the packets and that those are notes to take forward into next year. Commissioner England said that we talked about doing a mid-year look at salaries and that she understands their concerns about it being at the last minute.

Commissioner Sweeny said that she shares many of Commissioner George's sentiments and concerns and that she has been pretty vocal about her concerns for the implications that this may have for the future year's budgets and the position that it puts the Commission in. She said that she does not want her comments to be misconstrued that she does not support staff or the officers, because she has the utmost respect for what they do every day. She said that the City needs to be paying more, but she has concerns with how this proposal came about and she wished it would have been presented sooner. She said that the Commission has been talking about the 5% for a while and she was expecting to see a proposal giving flexibility within that 5%, which she would have been more comfortable with. She said that she understands that inflation and the economy are difficult right now and she wants to be able to attract and retain the best employees, but she does not want the City to be in the position next year to not be able to give any salary increases. She would rather work toward a goal incrementally or maybe give it all this year with the understanding that there is not going to be much next year. She does not want to set unrealistic expectations about how much we can do in one year. She said that she wants to support it and provide the resources for the City, but she does not know that we can do it all at once.

Mayor Samora said that they have two separate decisions tonight and they have to address the millage first and after that choose to either adopt this version or the previous version of the budget. He said that does not allow much time to think about it but there is another path forward, that they could either adopt the budget as presented this time or move forward with the previous budget and make adjustments through ordinances after FY 2023 is started.

Commissioner George said that she does not understand why there needs to be much of a deviation such as a leased vehicle vs. a purchased vehicle to free up money for the Police Department to fund what they need. She asked if staff could come to the Commission with retention and hiring issues. Finance Director Douylliez said yes and that the Commission can go forward with the budget that was approved on September 12th or we can work on making adjustments in the future and present more data, but that she probably would not be able to get the data for salary ranges until mid-year. She said that staff could come back to the Commission

with budget resolutions at that point. Commissioner George asked if the \$70,000 freed up from the two police vehicles would be redistributed among other departments to do an across-the-board adjustment. Finance Director Douylliez advised yes and that is where the budget resolution would come in to adjust all the departments that it would affect. She said that the money that is allocated from ARPA that was not used for the mid-year salary adjustment would just roll back into ARPA with a budget resolution to pull it back into the FY 2023 budget whenever the Commission decides to make that change. She said that the only reason she did this was because there was no clear consensus from the Commission and that she wanted to provide options to look at. She said that it seems very hasty but that it was a lot of work to change all the line items to cover all the expenses that are out there.

Mayor Samora said that he can see that it was a lot of work and that the proposed change to the Police Department's vehicles to a lease would free up \$70,000 and the changes to Police Department's salaries would account for approximately \$63,000, which is a fairly close offset. He said that the ARPA money would either be sitting in Reserves or elsewhere to put towards this. Finance Director Douylliez advised that she had discussed with the City Manager the need to have several workshops for the budget going forward. She said that she knows that it is hard to get everyone together for a workshop, but overall it would benefit everyone as the budget is being developed such as upcoming projects and whether they would be able to be funded. Mayor Samora said that as these budgets get more difficult that the Commission would need to do a better job giving clear direction whether it be through a workshop or otherwise.

Mayor Samora said that he does not hear a clear consensus, but the Commission does have to move forward.

Commissioner England questioned why the step increase was included in the adjustment for the Police Department to have a more competitive starting salary. She said that because of the last-minute change, the lack of information, and the approved 5% increase overall for the budget, that she believed it should be enough of an increase for FY 2023 right now. She suggested to allow the Finance Director time to gather more information and then look at the starting salaries again mid-year. She said that Commissioner George suggested whether it could be done internally within the Police Department's budget for starting salaries. Mayor Samora asked Chief Carswell for his comments. Chief Carswell said that a lot of this is about retention and that starting salaries are critical to fill the vacancies. He said that retention is the main thing and the departments have discussed this in individual meetings and it has been a concern for a while. He said that retention is also a problem for the IT Department and Public Works. Director Tredik said that retention is still a problem a year down the road after an employee has been trained when they do not get a step increase, they only get a COLA increase. He said that then the salary base changes and a new hire with no experience is making the same as the employee with experience and that is why the step increase is important to retention. He said that a merit increase would reward them for working hard and becoming a valuable employee and he recommended not removing the step increase.

Commissioner Sweeny asked what the starting salaries are for St. Johns County and the City of St. Augustine's Public Works Department. Director Tredik advised that he did not have that information with him, but that the City used to be roughly the same pay. He said that when the City was paying \$13.80 that he could not find any new hires, and at \$15 he is starting to see a little more, but he is still struggling with retention and this additional money would help.

Commissioner George asked if the City Manager's office was fully staffed. City Manager Royle advised that he has a full staff. Commissioner George asked if any employees have left the City Manager's Department. City Manager Royle said no. Commissioner George asked the same of Building Official Law's Departments. Building Official Law said that a year ago he put out a position

for a Building Inspector because he was cited on his three-year audit for too much workload. He advised that he had to pull the ad because the City was not paying enough to compete and that recently the position has been reposted, but that he has not received any applications. He said that some of his jobs require certain certifications that only the State can issue. He said that next week he would be proposing that Code Enforcement be funded through transient rental inspection fees, which would shore up that department at zero cost. He said that the Building Department is actively trying to hire and that he would be posting jobs on web pages that specialize in his industry. He said that today is a perfect example because the Building Department lost their air-conditioner, which the Building Department will fund for roughly \$20,000 because he cannot wait for the City to allocate the money or ask his staff to work in mid-80 degree temperatures. He advised that Ms. Miller will be preparing for retirement July 1, 2024, which is a significant loss to the City. He advised that the City would need to spend \$80,000 to be able to hire a qualified American Institute of Certified Planners (AICP) planner, which would not include things such as taxes, Florida Retirement System (FRS), insurance, etc.

Commissioner England asked what the total percentage of personnel increases are from FY 2022 to FY 2023. Finance Director Douylliez advised that she did not have that number. Commissioner England said that is what the City would be looking at for a starting point next year, which would affect the millage. Commissioner Sweeny said the average would probably be around \$10 since the high end is \$16. Commissioner England said that it would be the starting point for the millage consideration next year. Mayor Samora said that the \$136,000 represents the changes from the last budget to this budget and that it does not change the overall amount just where the money is coming from, which would need to be made up next year.

Commissioner George said that it seems like there is a greater need in certain positions and she would prefer that the money be put where it is needed rather than across the board. She said that she is relieved that it does not impact the millage and that the Commission could move things around as proposed. She advised that she was not comfortable with making such a radical shift in the policy decision that was already made and that she would be more comfortable if there were more detail and directed where it is needed. She said that an increase across the board would just burden the City's shoulders forever. She said that maybe next year the City would only increase some positions.

Mayor Samora asked if this proposed budget allows the managers to have the flexibility to adjust the step increases for each position. Finance Director Douylliez advised that the managers have that flexibility, but that she did not know if they would exercise it or not. She said that it would be challenging for the departments that have a full staff of twenty-four employees. She said that overall, the managers would be looking at performance and that it is her opinion that those employees that are on probation should not be entitled to a step increase. Vice Mayor Rumrell said that typically in the private sector the lowest get paid first and the top get paid last and that may be something that the City needs to look at. Finance Director Douylliez pointed out that there are a lot of openings out there for talent in upper level positions that are paying much more and that some City management positions are not compensated at a level that they would be in the private sector. She said that it is disconcerting to tell a manager that he/she has done a good job but that they are not entitled to a step increase. She said that when the prior City Clerk left, the City had trouble finding someone because they wanted substantially higher salaries and that the City was fortunate that former Deputy City Clerk Fitzgerald accepted the position for less money and with more responsibility. She said that managers should have the flexibility and that managers should also be able benefit from a pay increase based on merit.

Commissioner England said that the way the personnel budget is presented is different than what she is used to in the commercial industry, such as employees at the top of their salary range would have less of an increase. She said that the Commission is in a bad position if almost all the

employees are below mid-point and there is a lot of catching up to do. She said that she does not like the additional step increase at the last minute across the board but if they are all below mid-range then it would need to be considered. Mayor Samora agreed, and he asked to clarify how the ranges were determined. Finance Director Douylliez advised that the ranges were set in March of 2021. She said to perform a salary study annually is a significant outlay and is not normally done. She advised that she did not expect inflation to hit the way it did, and she suggested to do something to review the pay ranges mid-year with a possible workshop. She agreed that this information was presented quickly, but given the time frame that it was brought up and then trying to develop something to present back to the Commission was a short period of time to gather information.

Commissioner George said that a thorough agenda item would have been great to be able to see the data of the ranges, the pay study, etc. to be able to do research in advance of the discussion. She said that inflation is around 8% to 9% and that the City has accounted for more than that in most of the positions already and that if more is needed than the Commission needs to do that and determine how and with what data.

Mayor Samora said that this has been a robust discussion and the Commission has a fiduciary responsibility and a City to run. He said that he has heard from staff, managers, and constituents, and that the need is there whether we like how the numbers came to us or not. He said that this is very difficult for the Commission, and we are trying to get all the data that we can to make a good financial decision for everyone.

Mayor Samora moved on to Item IV.A.

- A. Ordinance 22-09, Final Reading, to Adopt Operating and Debt Millage (Presenter: Patricia Douylliez, Finance Director)

Motion: To approve Ordinance 22-09 to set the millage rate of 2.45 and a debt millage rate of 0.50. **Moved by** Mayor Samora, **Seconded by** Commissioner George.

Mayor Samora asked the City Attorney to read the full ordinance. City Attorney McCrea read Ordinance 22-09 in full. Mayor Samora asked for a roll call vote.

Commissioner George	Yes
Vice Mayor Rumrell	Yes
Mayor Samora	Yes
Commissioner Sweeny	Yes
Commissioner England	Yes

Motion passed unanimously at 6:12 p.m.

Mayor Samora moved on to Item IV.B.

- B. Ordinance 22-10, Final Reading, to Adopt FY 2023 Budget (Presenter: Patricia Douylliez, Finance Director)

Finance Director Douylliez advised that she has an amended Ordinance 22-12, if the Commission decides to move forward with the pay changes, otherwise the original ordinance would be read as adopted on September 12th. Commissioner Sweeny asked why the original amount would change. Finance Director Douylliez advised because we have increased the amount in the budget by bringing in the amount for not purchasing the vehicles and it has to be funded at 100% and \$100,000 is the true expense for those vehicles and we would bring in the amount of money for ARPA to fund the remainder of it, which changes the total of the budget. Commissioner George asked what that dollar amount would be. Finance Director Douylliez said that the amount with

the pay changes would be \$14,785,911.09 and the original amount was \$14,632,681.79. Commissioner George said that she is not following why that adjustment happened. Commissioner England said that the lower figure has the full \$100,000 to purchase two vehicles. Finance Director Douylliez said that GASB requires that a leased debt has to be funded at 100%. Commissioner George said that it makes sense now. Commissioner Sweeny said that she would expect that number to be \$100,000, plus the ARPA \$45,362, and she does not understand why the rest that is being allocated is included and that she calculated \$153,000 difference between the two numbers. Finance Director Douylliez said that there was an \$84,000 adjustment at the last meeting to reduce the millage. She said that she does not have the numbers in front of her but that she could provide them and that these are the dollar amounts that the budget totals up to. She said that the largest amount is the \$100,000 debt service and the amount being brought in from ARPA and we also had to increase the revenue \$8,000 for the Building Department to cover the expenses because the General Fund does not cover it. Commissioner Sweeny asked where that money comes from. Finance Director Douylliez said that it would come from Building Department Reserves specifically allocated for that Department and that the General Fund cannot touch those funds. Mayor Samora recapped: \$100,000 from the two vehicle leases, \$45,000 from ARPA, and \$7,000 from the Building Department, which totals \$153,000 and that the other \$8,000 was just moved around within the budget. Finance Director Douylliez said yes.

Motion: To approve Ordinance 22-10 for a total budget of \$14,785,911.09. **Moved by** Vice Mayor Rumrell, **Seconded by** Mayor Samora.

Mayor Samora asked for any further discussion.

Commissioner England said that the personnel changes need more information. She said that she could support the starting salary increase for Police Officers, and maybe a step increase for all employees below mid-point, but not across the board.

Commissioner Sweeny asked if there were any employees above the mid-point. Finance Director Douylliez said she believed there were seven employees above mid-point. Commissioner Sweeny said that she is torn and does not like it at all but that she wants to support the employees. She said that she has concerns for where this puts the City down the road.

Commissioner George advised that the Commission could message that it wants to keep working on it whether it gets adopted or not. She said that the message that the Commission is giving is to plan the agendas to flush this out more.

Mayor Samora asked the City Attorney to read the ordinance in full. City Attorney McCrea read Ordinance 22-10 in full. Mayor Samora asked for a roll call vote.

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

Motion fails 3-2.

Motion: To approve Ordinance 22-10 for a total budget of \$14,632,681.79. **Moved by** Commissioner George, **Seconded by** Commissioner England.

Mayor Samora asked the City Attorney to read the ordinance in full. City Attorney McCrea read Ordinance 22-10 in full. Mayor Samora asked for a roll call vote.

Mayor Samora	Yes
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Commissioner Sweeny	Yes
Commissioner England	Yes
Commissioner George	Yes
Vice Mayor Rumrell	Yes

Motion passed unanimously at 6:22 p.m.

Mayor Samora advised that this was an extremely difficult budget and that the Commission is not done with it. He said that the Commission has clearly instructed staff that this needs to be brought back and to move in a direction to make some adjustments no later than mid-year. He asked for the managers to talk to their staff.

City Attorney McCrea cautioned the Commission about discussing items that are not on the agenda because there was no public notice done and that it could be addressed in Public Comments during the next meeting. Mayor Samora asked if he could do a storm update. City Attorney McCrea said the storm update was fine but that there was another item brought up that was to be discussed at the end and he advised that it should not be done. Mayor Samora said that it was in relation to the Public Comment question. City Attorney McCrea said yes. Commissioner George advised that any Commissioner is free to speak to a citizen that wants to talk outside of the formal setting. City Attorney McCrea said yes that there is no public notice on it and that it is not what this meeting was for.

Mayor Samora moved on to Item V. and he asked the City Manager for his report.

V. Addition: DISCUSSION OF PREPARATIONS FOR HURRICANE IAN

City Manager Royle advised that the Public Works Director and his staff are the major players to prepare the City and they began their work last week. He said that they prepared by doing such things as taking down the covers at splash park, removing trash cans, topping off oil tanks and generators, etc. He said that there will be a staff meeting tomorrow and that the City's Public Information Officer, Ms. Melinda Conlon, is staying in touch with her County contacts so that we have a consistent message going forward to the public. The Public Works Director restricted vacations this week, attended an EOC (Emergency Operations Center) meeting this afternoon, and that the storm is still a question mark depending on whether it wobbles to the east or the west. He said that the general consensus is that it would be a major rain event and that the City's retention pond new pumps are fully operational and are pumping down now so the City's drainage system can absorb more water. He said that if the City gets ten to fifteen inches of rain in twenty-four hours that there is no stormwater management system that would be able to prevent flooding in the City. He advised that the tide would also be coming in from the intercoastal and the stormwater from the City would meet in the pond, which would probably fill up to its banks. He said that from the non-law enforcement side, we are as prepared as we can be and that there are always things that may need to be adjusted as the storm proceeds. He said that the Public Works staff is going around picking up debris from the sides of the roads and would continue normal trash pick up for as long as they can. He said that the hurricane force winds are not forecasted to reach us but that the tropic storm force winds could cause the bridges to be closed. He said that he would not want employees coming back to the City if there is a bridge closure, but if the winds die down, we would want them to return as soon as they can so that the Public Works Department could remove the debris from the streets and take care of public property damages. He said that Building Official Law would be working on private property damage assessment.

Chief Carswell advised that the EOC meeting today left him with uncertainty, because it could change tonight or tomorrow and that the Police Department is preparing for the worst possible

outcome. He said that the Police Department is monitoring the path everyday and attending the EOC meetings and have pumped up the patrol schedule from Wednesday through Saturday and would probably have double the amount of people working. He said that we are expecting flooding and that he would need to have enough officers out there to close any roads if necessary. He advised that if there were a loss of power for the stop lights that he would want to have enough officers to cover those intersections and for things to run as normal as possible. He said that St. Johns County Beach Services may decide to close the pier and that he would find out more tomorrow. He said that they would be locking the beach gates on Wednesday because the tide is supposed to be high and unsafe. He advised that in-house they secured the ammo and weapons, so that the tropic storm would not ruin them, that volunteers and the Public Information Officer (PIO) are reaching out to the elderly on the list to make sure they are ok, pushing information out on social media, and keeping Ms. Conlon informed with the information that the Police Department receives from the County so that we all have the same message to the residents. Mayor Samora agreed to keep the message consistent especially with the uncertainty of the storm. Chief Carswell advised that there should be another meeting tomorrow morning at the EOC.

Commissioner Sweeny asked if sand has been put at the beach entrances. Director Tredik said that it has been done in the past for Atlantic approaching storms and that he does not see that level of storm surge but that he would keep an eye on it. Chief Carswell said that they were predicting a one to three foot storm surge.

Vice Mayor Rumrell advised that the area just received a storm surge watch and a tropical storm watch. He said that people can call 850-900-3446 and enter their zip code to hear the latest on Hurricane Ian or email ian.weatherstem.com and enter your zip code for email updates as they become available. Mayor Samora asked Ms. Conlon to make sure to put that information out as well. Ms. Conlon advised that it is already out.

Mayor Samora asked if there were any planned closures for the City. City Manager Royle advised not at this point and that it is being monitored day-by-day. Mayor Samora asked if trash collection was on schedule. Director Tredik advised that it is on schedule but that he was not certain about Thursday and Friday and would take it day-by-day. Mayor Samora asked if updates to the schedules would be on the City's website. Director Tredik said yes.

City Clerk Fitzgerald advised that the City Manager's office has been receiving calls since very early this morning from concerned residents and that the City is trying to keep on top of everything that we hear. She said that one of the biggest concerns was about sandbags, which would be available starting tomorrow however, they would not be at Ron Parker Park. She advised that the closest location to the City is at Windswept Acres Park south of the City on A1A South near the Catholic church or the Solomon Calhoun Center south of King Street.

Finance Director Douylliez advised that she is already tracking hours that are being allocated to the storm should FEMA interact with us and then we would have enough to submit for reimbursement.

Vice Mayor Rumrell advised that St. Johns County Commission Chair Henry Dean went to sign the emergency order tonight.

City Manager Royle said that Ocean Walk subdivision has a pump station there so the City would be able to pump the water into the Mickler ditch and there are other flooding areas that would be closely monitored. He said that the City would eventually need to have a long-range plan in the vicinity of Ocean Trace Road because there is a lot of private property and ponds, the Public Works Director made a suggestion for a possible approach and would bring that back to the Commission in the future.

Mayor Samora thanked everyone for the updates and said that he looked forward to the continued updates.

Mayor Samora moved on to Item VI.

VI. 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 6:37 p.m.

Donald Samora, Mayor

ATTEST:

Dariana Fitzgerald, City Clerk



MINUTES

REGULAR CITY COMMISSION MEETING MONDAY, OCTOBER 3, 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 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor Donald Samora, Vice Mayor Rumrell, 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, and Public Works Director Bill Tredik.

IV. APPROVAL OF MINUTES OF THE SPECIAL BUDGET MEETING ON SEPTEMBER 12, 2022, AND THE REGULAR COMMISSION MEETING ON SEPTEMBER 12, 2022

Motion: To approve the minutes of the special budget meeting on September 12, 2022, and the regular Commission meeting on September 12, 2022. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

City Manager Royle said that Ms. Chambers has advised that she cannot serve on the Planning Board for personal reasons and therefore Item VII.A is being removed from the agenda and Item XII.7, Ordinance 22-13, is being moved to the November Commission meeting.

Finance Director Douylliez advised that there has been a change to Item XI.4.C and that she has provided a copy for the Commission. She advised that the Ocean Hammock Park restrooms were not received by September 30th, so it is a carryover item into FY 2023.

Mayor Samora advised that he would like to include a storm update and asked where that could be added. City Manager Royle advised that a storm update can be added under Presentations and before Public Comments.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

None.

VII. PRESENTATIONS

- A. Interview of Ms. Allyson Chambers for Position of Junior Alternate on the Comprehensive Planning and Zoning Board

This Item was removed from the agenda.

- B. Report by Ms. Christina Parrish Stone Regarding the Former City Hall and Civil Rights Monument

Ms. Parrish Stone advised that the former City Hall building did not receive any storm damage or flooding from Hurricane Ian. She said that when she was here a few months ago, she had advised that the City Hall building had been added to the National Register of Historic Places and that they were also in receipt of a \$500,000 grant. She advised that no work has been done yet because there is a lengthy process before the State funding would be released: approved during the regular budget process, contracts had to be negotiated, etc. She advised that the contract was approved for the full \$500,000 for repair/replacement of the items that were previously discussed such as the windows, the awnings, balcony, waterproofing, etc. and that all the primary exterior items are included in the budget. She advised that the State requires that a preservation architect be hired to manage the projects, so they did a Request for Proposals (RFP) and have engaged two local architects from Open City Architecture, Sarah Ryan and Conner Dowling, who are here today and have a few things to discuss with the Commission about the process.

Mr. Dowling said that the firm is excited to be working on this project because it is a postcard building for St. Augustine Beach and adding some love back to it would be appreciated by all. He advised that the grant budget would not allow for every box to be checked right away, but it would be a visioning exercise to look beyond the first phase of the \$500,000 grant. He advised that public input would be involved in the process and that Ms. Parrish Stone has given them direction for the project; they would do the visioning process first and move into phase one, which the grant requires to be complete by September 2023. He said that they will identify the most important things and would give a sense of where the building can go in the future.

Ms. Parrish Stone said that they received the other two grants for the building, one was a \$50,000 grant from the National Park Service, and a \$25,000 grant from the National Trust for Historic Places, which would allow them to do some interpretive signage. She said that a designer has been hired and is working on a vision of what the signage should be and that the preliminary plans would be done soon and brought to the Commission. She said that they have already received some estimates for the roofing tiles to resolve the roof issues right away.

Mayor Samora said that he appreciated their interest in the building and said that there is always a lot of public interest as well. He asked if there was a timeline for soliciting community input. Mr. Dowling advised that right now they are doing fact-finding and would possibly want to get public input around the first of the year.

Commissioner George asked what mechanism would be used for public input. Mr. Dowling said that after they gather all the information from the first public meeting that they would do their first potential visioning and then ask for public input. He said that any discussions would quickly expand into Pier Park, etc. Commissioner George asked if the requirements of the grant specify that it be historically accurate. Mr. Dowling said yes and that they would be doing historically accurate updates in the areas that could be rebuilt/refurbished but that some windows might need replacements, which would be in line with the rest of the existing windows. He said that the second floor really is not in as bad a shape as he expected and there are a lot of good bones to work with. He said that they need to figure out how to keep the coquina intact and work from the back of the existing wall. Commissioner George asked if the Commission or the public would be included if there are funding decisions to be made. Mr. Dowling said that it is a great idea and that it would be easy to do. Commissioner George said that some decisions would be obvious such as the waterproofing.

Commissioner Sweeny asked if there would be any anticipated impact to the Dance Company or The Art Studio during the improvements. Ms. Parrish Stone said no because almost everything is happening upstairs and on the exterior of the building. Mayor Samora asked if those businesses have been kept updated as well. Ms. Parrish Stone said yes. She advised that one correction is that she believes that there would be a little more time to get things done past September of 2023 because the State understands that they drag their feet and are expected to give extensions. She said that the opportunity for discussions may be limited because the items that the Commission/public wanted to see such as the windows, waterproofing, and roofing would take up the majority of the budget. She said that in a few months the plan is to come up with ideas for the next phase and to look for other sources of funding.

Vice Mayor Rumrell thanked her for chasing the grants and said that he looks forward to the progression.

Mayor Samora moved on to Item VII.C and said that he would like to keep it on a high level and that more detailed comments could be done during staff comments. He said that the Commission's hearts go out to those affected by the hurricane. He said that there were some residents and businesses in our area that incurred some damage, and he thanked the City's Police Department and Public Works Department. He said that staff mobilized quickly and did everything to get ready for the storm.

C. Report on Hurricane Ian

City Manager Royle advised that for the first time he could remember in the past 33 years, that the Chief divided the City into sectors and had officers patrolling street by street. He said that the weir and the Mizell retention pond worked, which is where the northern half of the City drains into. He said in 1997 during Hurricane Floyd that the ocean met the intercoastal in the middle of the City's park west of Mizell Road. He said that the weir kept the intercoastal out of pond so that it could receive more rainwater from the northern part of the City. He advised that they took some photos and did inspections into Marsh Creek where the outfall canal goes out from the pond into the intercoastal waterway. He said that the marshland between the pond and Marsh Creek's Porpoise Point Drive was underwater, which he has never seen happen before. And the canal, which the City owns an easement through Marsh Creek, was over the bank but did not harm any of the residents. He said that the beach held up well except south of La Fiesta, which had more severe erosion but that the primary dune was never breached as it did during Hurricane Irma. He advised that there would be a major beach restoration project next year, which would put 2.7 million cubic yards on our beach and that the engineer from the Army Corp of Engineers would be here in January to give a status report to the Commission. He said that the sand in the vicinity of the pier always erodes because the land sticks out into the ocean but that the beach in the area of 14th and 12th Streets that stays there. He said that the theory is that it tends to flatten the undersurface area where the waves break and that they would break farther to the east and would save the beach. He said that there was no beach here from 3rd Street going north when he arrived in 1989, it was rocks. He described how at low tide you could walk from 4th Street to 10th Street and see a fifteen-foot-high rock revetment, which most is covered by sand now. He said that the City owes a great amount of thanks to former Mayor Pacetti, County Commissioner Jim Bryant, former County Parks and Recreation Director Leon Shimer, and most of all a former U.S. House Representative for our district, Ms. Tillie Fowler. He said that when the City first approached Ms. Fowler in the early 1990s for a Federally authorized beach project that there were earmarks, which meant that she could add to the budget special appropriation requests that were done away with for a while, but he heard that they may be added back. He said that she got the City money year-after-year until we had the first full beach restoration project in the City's history in 2000-2001. He said that the City has a beach because of the people that he mentioned, which protects us from storm events. Mayor Samora thanked the City Manager for the interesting

history he provided and that he hopes that the program can be kept going. City Manager Royle said that the Army Corp of Engineers mentioned that they would seek a new authorization in 2053.

Chief Carswell said that he would like to share the credit with Commander Harrell and the rest of the staff for a fantastic job executing the plan, which went flawlessly. He advised that they were on duty for about sixty straight hours, were sleeping on the floor, and that a lot of credit goes to them. He said that they did receive a lot of calls, but most of them were for minor things such as trees and powerlines down and that they spent a lot of time blocking off the Boulevard when it flooded and unsafe to drive. He said that the pier was also unsafe and was blocked off from pedestrian traffic. He said that credit is also due to the Public Works crews who were out there during the flooding to unclog drains and remove debris to help the water recede. He advised that there were no injuries or major incidents. He said that there is a post operational meeting at the EOC (Emergency Operations Center) tomorrow to discuss how things went. Mayor Samora said that the City is very fortunate to have the Police Department, the Public Works Department, and City staff.

Mayor Samora moved on to Item VIII and opened Public comments. He said this is for anyone interested in addressing the Commission regarding non-agenda items, that they would have three minutes to speak, and to please state their name and address for the record.

VIII. PUBLIC COMMENTS

Amanda Rodriguez, 32 Versaggi Drive, St. Augustine Beach, FL, thanked the employees and officers for their response before and after Hurricane Ian; Alvin's Island got very upset when the residents asked them to not put debris on the sidewalk; the result was retaliation with lights again into her bedroom; Code Enforcement Officer Timmons has tried very hard to resolve all the issues; it is bullying from the company; waited six weeks for their air conditioner to be fixed from the high pitched noise; Mr. Timmons requested that a police officer give a citation; she called the officer and he said that there was no citation because he was not comfortable using the decibel meter and that it was not a nuisance; she advised the officer that the City asked her to call and there was still no citation done; asked for the Commission's help; provided photos of weeds and tall grass, which is never taken care of [Exhibit A].

Earl Evans, 545 Barefoot Trace Circle, St. Augustine Beach, FL, there are people who use the Ocean Hammock Park walkway during the day; at night time there is a different group of people that should not be there; residents have to live with what happens at night and they are taking the brunt of it; having the boardwalk on the border of the neighborhood was not a good idea; the visitors have no skin in the game but the residents are heavily invested; the new plan provides a better walkway; the animals currently have people walking on them on the walkway.

Karen Kempler, 30 Lee Drive, St. Augustine Beach, FL, a week ago she emailed the Commission and Mr. Tredik because of a startling amount of water in her neighborhood; she was told that he City experienced four inches of rain in a short period of time and the standing water was excessive; questioned if there was a problem with the outfall in Ocean Walk; noticed that there are other drainage problems around the beach; if the beach cannot handle four inches of rain, what about a hurricane; appreciated that Commissioner Rumrell and Mr. Tredik responded to her emails; neighbors were concerned about Hurricane Ian and Mr. Tredik advised that the City would deploy a pump at the Mickler outflow to draw down the water at Ocean Walk; thanked Public Works, Mr. Tredik, and Commissioner Rumrell for their attention to Ocean Walk during Ian; the pump was placed and Commissioner Rumrell drove the neighborhood; she believed that he asked Public Works to place a second pump at the outflow because the water at the north end was rising; saw Public Works driving the neighborhood, which was appreciated; she was told that Matthews

Design Group was in the neighborhood during the storm taking pictures and videos, which is very important for them to see what happens during a storm; thanked Mr. Tredik and Commissioner Rumrell for helping to keep their homes from flooding; a few homes on the north end may have flooded if it were not for the pumps; anxious for the drainage project to move forward and a workshop with Matthews Design Group to hear what is proposed and implemented; understands that other areas experience drainage problems; drainage effects on existing homes and businesses should be top priority with any request for land use changes or development amendments; it will be an ongoing problem and should remain in the forefront of the decisions that are made.

Bill Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, FL, oppositions were made during the September 12th meeting with concerns regarding wildlife and ecosystem and he shares the same concerns; there is a misunderstanding of the proposal and he does not understand their objection; there were also concerns that private citizens would be providing money to the project; people like what they have and did not want change, but there will be major change with the amenities going in the park, which is underway; there will be more utilization of the park, which is driving the increased security concerns from the residents bordering the park; there were concerns about understanding the actual cost and the cost assessment includes the \$600,000 as being contributed to offset the cost as well as the future savings for the City with respect to the maintenance and replacement of the existing boardwalk; there was a comment made that only a few people would benefit from the change and there are over 400 residents in Sea Colony; a survey was conducted in Sea Colony and 96% of the residents approved this project; it is a security issue and Bermuda Run has a 60-foot security buffer on the north border; Whispering Oaks has a 60-foot security buffer in the new plan for Hammock Dunes Park, and he hopes that Sea Colony's residents receive the same accommodations.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, showed a photo of federal wetlands [Exhibit B], which gives an idea of why the boardwalk is where it is; the survey was a proposition and we know for certain that there are Sea Colony residents that do not want the boardwalk moved and are not expected to contribute to it; we need to know how that stands; Sea Colony is a high real estate turnover area; Zillow shows that only a few percent of the homes were there before the boardwalk so people moved in after it was there; we are pushing through wetlands and moving through a protected tortoise habitat; contacted various Federal agencies for direction; he said there is a five year call report from the City Police Department and a huge percent is citizen assist, a few harassments, and a spray can was thrown, which could have been a construction worker.

Jennifer Wilson, 141 Whispering Oaks Circle, St. Augustine Beach, FL, thankful for everyone's response during the hurricane; moved here for the boardwalk and the City should be proud of it; she has never had a security issue there ever; police respond within three minutes; does not understand how moving the boardwalk thirty feet would change anything; the boardwalk is lovely and we enjoy seeing turtles, bunnies, and deer; do we have an official environmental impact study; \$600,000 may not be sufficient to cover the environmental impact, the safety, the liabilities of accepting private funding into a public project; she is hopeful that the Commission considers everyone and the needs of all the people of St. Augustine Beach; her son has grown up on this boardwalk, which is sentimental, but that is what this town brings to its citizens; it is not about how much money or influence you have because you live in Sea Colony, who might move in three years or who only live there three months out of the year; she has never seen the man that lives in the house that was just built and he is maybe there only a few months out of the year; she is a year-round resident and she hopes that the Commission takes all of us into consideration.

Doug Gibson, 105 Whispering Oaks Circle, St. Augustine Beach, FL, one reason that he moved to Whispering Oaks was because of the access to the boardwalk; Sea Colony residents moved there

because they had access to the ocean and the beach; security barriers in Sea Colony provide a false sense of security because people could get around them very easily; thinks it is wrong to move it and it is a waste of money; questioned the life expectancy of the existing boardwalk.

Joshua Kline, 209 Madrid Street, St. Augustine Beach, FL, has been here for 18 years; has lived across from the Park for 12 years and uses the boardwalk twice a day; has never seen anything of concern and sees the police monitoring it regularly; feels very safe in the area at night; concerned for the health of the habitat in the areas; would hate to see the impact of removing the boardwalk to place it somewhere else; is not in favor of moving the boardwalk.

John Wilson, 141 Whispering Oaks Circle, St. Augustine Beach, FL, has lived in St. Augustine since 2007; lived at Vilano Beach and now at Whispering Oaks, which is highly protected by the wetlands and dunes across from where the boardwalk currently exists; that dune line was washed back during Irma and Mathew, which was recouped largely because of the beach renourishment; purchased in Whispering Oaks because of that barrier system and the boardwalk; the boardwalk is a part of the neighborhood kids' life; he has not felt any sense of threat or nefarious behavior, nor does he think people live there at night; there are not enough police reports to support a high level of terrible behavior at night; his wife has encountered a homeless person and the police responded quickly; the expense and the impact of moving the boardwalk for people that have not invested anything into their own security to protect themselves; it is not reasonable to go to the most extreme measure of moving the boardwalk with all the impacts, costs, and any unknown that it would entail without making an effort to secure yourself; is opposed to moving the boardwalk.

Tyson Eavenson, 204 Big Magnolia Court, St. Augustine Beach, FL, has not heard any proposals for extending the height of the fence or securing that side of the property, which would be a lot cheaper than offering to pay to move the boardwalk; the crime, loitering, and noise have been a primary argument, but there are very few police reports because of that; it does not seem to be a safety issue, which are not substantiated by facts; perception is reality and from the ethical standpoint of Chapter 212 of the Florida Statutes, if there is a direct or perceived direct interest in an issue from an ethical standpoint that most professional organizations require that you recuse yourself; Commissioner George recused herself at the last meeting regarding this issue and there are other Commissioners that either are residents of Sea Colony or have a direct interest in Sea Colony; not sure why this isn't being pushed off to another Board; it is a beautiful boardwalk and not worth moving to benefit the few on the border that claim there are issues.

Beth Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, FL, there seems to be a major misconception from those in Whispering Oaks that Sea Colony wants to move the boardwalk; Sea Colony wants the park to stay the way it is but that is not going to happen because there is a grant, which obligates the City to add amenities such as a restroom, showers, etc.; these amenities would happen regardless and there would be two boardwalks instead of one; the Campbells' house was recently completed and is the house that was complained about; she is a full-time resident and she does not know why Sea Colony has been made the bad guy; this proposal is not shutting down any access to the beach; they have the opportunity to give Sea Colony the same buffer that Whispering Oaks and Bermuda Run have; it is a security issue and they did have to put up their own fence for privacy, which can only be so high; she has witnessed people coming over the fence and kids running the boardwalk; there are fires there and people that do spend the night in the Park; Sea Colony is not evil, we did not propose it, but we are trying to make the best of a situation that is going to happen and Whispering Oaks residents do not understand.

Mayor Samora closed Public Comments and asked the City Manager to follow up on the Code Enforcement issues at Alvin's Island. He said that most of the comments would need to be a topic on a future agenda. City Manager Royle advised that he would have to get with the City Attorney

about it. Mayor Samora asked to correct one misstatement and said that there were no recusals because the Commission did not vote on anything or take up the topic during the last meeting. He advised that the City Attorney is looking into any new potential conflicts of interest and any suggested recusals on the matter when it does come before the Commission, and he is waiting for that before we discuss that topic again. He asked the City Attorney to let the Commission know when he has had a chance to do his research and we can add it back to the agenda.

Mayor Samora moved on to Item IX.

IX. COMMISSIONER COMMENTS

Commissioner George extended her thanks to the Police Department, Director Tredik, and the staff. She said that she also went out and checked on Ocean Walk and saw him and other Public Works employees that had been up for at least twenty-four hours to make sure that those pumps were running and that everyone is so grateful. She said that her heart goes out to those that were directly impacted by the storm.

Vice Mayor Rumrell thanked the Police and Public Works Departments and Building Official Law for going to Embassy Suites to check on it. He said that he spent about eight hours at the EOC on Tuesday and about ten hours on Wednesday and that the Chief and the Commander were both there. He said that were a lot of fast decisions that needed to be made for the City and that his only concern moving forward is that there needs to be a plan in place for a hurricane or an emergency and he would like it to be an agenda item at some point. He said that the City of St. Augustine and the County were there and that he was the only representative there for the City and it would be easier to make those decisions. He said that Chief Carswell made the right calls and that he appreciates it.

Commissioner England thanked the Police Department because a huge tree fell in her neighborhood, the police were out there, and the reporting was amazing letting us know about the damage. She thanked the Public Works Department and Police Department for protecting us.

Commissioner Sweeny also extended her appreciation to the Police and Public Works Departments and asked that they let staff know that we appreciate their work.

Mayor Samora moved on to Item XI.

X. PUBLIC HEARINGS

There were none.

XI. CONSENT

(Note: Consent items can be approved by one motion and vote unless a Commissioner wants to remove an item for discussion and a separate vote)

1. Proclamations:
 - A. To Declare October 2022 as Domestic Violence Awareness Month
 - B. To Declare October 17-23, 2022, as Florida City Government Week
2. Reappointment to Three-Year Term of Comprehensive Planning and Zoning Board Members Kevin Kincaid, Chris Pranis, and Larry Einheuser
3. Resolution 22-12, to Have Canvassing of Vote-by-Mail Ballots for the November 2022 General Election Done by the St. Johns County Supervisor of Elections
4. Budget Resolutions:

- A. 22-12, to Adjust Three Accounts in the Current Fiscal Year 2022 General Fund Budget for Planning Department Wages and Purchase of Air Conditioning Equipment for City Hall and the Police Station
- B. 22-13, to Adjust the Fiscal Year 2023 Budget to Show Carry Over of Funds from FY 22 to Purchase Two Vehicles for the Building Department
- C. 22-14, to Amend the Fiscal Year 2023 Budget to Appropriate \$500,000 from American Rescue Plan Funds for the Purchase of Two Garbage Trucks

Commissioner England said that she needs more information on the wages. Finance Director Douylliez advised that when she does the wages they are estimates for ARPA and that there was a shortage in that Department. Commissioner England said that it was something that the Commission already approved. Finance Director Douylliez said yes, it was not an increase for anyone and sometimes her estimates are not 100%.

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

Mayor Samora moved on to Item XII and asked Director Tredik for his report.

XII. OLD BUSINESS

- 5. Stormwater Utility Fee: Consideration of Levying (Presenter: Bill Tredik, Public Works Director)

Director Tredik said that this storm brings home the point that stormwater is absolutely critical. He advised that even though the City was in good shape it was not in perfect shape so there is a way to go. He said that the weir operated well but it is still a manual operation, which required a lot of back and forth at midnight to adjust the pumps. He said that that would be resolved when we finalize the project, and it would be in automatic mode. He said that the pond could pump, and we could send more water there, but it was not getting there fast enough. He said that there is maintenance that could be done at the 11th Street ditch, which has not had an overhaul since it was built and has probably filled in to some degree over the years. Commissioner George asked where the ditch was located. Director Tredik advised that it is west of A1A behind the Commodores Club. Commissioner George asked if it was an open ditch. Director Tredik said yes and that it functioned well, but it could function better. He said the City needs to spend some resources to do a survey to see how the profile has changed over the years.

He advised that the reason he brought it up is that there are things that need to be done that the City does not have the resources to do financially, staff wise, or the equipment to clean it because it is too big. Vice Mayor Rumrell asked if the ditch was in the County. Director Tredik advised that it is a combination of City and County. He said that we had talked about cleaning pipes with some of the ARPA money and that it is absolutely necessary, and it costs a lot of money. He advised that this is not just about capital projects, it is also about maintenance. He said that he presented the stormwater utility fee about a year ago and the \$10.2 million worth of projects, which does not include the maintenance. He asked if there was any desire to fund stormwater improvement and maintenance with a stormwater utility fee. He said that this year's budget was very tight and that most of the capital projects were either funded by grants or ARPA money with very little funded through City revenues. As time goes on, we need to be able to fund these things and not be reliant on other funds and the stormwater utility fee would give us that tool.

He suggested that the Commission could decide tonight to start the process and then change your decision at any time. He advised that a lot of other cities can do it through a utility bill but that the City would do it just like any other non-ad valorem assessment to fund it. He said that having a dedicated revenue source would let us program in some of those things that are now funded through ad valorem taxes. He advised that there is only one person, Mr. Orlando, who goes

around and keeps the drains clean in the City, and he can pull in people to help as needed. He said that Mr. Orlando kept the City out of a lot of trouble during the storm. He said that it is not enough and that we do not have a funding source to grow a staff to maintain our stormwater such as the new pump station for Ocean Walk and improvements at Magnolia Dunes and Atlantic Oaks Circle. All these things are going to cost money to maintain and operate through the future and a stormwater utility fee would give us the tool to do that. He advised that it would not need to start out big and it could just be maintenance for the first year and as capital projects grow, the fee could be adjusted to cover those projects and it could be tailored any way that the Commission would like to see it grow. He advised that the Master Drainage Study Update is not complete, so we do not have that list of projects yet, but we know that they will cost a lot of money. He advised that he would need authorization from the Commission today to move forward and at least take the first steps because we would have to advertise for the public meetings for four consecutive weeks to pass a resolution for a non-ad valorem assessment, which would need to be to the Tax Collector by December. He said that the actual fee structure would not be developed until the spring so there is a lot of time to make changes, but if there is any chance to have a funding source for FY 2024 or else it would be FY 2025.

Mayor Samora asked how much of the General Fund goes towards projects that would be covered under this stormwater utility fee. Director Tredik advised that he did not have that number in front of him but that it would be the "Drainage" line item in the Road and Bridge Budget. Finance Director Douylliez advised that the projects that were funded this year through ARPA and other funding mechanisms are roughly \$1 million. Mayor Samora asked what amount the City would be looking for as an annual budget for the projects covered by the stormwater utility fee. Director Tredik advised that it would depend on the Commission's desire to implement those projects and their timeframe. He advised that a stormwater fee could be as low as \$5 a month per residence. Mayor Samora asked how much money he would be looking to generate annually. Director Tredik advised that if it is implemented to its full capability that it would probably be \$250,000 to \$500,000 annually depending on what it is set at. Mayor Samora said that he is trying to look at the big picture, which is that Director Tredik is asking for another revenue source to cover annual operational expenses. He would like to have a budget number and then the Commission can decide how to work towards that. Director Tredik advised that he would need to go back into the budget for that. Commissioner George advised that Page 3 has a table that might have the information that the Mayor is looking for, which specifies \$209,000 estimated FY 2023 operational cost. Director Tredik advised that figure was what was looked at a year ago, which may have increased a little and that some of those numbers were estimates. He was thinking of having \$200,000 to fund maintenance and another \$200,000 to fund some projects or use as the matching funds for grants. He advised that it could start small with \$200,000 to cover maintenance and when the Master Drainage Study Update is complete to possibly increase the stormwater utility fee next year to cover one project in a certain time period. He advised that there is a lot to do before we get to that point. Mayor Samora asked if he envisioned this as a revenue source that would completely pull all of these expenses out of the ad valorem tax. Director Tredik advised that there is no reason that it could not pull all the drainage expenses out.

Commissioner Sweeny said that she sees different calculations for residential vs. commercial and she asked if that fee amount would be the same. Director Tredik advised that you would look at the average impervious surface square footage for residences and then look at how many square feet are in the commercial and that is how many equivalent residential units you would have. He said that basically residences would all pay the same, but the commercial would pay based on the impervious surface area tied to that equivalent residential unit.

Commissioner George asked if the square footage is based on the footprint of the structure or all interior square footage. Director Tredik advised that it would be based on the exterior footprint

impervious surface area, which would be the house, the driveway, and anything else that sheds water. He advised that there is going to be some work getting there and that it would not be quick. Commissioner George asked if a pool would be considered impervious for this. Director Tredik advised that that is a decision that can be made going forward because most pools hold water about six inches below the lip of the pool, but would overflow just like everything else. Building Official Law advised that the Land Development Code is very specific on this, and all pools count as impervious surfaces.

Commissioner Sweeny asked if Director Tredik would come up with an average for all properties no matter their size. Director Tredik advised that is the way he would prefer to do it, but that some places do have a tiered system, which is more challenging to manage, such as if someone adds an addition to their home. He advised that a non-tiered system would be much simpler and that he understands that it would not be fair across the board but that it is not a huge cost either.

Commissioner George asked if properties with swales would be entitled to some kind of credit. Director Tredik said yes potentially if they retain a certain amount of flood waters, which could be determined if we go down this path and to look at other cities that have had similar questions. He advised that the City would want to make sure that it is not challenged legally, but if we start granting exceptions that are not tested then it could be thrown out. He advised that we would probably model it after a successful stormwater utility fee.

Vice Mayor Rumrell advised that we should look at fixing the stormwater situation because at some point the funding in Tallahassee may not be there and we may need to consider doing something since we are a coastal community. He said that it is only going to get worse, and he would like to find a way to get ahead of it. He said that he is open to moving forward with this process at least to get some more information.

Commissioner Sweeny agreed that the situation is not going to get any better and that the City needs a dedicated funding source for these projects. She said that the State funding is not going to be there forever. She advised that she is in favor of moving this forward and continuing the conversation to get more details.

Commissioner England advised that keeping the money in the General Fund is subject to giving up projects each year as opposed to separating it out. She said that sustainability is one of the primary ideals of this community. She said that she agrees that it needs to be separate, but she questioned whether it should be a fee or a dedicated millage. She advised that going forward the presentations would have to show the pros and cons of a separate millage. She said that some people would rather have the millage because it is tax deductible and people do not like fees. She said that the City Manager convinced her today that the fee is a good way to start. Director Tredik advised that the advantage of the fee is that it is a set amount and if we had a decline in property values we would still have to maintain the system. Commissioner England said that she would like to see that in writing for any future presentations to the public and to be transparent.

Finance Director Douylliez advised that the City stopped using the Road and Bridge Fund for the most part and that the revenue and expenses could be isolated strictly for this. Commissioner England said that a separate account is not enough and that we need something that the funds go in to and cannot be used. Finance Director Douylliez said yes that the Road and Bridge Fund is currently only used to pay the Debt Service payment and to collect the Local Option Gas Tax and the revenues could be moved directly into that fund as well as the stormwater utility expenses. Commissioner England said that every year the Road and Bridge Fund changes and you are talking about a fee that is totally dedicated to sustainability/stormwater and that is what she thinks is needed. Director Tredik said that we can always change paths later, but we need guidance now or a non-ad valorem would not be an option for FY24.

Mayor Samora agreed that the current situation is not sustainable for the long-term and that relying on State funding, etc. is not a good plan and this is an option. Director Tredik advised that a lot of cities do it. Mayor Samora advised that the Commission needs a lot more detail on how to execute this.

Mayor Samora opened Public Comments.

Amanda Rodriguez, 32 Versaggi Drive, St. Augustine Beach, FL, said that the City needs transparency or there would be a high level of frustration; there is always a need for the maintenance; why didn't the money come from somewhere else and a fund for every year; what would be different for the citizens would be good to know for the next presentation.

Cathy Stone, 826 A1A Beach Boulevard, Unit 51, St. Augustine Beach, FL, thanked the City for a fabulous job keeping the drains cleaned; Ponce Landing has an underground pump system with a backup generator; as long as the City is functioning, Ponce Landing does not flood; putting another tax on us to pay for stormwater and then pave a road is double trouble; would not be in favor of another fee in the property taxes; seven inches of rain would flood their condos; talking about increasing their pumps/new drainage; every time you resurface it raises the road and more water on everyone's property; the dunes are doing their thing and we spent \$3,000 to have a sand fence put in after Matthew to help replenish the dunes, which worked.

Mayor Samora closed Public Comments.

Mayor Samora said that several of the communities have private drainage and he asked if they would be treated any differently. Director Tredik advised that it would need to be determined because most of them still depend upon the City's drainage system that goes down to the Mizell Pond, and if the City's system fails, they all fail. He advised that when the water came from under Embassy Suites from the ocean and into the system, it overwhelmed it. He said that when it backs up downstream and upstream, properties that discharge from the Boulevard would have problems and that everyone would benefit from increasing the maintenance of the City's system. He said that a credit system for those that attenuate a certain amount of runoff is very doable in the development of the fee. He advised that there are a lot of ways to do this but that a dedicated fee is essential.

Motion: To authorize staff to advertise for a public meeting to discuss and adopt a stormwater utility non-ad valorem assessment. **Moved** by Commissioner England. **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Commissioner George advised that she is going to keep an open mind, but she has concerns for the slippery slope. She said that we know a lot more now about sea level rise and climate change but the last time we implemented a fee it maxed out in three years, and it is another form of taxation. She said that she appreciated all the work that Director Tredik put into this.

Mayor Samora said that there are a lot of questions and that this is a good opportunity to ask for specific information and to let Director Tredik know what you would like to see. He said that he is interested in how to come up with a fee structure that is fair and manageable because the bones of the structure are overwhelming. He would also like to get a more solid feel for the budget that Director Tredik is trying to generate annually from this fee.

Commissioner George advised that she would like to have historical data for how these capital improvement projects have been funded in the past to see what the other options are. If we keep adding on fees and the milage does not go down, then it is unconscionable. She agreed that we need to be transparent and have a concrete explanation.

Vice Mayor Rumrell advised that if the one-cent sales tax passes in November that there may be an opportunity for infrastructure and to use it for some of this so that the City does not have to do a fee and that everyone else helps pay for it as well.

Commissioner England suggested a separate fund and protecting it for sustainability/drainage so that it could not be used for other operating costs. She advised that she is looking at the long-term future of the City and to have the money to protect property and drainage.

Commissioner Sweeny agreed and said that she liked the idea of having a dedicated fund for these projects, but that she did not like the idea of another fee or a tax increase. She said that she has concerns for next year's budget and these are critical infrastructure needs. She said that there have been three of these "fifty-year" storms in the last six years and that she has concerns for future storm surges and these projects. She said that it is critical that the City protects the residents' homes and that if this fee could help, that she would be open to future conversations. She appreciated Ms. Rodriguez's comments about ensuring that we communicate the "why" to the residents and what would be gained from it. She suggested to come up with a potential project list of what these funds would go toward. She also suggested to create a list for the legislature, which would be here before we know it.

Mayor Samora said that the Commission has given some direction and there is a vote and second.

Mayor Samora moved on to Item XII.6 and asked Director Tredik for his presentation.

6. Second Street East of 2nd Avenue: Consideration of Sharing Costs with Property Owners to Connect Houses to Underground Electric Lines (Presenter: Bill Tredik, Public Works Director)

Director Tredik advised that 2nd Street is under construction and that the Commission was pretty clear that they wanted to do underground powerlines on both the west and east sides as we widen the road. He said that the Commission authorized FPL to begin the design, but that he does not have those designs yet. He said that the preliminary design for the east block is in the agenda packet. The west block now has the easements needed to make it work based on the discussions with FPL, but those easements would not be recorded until everything is in place. He said that the east block has been more challenging because the people are concerned about the cost, and he had a Zoom meeting with some of the residents and a local electrician to discuss the issues which are included in the agenda packet. Some of the concerns were the electrician's cost to run underground service to the transformer, modifications to the meter, modifications to roofs, etc. and that FPL also has a tariff, which could be up to \$750 per meter. He said that the local electrician provided a ballpark estimate of \$2,000 to \$4,000 per home if they have a clear path to make the change, or a directional bore could be \$5,000 to \$7,000. He said that the total for that block is between \$34,000 and \$52,000. He said that we are struggling to make this happen in the east block because of the cost for the homeowners.

He said that a similar project that he was interested in was Holly Hill because it is similar in a lot of ways, they funded it through Tax Increment Financing, but we do not have the ability to do that because we do not have an area that would fit the criteria for a Community Redevelopment Area. He said that we would need to find some other way if the Commission wants to pursue this or not. He advised that there are four different choices in the agenda packet to be funded by the property owners, but that they probably would not go for it because they already have power. The second choice is to pay up front and establish a non-ad valorem assessment to recover costs, which would work but we would need the upfront money and recover it afterwards; the third option is to fund it in full or part but if we do that we are setting a precedent for any future underground projects; the fourth is to defer the project to a future date, which is not a popular choice because of the strong desire to put the powerlines underground. What is being done to the roadway now allows for the lines to be put underground at a future date and the cost

difference would probably not be dramatic. He recommended option two or four and to direct staff to move along the path towards a non-ad valorem or to just defer it to a future date.

Commissioner Sweeny asked how many homes are on the block and how much money would the City need to have upfront with option two. Director Tredik advised that he does not have exact amount but that the estimate would be \$34,000-\$52,000 and he believes that there are eight homes and that some are multi-family. Commissioner Sweeny asked how many years the assessment would be for. Director Tredik said the extension was over six years but that it could be whatever the Commission believes would cause less pain for the homeowners.

Mayor Samora asked if there is an option that the City could put the structure underground and let the homeowners opt in when they are ready. Director Tredik advised that he did not think that it would work for us; that Jax Beach did it, but they have their own power company, which makes a difference. He said that if we did it, we would have to put in a transformer and come up a pole and then down to the existing service, which would leave the poles in place until the services are changed to underground.

Commissioner Sweeny asked how many lots were not onboard. Director Tredik replied three.

Commissioner England said that the City is proud of the tree canopy and would not want to lose it. She said that FPL has a very strict policy that the trees would be trimmed if they are too close to a wire. She said that going forward with undergrounding is very important because of the tree hammock and cut back on the risk and danger of outages due to those trees. She said that paying for that connection in the whole town is not feasible, but that there are special assessments that allow people to get the benefit of something that the City is doing and gives them time to pay for it, which is a reasonable offer. Commissioner George agreed.

Commissioner Sweeny asked if the idea of a multi-year assessment has been presented to the holdout lot owners. Director Tredik advised that he does not have confirmation that they would not object to an assessment, but just like the other assessment, the Commission could authorize the Public Hearing and if they say no, then it would be over in November. He said that the Public Hearing would at least get the ball rolling for FY 2024. Commissioner George said that for the property owners that are willing to pay, even with the special assessment, there is nothing stopping them from paying upfront and that it really serves everyone's purposes. Commissioner Sweeny would like to ensure that the assessment would be less than the \$50,000 if some pay upfront and if it is in the budget to float the money. Director Tredik advised that it is not in the budget now and that he would have to get with the Finance Director and pull it from somewhere else.

[Multiple people were talking over one another, and nothing could be retrieved for the minutes.]

Finance Director Douylliez advised that the majority of the Impact Fees would be spent on projects that we currently have, and it would be years before we recover it for Ocean Hammock Park. Vice Mayor Rumrell asked if the ARPA money could be used initially. Finance Director Douylliez advised that the ARPA funds could be used however the Commission chooses. She said that her only hesitation with a non-ad valorem is that it is a set fee for every property and there are varying degrees of that, and it could be challenging for the Tax Collector to accommodate it for us. She said that we do not have the option of a special assessment, our option is for a non-ad valorem. She said that she would have to find out what the steps would be to get a special assessment implemented. She advised that the non-ad valorem is typically the same rate for every homeowner. Commissioner England said that it would not work and that we need a special assessment. Finance Director Douylliez said that the City has not done a special assessment before

other than the one cent millage, which was voted in by the residents and she would have to find out how it works.

Commissioner George asked if the non-ad valorem could have two categories for properties with different conditions and then average it and that would be the rate. Finance Director Douylliez advised that she would suspect that we would have a low end and a high end range so that we could manipulate it as needed and that there may come a point when we have overtaxed and then would have to do a refund like what happened with 8th Street. Commissioner George said that it would still be an average for everyone. Finance Director Douylliez said yes. Commissioner George asked the City Attorney whether we could create two categories. City Attorney McCrea advised that the special assessment is what you should look into because he has not heard of having two categories before.

Director Tredik said that it could be argued that everyone on the block is receiving the same benefit. City Attorney McCrea said that everyone on the street is getting a general benefit from it but to get to that benefit people are paying more. Commissioner England said that she does not want to be the neighbor that has the tree limb that causes a power outage and that undergrounding benefits everyone. Director Tredik advised that the lot at the end has underground power but could still lose power if a tree falls on a powerline in the rest of the block.

Mayor Samora asked if he has all the easements needed. Director Tredik said he has the easements for the west but not on the east.

Commissioner Sweeny asked if a special assessment would have the same schedule by starting the public hearings next month. Finance Director Douylliez advised that it has never been done but that she believed that we would need to have a similar agreement with the Tax Collector before December 31st. She suggested to continue on and advertise for the four weeks and that she could make a call to the Tax Collector tomorrow to try to gather information.

Vice Mayor Rumrell said that in his opinion the only option is number two because if we defer it then we would just have the same discussion at another meeting. Mayor Samora agreed.

Mayor Samora opened Public Comments.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, has walked through the City for decades; everyone would benefit from underground lines; it is a tough problem, and he supports whatever can be done to underground utilities especially because of the tree canopy, which is key.

Cathy Stone, 826 A1A Beach Boulevard, Unit 51, St. Augustine Beach, FL, why were new utility poles put in the last six years on the Boulevard; not a fan of powerlines and we should be undergrounding.

Mayor Samora closed Public Comments.

Mayor Samora said that he believed that the new poles were done by FPL.

Commissioner George said that this is a special assessment or a non-ad valorem for a specific project and she does not have the concerns for a slippery slope. She said that twelve years ago when she was sworn in, she mentioned undergrounding utilities and it was not politically palatable at that time; meanwhile, FPL has their capital improvement projects and now today we have a Commission that sees the benefit of it and that we just need to find the money.

Mayor Samora said that the Commission could do the same thing as the last motion to move forward with option #two and authorize staff to draft a resolution to state the intent of implementing a non-ad valorem and we can give time to research a special assessment.

Motion: To authorize staff to advertise for a public meeting to discuss and adopt a non-ad valorem to cover the costs. **Moved by** Mayor Samora. **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora moved on to Item XII.8 and asked Public Works Director Tredik for his report.

7. Ordinance 22-13, First Reading, to Vacate Alley between 1st and 2nd Streets, West of 2nd Avenue, Block 32, Chautauqua Beach Subdivision (Presenter: Brian Law, Building Official)

This Item was removed from the agenda.

XIII. NEW BUSINESS

8. Vacation Rentals: Consideration of Levying Non-Ad Valorem Assessment for Solid Waste Collection (Presenter: Bill Tredik, Public Works Director)

Director Tredik said that the advantage of this is that it is not new, it is just a different way of collecting the fee. He advised that in 2020 we changed Chapter 10 of the City Code regarding garbage and trash, which was intended to expand the non-ad valorem assessment to fund the collection of recycling, because we had already funded for disposal. It was supposed to reduce the number of can counts that were being done and it required commercial customers to purchase cans to standardize their garbage use. It did its job for commercial, but it did not work as well for 164 transient rentals. He advised that it has been challenging because there is always a different person putting garbage out, a lot of staff time logging overages, uncontainerized garbage, etc. and then for Finance to invoice and bill for the overages. He said that condominiums are technically commercial service premises and we had them billed through the Condo Associations but that the Commission recently approved bringing them back into the residential non-ad valorem. He said that we have not tackled the issues of the vacation rentals, which continues to be a problem, we cannot use residential because the fees are different and it is a business. He advised that staff came up with the idea of having a non-ad valorem assessment and shift them into it instead of having the can counts, overage calculations, etc. and that they would have a set fee. He advised that in order to move this forward we need to advertise it and have a public hearing in November. He said that there might be more conversations needed to determine if this is the right path, but it would solve the problem of logging overages and reduce staff time for Public Works and Finance. Mayor Samora asked if this is revenue neutral. Director Tredik said yes.

Commissioner George read a sentence from the agenda packet information about this being savings for the customers and she asked if it really a savings. Director Tredik agreed that it may not have been written as well as it could have been but that he was trying to say that it has reduced the effort that Public Works has to do to go out and count cans and that overages have been less common for the commercial. He advised that it has not cut the City's cost on the transient rental side.

Commissioner England asked if Public Works separates the costs between yard waste vs. household. She said that in a year like this the Commission wanted to overhaul that ordinance to reduce costs overall and right-size the customers but that the costs have gone up. She said that as we get more efficient that we should see the collection of household waste and recycling even out or go down, but that yard waste can fluctuate with the weather. That may help the Commission see if we are reducing the expenses of household and recycling. Director Tredik said that those numbers are available as to how much is going to the dump site but that he has not done that analysis because collection and disposal covers both categories. He said that the tonnage on household garbage has probably gone up because we are growing and there is no reason for it to go the other way. Commissioner England said that we were hoping that with the

new methods of billing that we would save some money. She said that people do not like non-ad valorem assessments but hopefully we can at least show that our billing method is more efficient even though yard waste is adding to the overall cost. Director Tredik said that the non-ad valorem for residential does not make us more efficient it was just a different way to collect revenue to pay for the service. He said that efficiencies might be gained by changing the routes to cut back on fuel, etc., which would be challenging because it would be a change for everyone. He said there were initial savings by going to Bunnell because of the reduced tipping fees, which have largely evaporated because of the fuel costs, so it may be more economical to bring it back to the County, which costs \$50 more a yard to dispose of. He said that it is challenging to try to juggle the numbers for what is best for the City and to keep the bottom line. A non-ad valorem on the commercial side would save staff time because can counts and logging of overages would stop.

Mayor Samora opened Public comments. Being none, he closed Public Comments and asked for Commissioner discussion.

Mayor Samora said that it is revenue neutral, and it would help with efficiency. Commissioner George said that it is consistent with what we already have for other properties even though I objected to it when it started, now it is a consistency. City Clerk Fitzgerald advised that a significant number of complaints received are due to objections about the billing on the transient rentals and moving it into taxes would be a much better use of office time and reduce expenses such as postage, printing, etc. It would reduce Public Works staff time to help make their routes more efficient, get the garbage collected faster, and would be an overall advantage to the City and that there are cost savings involved. She noted that the discussions to decide what the fee should be would happen over the next several months. Commissioner George said that it would relieve the homeowners from having to mail in a check every month.

Discussion ensued regarding other examples of complaints that could be alleviated by this non-ad valorem assessment.

Motion: To authorize staff to advertise for a public meeting to discuss and adopt a Non-Ad Valorem Assessment for Solid Waste Collection for transient rentals. **Moved by** Mayor Samora. **Seconded by** Commissioner George. Motion passed unanimously.

Mayor Samora moved on to Item XIII.9 and asked Building Official Law for his report.

9. Code Enforcement: Request for Approval to Hire Second Code Enforcement Officer (Presenter: Brian Law, Building Official)

Building Official Law advised that this was discussed several months ago at the individual budget meetings, that by the time the need arose, he could not go back and change the budget. He said that he sees an opportunity to pay for a second Code Enforcement Officer out of the transient rental program because people want more Code Enforcement. He said that it is very problematic to only have one employee in a division, Mr. Timmons is overworked right now, and he would be taking FMLA leave soon. He provided a slide chart depicting the current rate of \$125 per unit along with other figures. He said that he also included other surrounding jurisdictions which shows that the numbers are all over the place, but they do demonstrate that the City is not charging what the neighboring communities are, with the exception of Palm Coast. He advised that he could house them on his side, he has extra computers, and could make this happen. He advised that if the Commission decides to do this that he would come back in December with a resolution to amend the City's fee schedule to whatever is decided, the Finance Director would amend the budget, and he would ask for a thirty-day moratorium on any increase, that way someone could appeal if they choose to, and to honor the current rate for the renewal period. He said that not everyone renews their Business Tax Receipts (BTRs) at the same time and transient rentals are late in the fiscal year. He advised that when we get through this current renewal period, we will

hit a lull with the stragglers, but it would start up again with the next fiscal year's renewals in August and then he would have four to eight inspections a day, which does not leave much time for other Code Enforcement issues. He said that we must inspect the buildings unless the Commission were to decree that the buildings did not need to be inspected, but that he would strongly recommend that they continue to be inspected.

Mayor Samora asked what the fee increase would need to be to cover the cost of another Code Enforcement Officer. Building Official Law advised that Finance provided a number for the starting salary, full medical, etc. and that this is a General Fund account. He said that \$500 per year/per unit would definitely cover it all.

Commissioner George asked if the need would be there if the ordinance does not pass. Building Official Law said that there is more Code Enforcement that could be done outside of transient rental inspections, such as helping the Public Works Department with the rights-of-ways violations, illegal construction, helping Finance with overdue payments, etc. Commissioner George asked if a part-time position would be a sufficient option. Building Official Law commented it would need to be a full-time position and that he has no doubt that two Code Enforcement Officers are needed.

Commissioner Sweeny said that during past discussions, the Commission heard complaints about unlicensed transient rentals and a lot of Code violation issues, and she asked if this new position would help to better regulate the rentals. Building Official Law advised yes, and not just with the transient rentals. He said that it is harder and harder to find illegal transient rentals because they have gotten a lot smarter over the years and it could take weeks to generate a case because we cannot use someone else's pictures for the Code Enforcement Board.

Commissioner England said that his reports indicated that most Code violations were for not getting a permit. Building Official Law advised that that is usually a double-edged sword because we work between Code Enforcement and the Building Inspector and if a permit is not obtained then the eventual route would be the Code Enforcement Board.

Commissioner England asked if this would help move the cases along that seem to linger. Building Official Law said yes and that we could take the workload and divide it in half. He would like to get to the point of only sending one notice letter and if they do not comply then they would get a letter to appear with legal advertising. He said that whether they comply or not, that once it is advertised, he requires that they come before the Code Enforcement Board because the Chair may require that the City be reimbursed for the legal advertising.

Mayor Samora opened Public Comments.

Amanda Rodriguez, 32 Versaggi Drive, St. Augustine Beach, FL, said this is related to her first comment and that it is very hard to enforce the Code; Alvin's does not feel that the City can enforce it and that there are consequences; whether there are one or two officers that they need to have the authority, resources, and tools; Mr. Timmons asked for a citation and did not get it; it should have been resolved in ten days but took six weeks; the lights are back on and that asking nicely again would not happen; things cannot just sit until someone feels like complying.

Mayor Samora closed Public Comments.

Mayor Samora asked if Building Official Law feels that the Code Enforcement Officer has the authority that he needs to enforce properly. Building Official Law advised that this jurisdiction utilizes a Code Enforcement Board and that staff does not have the power to issue monetary fines, nor does he believe that it should be something that one individual staff member has the power to do, that should be handled by a panel of their peers. He advised that he has the authority to call an emergency Code Enforcement Board meeting and that he actually called for one today for a noncompliant fence. He said that he believes that they have the necessary tools and have been

pretty successful with their limited staffing. He said that they have done a lot of things but that they want to do more, and the transient rentals are an avenue to generate some of the revenue.

Commissioner George asked about after hours issues, especially for the transient rentals because people feel like there is no enforcement after hours. She said that she expects that this would not change that, and she asked for suggestions. Building Official Law said that the Code gives the City Manager the right to remove a BTR, but that he would still recommend that it goes to the Code Enforcement Board so that it is not an individual affecting someone's business. He said that the police are staffed twenty-four hours a day and if there is a verifiable noise complaint that gets logged by a police officer, then Code Enforcement would contact the owner/property manager. He advised that if the complaint happens again then he would probably want to convene the Board. He said that he would caution against any one person having the ability to remove a BTR especially for transient rentals with a finite number.

Commissioner George asked if Board action could be taken based upon someone calling a report to the police. Building Official Law no. Commissioner George said that the police would have to verify the issue. Building Official Law said yes and that it was one of the big changes recently with anonymous complaints, which went away for this reason. He advised that he would want three verifiable complaints. He said that if the Commission allows for another Code Enforcement Officer that they work standard hours, or it would defeat the purpose.

Commissioner George asked how much of the new Officer's time would be spent on transient rentals vs. all the other things. Building Official Law advised that vacation rentals during this time of the year are normally one of the busiest things done and the inspections would be split once the new person is trained. He said that he would offer an internal hiring position for a few weeks, and he would want to get through the transient rental inspections before he brought in someone new because of the training.

Commissioner George said that her concern is that she would not want to fund both Code Enforcement Officers with just the short-term rental program and she is trying to get a feel for what that ratio might be. Building Official Law advised that the transient rentals are twelve-months because we regulate the amount allowable and the illegal rentals, which occur every month with the majority happening August through year end. Commissioner George asked if it would be a quarter of the year or a third of the year. Building Official Law advised that there is no way to quantify that question because Code Enforcement is complaint driven, especially with the success of the Resident Self-Service Portal. Commissioner George asked if the one Code Enforcement Officer is handling all the transient rental inspections as well as all the other Code Enforcement issues. Building Official Law said yes.

Vice Mayor Rumrell suggested that \$300-\$350 range would probably cover the full cost of another Code Enforcement Officer based on the new number because it looks like \$300 is about \$68,100 and we need to get to \$73,416. Commissioner George advised that that would be tripling the existing fee and that among the two Officers, 75% would not be going towards just the vacation rentals, and that it should be a benefit to the entire City. Mayor Samora said that he would not want to burden the transient rentals with the entire cost. Commissioner George said yes and that there should be a happy medium and that if the City's fees are too low then they should be adjusted and we have not talked about whether there would be a tiered system based on size, etc. Building Official Law advised against a tiered system based on limited staffing because every tier would be another line item for Finance. Commissioner George said that if there is three times the square footage that they would spend more time on that property. Building Official Law advised that he has a small staff in all divisions, and he would not want to complicate the fee schedules. Commissioner George said that by adding staff there would presumably be a lot more work. Building Official Law advised that a Code Enforcement Officer would not be doing that line

of work. He advised that the fee schedules were based on the City of St. Augustine and the County because they are our neighbors.

Mayor Samora advised that the Commission needs to give Building Official Law some direction and would not be approving anything today. Building Official Law advised that he is asking if the Commission has the will to hire another Code Enforcement Officer and if so, to decide what an inspection cost would be because then he would have to amend the City's fee schedule, prepare a resolution, and amend the budget that was just adopted, which is why he would not bring it until December.

Mayor Samora asked for Commissioner discussion and advised that he liked the suggestion of a part-time Code Enforcement Officer. He believes that the City needs more than one and does not like the fact that there is no backup person, whether it be full-time or not.

Commissioner England suggested that the person should start out as a part-time Code Enforcement Officer and a part-time floater to do other things within the Building Department. Building Official Law advised that could not be done because he runs three independent budgets, and the training could not be correlated between the two. Mayor Samora said that the Code Enforcement budget is one person. Building Official Law advised that he gets a portion of it because if he were not compensated then it would violate the 553 Statute of using Building Department revenue for other City purposes.

Vice Mayor Rumrell advised that there is the need especially if Mr. Timmons is going to be out on FMLA for six weeks and the City would have no one, whether it be part-time or full-time. He said that he looks at it as a business and some of the transient rentals are making \$300 a night. Commissioner George said that some are only making \$50 a night. Vice Mayor Rumrell asked how to balance that. He said there has to be a happy medium but that it sounds like we need somebody. Building Official Law advised that about two years ago there was a part-time Code Enforcement Officer in the past, but that he was still entitled to time off and that part-time is not going to suit the needs of the City.

Commissioner George asked what the other funding mechanism is for the Code Enforcement position. Building Official Law advised that the purpose of the Code Enforcement Board is not to generate revenue, it is to bring compliance, but that the Board does have a significant outstanding fine and that he believed that the Board had ordered the foreclosure on that property. City Attorney McCrea said yes that the foreclosure had been ordered but that there are still some steps to be done. Building Official Law advised that this is not the desired outcome.

Mayor Samora asked outside of fines what are other mechanisms would be used for funding. Building Official Law advised that it is funded by the General Fund and that transient rental inspections currently generate around \$28,000.

Commissioner England said that based on the report, the cases, plus the inspections, that she did not see how one person could do the job. Building Official Law advised that he would also love to be able to help other divisions such as the City Clerk's office and the Public Works Department and with an additional Officer they would be able to make contact and begin the process and if they do not get compliance then the full Code Enforcement mechanisms would begin, and the first thing would be to educate the citizens.

Vice Mayor Rumrell asked if any of the BTRs from transient rentals could go to Code Enforcement. Building Official Law advised that he looks at it in the bigger picture because it is all the General Fund and that is why he fought so hard years ago to break that division away and have the three individual divisions and three individual budgets.

Commissioner George asked if it would be okay for their funding if this individual were to do things other than Code Enforcement. Building Official Law advised that he never asks Code Enforcement

to anything outside of Code Enforcement, but they do a lot of assistance with the Planning and Zoning Division. Commissioner George advised that Building Official Law stated that the new person would be able to help the City Clerk, etc. and she questioned whether that would be considered non-Code Enforcement activity. Building Official Law advised no because failure to renew a BTR and continuing to operate becomes a Code Enforcement event. Commissioner George said that the General Fund is another funding source for Code Enforcement. Building Official Law advised that he would default to the Finance Director, but that is how he understands it.

An audience member asked to make another comment. Mayor Samora advised that Public Comments have been closed and City Attorney McCrea advised not to take additional comments. Mayor Samora advised that the comments would not be taken on the advice of the City Attorney.

Mayor Samora said that it sounds like the City needs another Code Enforcement Officer, but that he does not necessarily want to triple the transient rental fees and that he would like to see it come back with a resolution and a recommendation of where Building Official Law feels the transient rental fee would need to be. He suggested providing information about other duties and/or a definition of what they would assist the City with. Building Official Law advised there isn't really any more information to provide and that the Code Enforcement Officer is the Officer for the City and that they enforce the entirety of the Land Development Code and City Code and operate outside of the Planning and Zoning Board and essentially operate outside of the City Commission. He advised that they operate to the Code Enforcement Board and that their job is to enforce any and all code as written. He advised that \$400 would be needed for the transient rental fee and that it is \$300 just for an application with the County.

Commissioner George said that she does not have a problem having additional Code Enforcement, but she has concerns for burdening one small segment of the community and doing it in a way that would not be representative of all the transient rentals. She said that she would be more comfortable with a tiered system and if an oceanfront home is undervalued than it should be charged more but not to triple it. She said that we cannot do it with the BTRs, which are only allowed a 5% max increase because it would be impacting the business owner. She is not opposed to hiring another officer but that they would need to figure out where the money is coming from. Mayor Samora asked for clarification regarding the 5% BTR increase. City Clerk Fitzgerald advised that the 5% increase could only be done every two years. Commissioner George said that this is not a BTR, it is a BTR inspection fee. Building Official Law advised that there are three fees that go with BTRs. Commissioner George said that she is just using it as an analogy and that it is kind of similar. Building Official Law said that he has no problem with a tiered system, he could come up with something to make it work, and it would be based on the Property Appraiser's site.

Commissioner George asked if some cities hire out Code Enforcement. Building Official Law advised that the economy is really good right now and there are not a lot of people sitting around waiting to come and do a very hard job. Commissioner George said that she remembers once that the City hired from St. Augustine, or the County, to fill in during vacancy periods. Building Official Law said to try to bring someone in to learn two new books of codes and the way this government works is not viable. Commissioner George asked if the City has ever had more than one. Building Official Law said no but that he could only speak for the last five years. Commissioner George asked the City Manager if the City has ever had to bring someone in for such things as medical leave, etc. City Manager Royle advised that medical leave has been used more recently than in the past but that he does remember the City being loaned a Building Inspector once when things were a lot simpler. He said that his concern is that when Mr. Timmons goes on FMLA leave that there would be no one to do Code Enforcement. Commissioner George said that we all agree that it is a real concern. City Manager Royle said that he lives in a neighborhood with a transient rental

that is a duplex, and it is well maintained and there is never a problem. He said that he does not know what they charge but that they are obviously making money. Commissioner George said that if it is rented every weekend that they are probably making the equivalent of a long-term rental or less.

Commissioner England asked the Commission to focus first on whether we all agree that we need another Code Enforcement Officer and then talk about how to fund it. Commissioner Sweeny said that if the Commission does not approve another position then what would be done to cover it. Building Official Law advised that you would not have any Code Enforcement, that you cannot ask the Building Official to go out and do Code Enforcement because we are already getting dinged on Federal audits because staff is doing too many building inspections. He said that this is what happens when you have a one-man division. Commissioner George said that by splitting the divisions and increasing medical leave, we have created a situation where we have to have even more overhead. Building Official Law said yes, but that Mr. Timmons could also get hurt at any time.

Mayor Samora advised that it is never good to have just one person and that the need is there whether it would be full or part-time. He said that he would like to see the number of calls coming in brought back next time. He said that he thinks the Commission needs to move this forward and to bring it back in a resolution with a funding proposal. Building Official Law advised that he is ok adopting the City's fee schedule and that he would hate to write a resolution to just tear apart the financial number. Mayor Samora asked Building Official Law to take a stab at covering the costs and that the Commission needs to have more discussion about it. Building Official Law said that for future comments for the month while the Commission dwells on it that he would bring it back with a \$400.00 inspection fee to cover the cost.

Mayor Samora moved on to Item XIII.10.

10. Request by Vice Mayor Rumrell to Discuss Changing Policy on When Commission Regular Meetings are to End

Vice Mayor Rumrell advised that tonight is probably a good night to have this discussion because we are already rolling into the 9:00 p.m. hour and a lot of this was under the Consent Agenda. He said that he and Commissioner England probably have the most flexible schedules and in consideration of everyone that he would rather finish the meetings in one night vs. a continuation because sometimes it is not possible for all of the Commissioners to convene the next day, which could save money for staffing. He said that it could also help with Public Comments because if people attend and then the meeting gets continued, that they would have to come back the next day or the Commission would need to change the order of topics on the agenda. He said that evening meetings work better for the public and that he believes that finishing the meetings in one day would be the best option.

Commissioner George asked the City Manager if it was prior Commissioner Snodgrass that asked to shorten the meetings and if the meetings used to be allowed to go until 10:00 p.m. City Manager Royle advised that he believed it was during Commissioner Snodgrass's reign as Mayor. He said that the time was 9:30 p.m. and then the Commission would need to take a vote to continue the meeting to 10:00 p.m. Commissioner George asked if this was a proposal to bring it back to what it used to be. City Manager Royle advised that it used to be that there was no limit. Commissioner George said that she recalls some other rule that was not like a policy. Commissioner England said that it was the previous Clerk that cited some rule. City Manager Royle said that there is nothing in the Charter. Commissioner George said that we used to be told that we did not have authority to extend it after a certain time and that she thought it was 10:00 p.m. City Manager Royle advised that he did not believe that was correct because he remembers Commission meetings going until midnight.

Commissioner George said that at some point she gets worn out, does not mind coming back, and does not have a problem going until 10:00 p.m. She said that we have not had this issue so far and she commended the City Manager for creating agendas that were not burdensome.

Mayor Samora said that it sounds like we can set our own rules. City Manager Royle said yes. Mayor Samora advised that he would not be opposed to trying to finish up by 10:00 p.m. but could extend it by vote for another thirty minutes. He would hate to say that we would finish in one night because he does not want to be here until midnight, and it is counterproductive to stay two hours after 10:00 p.m. Commissioner George said that is how you lose Public Comments too.

Commissioner Sweeny said that Public Comments are her main concern and that she is in favor of the current rules because she feels like it discourages public participation to go much later and to ask the public to stay up until midnight.

Mayor Samora said that it would be nice to have the flexibility to stay to finish up one more item. Vice Mayor Rumrell said that we start looking at the clock and could be rushing our decisions and that he would like to finish in one night for those who do not have flexible schedules.

Commissioner George said that she likes the suggestion of bringing back the rule that if the meeting is not finished, that it would be finished the next business day for planning purposes and to always keep that Monday and Tuesday open. She said that the only reason we got away from that was because of Commissioner Torres, so it could be brought back.

Vice Mayor Rumrell said that if the meeting can continue on and end at 10:45 p.m. vs. coming back for thirty minutes next day.

Commissioner Sweeny advised that she would rather come back the next day because at that point she has been at work since 8:00 a.m., then the meeting, and that her brain is fried. She said that she would rather come back with a fresher mind the next day. City Manager Royle advised that the Commission has the flexibility to change the order of topics to accommodate a room full of people that are there to speak on a certain topic. Commissioner George agreed and said that it would depend on what the issue is and whether the meeting would run late.

Mayor Samora suggested having both the flexibility to extend the meeting for a half an hour by vote and also to leave the next day open. Commissioner George said that is the function of it being at 9:30 p.m. but to also have the option to vote and consider each other's mental state and what the issue is. City Manager Royle advised that you could vote to extend it forty-five minutes in order to finish up the business.

Mayor Samora asked if a resolution would be needed to make this change. City Manager Royle said that it is a policy. City Clerk Fitzgerald advised that it is in the Policies and Procedures Manual, and it would take a simple resolution to make any changes. She suggested that the 10:00 p.m. limit could be removed, then they would have the freedom to continue that night and end at whatever time or continue it the next day.

Commissioner England said that the policy would be much more general and allow the Commission the ability to extend the meeting or come back the next business day. City Clerk Fitzgerald advised that removing that definitive end time would allow the Commission the flexibility to either continue on or stop and continue the next day.

Mayor Samora opened Public comments.

Virginia Morgan, 208 Bluebird Lane, St. Augustine Beach, FL, said that going really late discourages engagement from everyone; she has attended many of the meetings and that none have gone past 10:00 p.m. and thanked the City Manager for that; she liked the idea of either voting if it is going to go past 10:00 p.m. or reorder the agenda topics to accommodate audience participation in the hot topic; you do not want to be quick or not put in the amount of time it needs.

Vice Mayor Rumrell said that we are the only jurisdiction that does not finish in one day. He said that the Mayor and the City Manager have done great jobs.

Mayor Samora said that Commissioner England summed it up well and he asked for it to be brought back as a resolution. City Manager Royle agreed.

Mayor Samora closed Public Comments and moved on to Item XIII.11.

11. November Regular City Commission Meeting: Selecting Date for It Because on First Monday the Meeting Room is Reserved for the November Election (Presenter: Max Royle, City Manager)

City Manager Royle advised that there would be a number of Public Hearings for the November meeting, so we need to have a specific date and he recommended the second Monday.

It was the consensus of the Commission to have the meeting on November 14th at 6:00 p.m.

Mayor Samora moved on to Item XIV.

XIV. STAFF COMMENTS

Chief Carswell advised that National Night Out is October 4th at the Pier.

Director Tredik advised that Public Works is working hard to get the City back to where it was before the storm.

City Manager Royle advised that our City Clerk has received her Certified Municipal Clerk (CMC) certification and that she has one more certification to go to get Master Municipal Clerk. He advised that any residents who do not want to wait for their household waste to be collected on its normal schedule can take their waste to Public Works on Mizell Road and put it in a dumpster that has been loaned to the City from the City of St. Augustine.

He said that the last three meetings have had Public Comment about the Ocean Hammock Park boardwalk and he feels that it is a topic for a special meeting because we might have 50-60 people who all want to speak for two minutes about it. City Attorney McCrea said that he would have his research material ready by the next meeting. City Manager Royle advised that he would not want it on the November agenda because that already has four Public Hearings. Mayor Samora asked if it would be a special meeting with one topic or a workshop. City Manager Royle advised that we are past the workshop stage because people have given a lot of comments. He advised that it should be a special meeting to be able to make a decision whether the boardwalk would be moved or not. Commissioner England advised that she would like to see the hard numbers for the cost to keep it where it is with a replacement vs. what is the cost and the long-term negatives and benefits of relocating it.

Mayor Samora said that the Commission still has some things to sort out and he asked for Commission's thought about a special meeting. Commissioner Sweeny said that if we are going to have a special meeting to discuss and vote on it, that we should have all the information that we want at that meeting. Mayor Samora said that maybe at the next meeting when we set a date for the special meeting, that the City Attorney may have direction for us and if there needs to be any recusals. Commissioner George suggested to give direction to staff to prepare an agenda item content booklet so that we can review it at the next meeting to determine if anything is missing before the special meeting. City Manager Royle agreed that it is a solid approach, but that it would not shorten November's meeting because once people see it on the agenda, they will be here and there are already four Public Hearings as well as other items. Commissioner George said that depending on how it is worded in the book might reduce some of the time. Mayor Samora suggested for the Commissioners to email staff with the information that they want to request to allow for more time to prepare. Commissioner George said that just putting on the agenda that there would be discussion of scheduling a special meeting would likely draw a lot of Public

Comments. City Manager Royle said that he would prefer that it be in December and not in November, besides we may want to wait until the newest Commissioner is on board to help make the decision.

City Manager Royle advised for the Commission to give him the information that they want to see about the item in November and then in December he would present the information and ask to set a date for a special meeting either in December or January. Commissioner Sweeny asked if there is a timeline to be conscious of with the Park moving forward if it is decided to move the boardwalk. City Attorney McCrea interrupted and said that we are starting to have fundamental questions regarding this after everyone has left and people would say that we are being disingenuous with the discussion. Mayor Samora asked if the City Manager was good with the direction given. City Manager Royle said yes.

Mayor Samora advised that we have had a busy week of events and that he reminded everyone of the following items: National Night Out, October 4th at the Pier from 5:00 p.m. to 8:00 p.m.; Vision Plan Workshop would be held in the Commission Room on October 5th at 5:30 p.m.; the SEPAC meeting October 6th at 6:00 p.m.; and the Planning and Zoning meeting on October 18th; and that early voting would occupy the Commission Room for part of November.

City Attorney McCrea asked Building Official Law if the emergency Code Enforcement meeting was set. Building Official Law said no because they have to send the official letter out and then would need to legally advertise. He believed it would be October 19th, which is the same day as the Planning and Zoning Board meeting but that it may not be able to happen then because of the Port and Waterway meeting. City Manager Royle advised that the Port and Waterway would meet on October 18th. Building Official Law said that October 19th is the tentative plan and that he instructed Mr. Timmons to send the certified letter and to hand deliver one.

Mayor Samora moved on to Item XV.

XV. ADJOURNMENT

Mayor Samora 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 9:06 p.m.

Donald Samora, Mayor

ATTEST:

Dariana Fitzgerald, City Clerk



MINUTES

WORKSHOP MEETING FOR CITY COMMISSION, COMPREHENSIVE PLANNING & ZONING BOARD, AND SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE WEDNESDAY, OCTOBER 5, 2022, AT 5:30 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 5:30 p.m.

II. PLEDGE OF ALLEGIANCE

The Commission and Board members recited the Pledge of Allegiance.

III. ROLL CALL

Present:

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

Comprehensive Planning and Zoning Board: Members Scott Babbitt, R. Conner Dowling, Larry Einheuser, Hester Longstreet, and Gary W. Smith.

Sustainability and Environmental Planning Advisory Committee: Chair Lana Bandy, Vice Chair Sandra Krempasky, and Members Craig Thomson, Karen Candler, and Edward Edmonds.

Also present were City Manager Max Royle, City Clerk Dariana Fitzgerald, Building Official Brian Law, and Public Works Director Bill Tredik.

IV. PROPOSED VISION PLAN

A. Review of Plan Prepared by Commissioner England

Mayor Samora advised that this is a workshop meeting with the Commission, the Comprehensive Planning and Zoning Board, and the Sustainability and Environmental Planning Advisory Committee, and we are going to be discussing the proposed Vision Plan update for the City of St. Augustine Beach. He said that Commissioner England has been doing a lot of work and that everyone has had a chance to review the draft copies and submit feedback on it; he thanked everyone for doing that prior to the meeting. He said that the purpose of this workshop is to discuss some of the changes, discuss the Vision Plan, and then provide some direction to staff.

Commissioner England advised that the Vision Plan is just a vision and is not what we want to do or exactly how we propose to do it in steps and that it does not go into a lot of detail. She suggested for everyone to point out in the Plan what section they are addressing, what sentence they want to change, or what they agree or disagree with to be incorporated into the next draft.

Mayor Samora said that it was the City Manager's suggestion to use the projectors to display the Vision Plan and then go through it section by section and to take comments. He asked the City

Manager what he thought would be the best format for the comments and if everyone should come up to comment. He advised that he did not feel timed comments would be necessary. City Manager Royle advised not to limit the minutes to speak because it is a workshop between the Commission and the Boards.

Mayor Samora asked Commissioner England if she wanted to comment on the Vision Statement and the Mission Statement. Commissioner England advised that the Vision Statement and the Mission Statement are items that she picked up from previous Commission meetings, so they are pretty much standard. She said that she and the City Manager used the 2006 Vision Plan, which concentrated on A1A Beach Boulevard and tracked what was suggested in that Plan. She advised that they tracked what was and was not accomplished and then used the format from that 2006 Plan. We looked at existing conditions to point out some of the pros and cons of what we have in St. Augustine Beach, and there are a lot of good things going for us. City Manager Royle said that the existing conditions were one through seven. Commissioner England advised that the City Manager helped her with the existing conditions or things that are unlikely to change. City Manager Royle advised that we are actually one through eight and then went into the purpose of the Vision Plan.

Mr. Craig Thomson, SEPAC, said that you mentioned this is not a how-to plan, but that the statements were very general. He said that optimizing resources, reducing water waste and consumption, and that any type of plan should have some sense of implementation and who will be in charge of looking at it. He said that what he sees lacking is any sense that the last Vision Plan had a lot of things that were not accomplished and there was no planner on board, nor was it worked on with the Planning Board or with SEPAC. So, there are a lot of statements like more green space or reduced consumption. Commissioner England agreed. Mr. Thomson advised that even if you do not do implementation, the Comprehensive Plan has goals, objectives, and policies and that you need to be a little more specific and less general if you are going to have a vision because it is hard to understand the vision. Commissioner England suggested that if he has any language to suggest for that section, he should send it in and they would certainly consider it.

City Manager Royle asked Commissioner England if we should move onto the purpose of the plan. Commissioner England said yes, and that she was trying to pick up the definition of a smart city, and what a smart city does. City Manager Royle said that Page 11, Section H, is regarding "Smart City Projects" and he invited anyone who had a comment on any of these sections to come up. Commissioner England advised that the definition of a smart city is on Page 10 and that the use of technology and the goal of a smart city is to enhance performance, optimize resources, and reduce waste and consumption. She said that she got a lot of the information from articles, but that if anyone has other things they want to say about a smart city, please hand that in.

Ms. Sandra Krempasky, SEPAC Vice Chair, asked what we are enhancing the performance of. Commissioner England advised that it is similar to when the City redid its ordinances on garbage collection and changed it completely to make it more efficient, that is an example of enhancing performance. Ms. Krempasky asked if it would be enhancing performance goals for the City Departments to have leadership or some structure. Commissioner England said yes and by keeping the operating budgets down. Commissioner England advised that Building Official Law has many reports to track permits, complaints, etc. Building Official Law advised that he has implanted digital plan review and that he is in the process of moving everything to the cloud. Commissioner England advised that another good example is a recently purchased claw truck that picks up the yard waste, which really has enhanced performance. She said that from the articles she has read that a smart city has a lot of use of collecting data and using it to be more efficient.

Mayor Samora suggested to change that to "enhancing operational performance" to make it clearer.

Commissioner-Elect Morgan asked if there is a specific designation that the City is seeking. She said that she can appreciate that all of these things are like a matrix to measure whether you are a smart city by using data and having reports to help enhance all of these goals that are mentioned, but she questioned whether there is a designation that this City is seeking or does a designation even exist. Commissioner England advised that she gets articles from Smart City via email and that she is not aware of a particular designation like a Tree City, but they feature some projects that cities have done that are considered smart such as underground utilities or putting in place a specific communication with residents. She advised that it is kind of general, but it's about using data to become more efficient. Commissioner-Elect Morgan said that she would also add to the last person's comments about enhancing performance by adding "responsiveness" because the self-service portal that has been put in place for the residents' concerns is a great way to provide additional responsiveness.

Mayor Samora advised that improving responsiveness is a good suggestion.

Commissioner Sweeny advised that she just Googled additional information about smart cities and, as Commissioner England said, it definitely emphasizes the use of technology but that she just wanted to make sure that if we are going to go in that direction with our Vision Plan that we are prepared and think about the dollars that it would take to do this and to have the commitment to provide the funding to get us to where we are going to need to be. She agreed that Building Official Law has put a lot of things in place to start moving the City in that direction but that she believed that it is going to take some budget dollars to provide the technology needed.

Mayor Samora asked if we should address funding in any way, shape, or form here. Commissioner England advised no, because it is more goal oriented. She said that during the budget process that the IT Department may propose things, or the Finance Department may ask for a new accounting package and the Commission would then decide how to enhance our performance. Commissioner Sweeny said that she did not know if it had to be included in this Plan.

Mayor Samora asked if there should be a higher-level statement somewhere in the introduction of the Vision Statement purpose, which would position the City to where we could fund some of this. Commissioner England advised that under the purpose of the 2023 Vision Plan that we might be able to set a statement about budgeting, but it is not the purpose of the Plan to identify the funding. She said that the budget process is an annual task that the Commission performs every year to make those choices and that this should be used to guide some of the choices.

Commissioner Sweeny advised that we might want to consider when looking at smart city projects that we add something that talks about researching and evaluating additional pieces of technology that can assist in accomplishing these other things because each one of these items does not necessarily talk a lot about the technology and the smart element to accomplish them. She suggested to integrate some of that language and technologies that might be needed into the other pieces of the Plan. Commissioner England suggested that Commissioner Sweeny may want to work with the IT Manager to add her suggested language. She said that one of the things we have done as a City is the integration of the systems that talk to one another and that the IT Manager has been very good at making sure that we have so many distinct lists of things such as the short-term vacation rental properties, which she believes is integrated into one list. City Clerk Fitzgerald confirmed that the City has one central list. Commissioner England advised that we had multiple at one time and that the Finance Department and Building Official Law's Departments have worked on using one vendor or making sure that the different packages talk to one another.

Commissioner Sweeny advised that there are a lot of communications tools out there to utilize technology regarding transparency and communication with the public that might be helpful too and that she could work on it. Commissioner England agreed. Commissioner George advised that

a lot of the financial investments that would be needed to usher this into the next phase have already been made such as the payroll, permitting, garbage, social media enhancements, along with the survey elements, which are all fairly new but that there are a lot more advancements that could be made. She said that she believes we have a lot of good tools in place to collect the data, analyze it, and react to it for this initial phase.

Mayor Samora said that he believes that we are getting a lot more data-based presentations to help us with decision making over the last two years. Commissioner England advised that it is getting better and better.

City Manager Royle moved on to Page 11, Item VIII: Smart City Projects and then Safe and Complete Streets. Mayor Samora advised that Zoning and Land Use Ordinances is Section VIII.A. and that he would expect some commentary from the Planning and Zoning Board Members.

Mr. Connor Dowling, CPZB, said that based on the conversation that was just made, that this section is very physical and tangible, whereas the conversations before were very administrative, which makes total sense and that he is really excited that the Commission is thinking about that as it should be. He said that those two things do not seem to align in this section and that it is almost like there should have been a previous section, or something about what the City administratively would do to be a smart city. He said that these next things are very physical and literal in a planning sense of the word, which the City has a part of, but is a lot broader than how the City can sort of administratively take these tasks. He gave an example of the garbage truck, which depends on where it is driven in the master plan of how smart it is. He said that on its own it is great as a new tool.

Commissioner George advised that she really liked that approach, which makes it much better. She said that the Smart City could be Section E, sub-E, or H after Parks and Recreation, or to make it a new Section A, or maybe it would be one of the projects. She asked if it would be a contradiction. Commissioner England advised no, and that it could be the administrative part of it along with the data technology that Commissioner Sweeny mentioned, which could be a new Paragraph A about the administration. Mayor Samora agreed that it is a good suggestion.

Commissioner George suggested that if you look at the majority of the language from the purpose, then go into the administrative section, that you could just leave the first sentence as the purpose, but that she would want to keep the intent and the spirit. Commissioner England advised that if we keep the opening paragraph and then to add paragraph A to make it more about the administration, technology, databases, and other things, to keep up with new ways that each department performs, that she could insert something there. Mayor Samora suggested to possibly carve out just the last sentence of that first paragraph and start there. Vice Mayor Rumrell agreed. Commissioner George suggested to add a bullet point about analyzing and acting upon data collected or something of that nature.

Commissioner England advised that she has had discussions with the City Manager and the Public Works Director about Item VIII.B.1, which identifies additional through streets or sidewalks between F Street and the shopping center to increase the City's walkability. She said that they discussed more access for the residents on the west side below F Street and that there were a couple of suggestions, one being more access to F Street through 5th Avenue and Coquina Boulevard. She advised that we would have to utilize either some easements, a trail, or a right of way, and put a little money to it to make it a nice trail. She said that Anastasia Dunes and Whispering Oaks are large subdivisions south of Magnolia Dunes and the residents west of there have to walk pretty far. She advised that the goal is for everybody to have access to the beach within a mile and for south of Magnolia Dunes to connect through Ewing Street and then a trail through Hammock Dunes Park. She said that if the Commission wanted to add that, that she could

get with Director Tredik and flush out those alternatives but that she wanted to get a consensus whether the Commission agreed that we try to provide more access to our residents on the west side.

Commissioner George said that she thinks it is great. Vice Mayor Rumrell advised that Publix owns all the way up to Hammock Dunes Park so we would have to get an easement to come through unless we came closer to the middle of the Park or closer to Whispering Oaks. Commissioner George asked what kind of an easement. Commissioner England advised that she was assuming that it would have to be the trail through Hammock Dunes Park but that there are other ways through Ewing Street and maybe more interior, more of trail that is more pedestrian instead of the sidewalks. She said that the overall goal would be to not forget about those residents on the west side having beach access, even though she may not have the specifics of how we are going to do it.

Vice Mayor Rumrell advised that he gets calls all the time from people, especially right now because of the Ocean Hammock Park walkway discussions, who cannot even access the walkway unless they go all the way around Publix or all the way down one of the other streets. He said that having access for the residents on the west side might be helpful. Mayor Samora commented that he did not know if we need to get that specific with it at this time. Commissioner George agreed and said that she did not think we would have to identify locations. She suggested to say, "more access for those on the west side, south of F Street on A1A", or to say, "access within less than a mile", without identifying a location.

Commissioner England agreed to expand Item #1.

Ms. Lana Bandy, SEPAC Chair, advised that SEPAC has talked a little bit about Hammock Dunes Park and that they are against putting walking areas through it because of the dunes, and there are not a lot of dunes left. She said that there are animals living there and we are already talking about a lot of development across the street. She said that she did not think that it would save people any time to cut through the Park. Plus, we would need to take down trees, build a path, and that there would be some cost incurred to do all of that when you can go behind Publix right now. She said that it would be a trail that is 50 feet from where they are already walking now, and it would not save much time. She advised that in the meantime, it would destroy animals' habitats and it is really the only natural part we have left on the island.

Commissioner George advised that every time we have discussed it as a Commission, that there has been a collective emphasis that it would be the most minimal impact possible, and in such a way that it would not impede animals' access. She advised that she has gone on that road behind Publix and that it is a loading dock where the dumpsters are, it is very unfavorable and unsafe for a family to try and gain beach access that way. She said that she thinks that it is really an untenable option that would just result in the need for more parking, potentially even parking on the east side of that Park, which would have even more of an impact just to kind of encourage more access to what is on the other side of Beach Boulevard. She said that she shares the same concerns and that is why we have all said minimal impact.

Ms. Bandy advised that she has heard "passive park", but that she has also heard bike trails, restrooms, and parking. Commissioner George advised that the Commission has juggled a lot of ideas but that she is personally withholding judgment on assessing any project as being overly destructive until she sees what the plan would be, and they have only officially given instruction for the least impact possible.

Vice Mayor Rumrell asked Public Works Director Tredik if the City had any commitments on that Park like we do for Ocean Hammock Park, which requires that the City make certain improvements. Director Tredik advised that we do not.

Mayor Samora advised that for the record that he would echo everything that he has heard discussed here as being minimal impact of just walking trails, etc. and to wait and see what comes back. He said that it is a piece of property that belongs to the citizens, and we want to do what is best for everyone in this City, but it is nice to see where SEPAC is on it and that is why we are here.

Commissioner-Elect Morgan suggested to identify the through streets and sidewalks in Paragraph 1 to indicate that people who live within a mile of their house would have “non-vehicular” access to the beach because presumably people already have some kind of vehicular access. She suggested that if we want the people who live in a neighborhood that does not have direct access to the beach to be able to walk or ride their bikes to the beach that we should clarify that. Commissioner England said okay. Commissioner Sweeny said that she was sure that it could be clarified but it does say the goal is to increase the City's walkability. Commissioner George suggested that it could just identify additional non-vehicular through streets.

Ms. Bandy asked if this was a problem that citizens say that they are having. She said that they chose their house knowing how far they were from the beach and that she does not know why it would be the City's responsibility to make sure that they have easier access. Mayor Samora advised that, for the purpose of a Vision Plan, we are trying to make this a more walkable City and to get vehicles off the roads. He said that having more non-vehicular access anywhere in the City is part of the goal and one that he would like to see.

Commissioner George advised that it is a common, normal function of municipalities and that a large municipality may need to constantly make improvements to their transit system to help reduce the impact on the main through roads and to help people get to where they are going. Ms. Bandy advised that she would totally agree with people being able to walk as opposed to parking because obviously, the out-of-towners need that space.

Commissioner England advised that when you go south of A Street, there are some big subdivisions like Anastasia Dunes and Makarios, which have no way for people on the west side to walk straight through, and that is what we are thinking of. She said that the City is only two and a half square miles, so in fairness, to keep in mind how to help them get to a pedestrian walkway to the beach. Ms. Bandy advised that she is trying to think of who those people are because they could not get through anyway, they would have to get on A1A Beach Boulevard. Commissioner England advised neighborhoods such as Magnolia Dunes and Serenity Bay.

Commissioner George advised that the idea is to just give them an access point. She said that an example would be the Ocean Trace community on the west side, which has a sidewalk all the way and that people could bicycle to the beach. She said that it would be providing a better bicycle/pedestrian path from the west side, which would include the large community of Marsh Creek who are currently driving to the beach looking for parking in our neighborhoods and so forth. Ms. Bandy said that it seems like there would be a way to make bike trails that are not going through the wildlife in the dunes. Commissioner George advised that we are not making any commitment in the Vision Plan saying utilize or identify, which means to do it with existing resources. Mayor Samora said that he thinks that is part of identifying the goal and the Vision, which is walkability and providing non-vehicular access points, but without identifying exact ways to do that, which could be sorted out later.

Mr. Thomson agreed with Mr. Dowling's suggestion, that you create elements to this Vision Plan, and one would be a mobility element, which would look at parking, vehicular traffic, and pedestrian bicycle traffic and that would become an element of your Vision Plan. He said that there is also an element of environmental planning and if you have a pristine, natural environment, that you need to protect it long-term as well. He advised that there are competing goals here. He suggested that you should at least approach it on a mobility plan basis, and then

have public meetings so that the public can get involved because there is a lot of concern that we are losing natural wildlife areas. Ocean Hammock Park, in the eyes of SEPAC, is being overdeveloped and that impacts the natural wildlife and biosphere use in that Park to put in playgrounds and mix it up in that area. It is definitely not a conservation area anymore. Mayor Samora advised that there would always be competition for different resources and things like that. Mr. Thomson said that is why we are identifying and comparing with whatever. Vice Mayor Rumrell advised that that is why he asked the question about Hammock Dunes Park vs. Ocean Hammock Park, which requires that we do certain things, otherwise, we lose the grant.

Commissioner George advised that when the Ocean Hammock Park plan was created that it was done in a way to guarantee that we would get the funding to purchase the property, which is one of those competing interests. She advised that the City did not want to risk submitting a proposal for the grant that may not score high enough for the funding and risk it being developed. Mr. Thomson said that Ocean Hammock Park is being developed as an active park for the residents, so why not have Hammock Dunes Park as a passive park. Commissioner George advised that she wanted to make sure that everyone who was not around at that time is aware why those plans exist, and that it was not as though it was some intention to overly develop a beautiful, pristine preservation area.

Mayor Samora advised to keep in mind that we are only on the second bullet point of the smart cities and that as we continue through this, we are going to come to the Sustainability and Resiliency and Parks and Recreation sections. He said that there would be a chance to address some concerns in those sections as well.

City Clerk Fitzgerald reminded everyone to come to the microphone if they wish to speak, otherwise they will not be picked up for the recording or the video for the people at home.

Mr. Gary Smith, CPZB, asked to move along to Page 11, Section VIII.B.6 on providing the speed calming devices in certain high traffic areas such as Pope and A Street. He asked if we are looking at the same speed calming devices currently on A Street. Commissioner George advised that she thinks that is open-ended and that it is worded so that it would be appropriate for whatever the Florida Department of Transportation (FDOT) standards are based upon the need for that particular location because there are various types of calming devices. Mr. Smith advised that the current type we have right now on A Street does not work and we all know that we have a speeding problem on A Street, and that Pope Road does not have any. He asked for more detail as to how many speed calming devices would be put in on A Street and Pope Road. Commissioner George advised that the City has not done any traffic studies yet and for the purpose of a Vision Plan that she believes that it should be kept more open-ended until we get to the point of implementing that vision.

Mayor Samora agreed that it would need to be more general, which it is because there are a lot of different speed calming devices out there and options that he believed would change based on whether the street is residential, a throughway, or an evacuation route. He advised that we would get too much into the weeds if we tried to put that level of detail into the Vision Plan. He said that overall, we do need to provide some calming devices in high-traffic areas and that we need to keep an eye on making the streets safe.

Mr. Smith said that you mentioned a traffic study. Mayor Samora advised that a traffic study would be part of the process. Commissioner George agreed. Mr. Smith said that the study would determine how many, where, etc. and he asked when it would take place. Commissioner George said correct and that it is not on the books right now. Mayor Samora advised that the City seems to do one or two traffic studies in a year because people will come to us and say that there is a speeding problem such as the one going on in Sea Grove in the past month. He said that they

identify what they feel is a problem area and then the City reacts according to what the study says. Mr. Smith asked if that gets put into the Vision Plan. Mayor Samora advised that it just goes through the design process, etc. and right into implementation. Vice Mayor Rumrell said that he thinks that Atlantic Oaks Circle was the last one because the neighbors came and wanted a speed calming device in that circle. Director Tredik said we did a speed hump on the west block of Atlantic Oaks Circle. He pointed out that Pope Road and A Street are both County roads so that item really should be coordinated with the County, because we are not going to be able to do that on our own. Mayor Samora advised that that just shows you the level of complexity when we start talking about the specifics. Mr. Smith said that we will have a little confusion on that. Commissioner George said that she believed the reference to Pope Road and A Street was not limiting either and was just an example. She suggested that maybe there needs to be a little tweak to whether or not we even want to reference the street or to say, "such as through streets". Commissioner England agreed that it could be taken out.

Vice Mayor Rumrell advised that the County is still designing the lighted crosswalk at the Pier and that their engineers looked at where the current lighted crosswalks are on the Boulevard and that is the amount that they feel are needed. He said that he believes that Section VIII.B.7 is almost accomplished because of the crosswalks, but that he did not know if the County would add any more of the lighted crosswalks based on their current study last year. Mayor Samora advised that he would leave it in because he views this as a 15 to 20 year plan. Commissioner Sweeny said that there might be some needed on other roads, such as the crosswalk at Pope Road and Mickler Boulevard, which could certainly use them. Vice Mayor Rumrell advised that he would talk to the County about that too. Commissioner George said not to mention State Road A1A and that there was a request for the traffic signal at Marsh Creek. She said that there is not much pedestrian traffic there or even near City Hall, so she suggested to leave it in there because we do not know how development would change.

Mr. Dowling suggested that this section could be a good place to add something about a plan for bicycling. He advised that in previous projects, he has seen it done at a higher level where the City designates streets that you would encourage bicycles, which might be something on the pavement, such as on Mickler Boulevard. He suggested having some sort of network that is designated, that the City knows and is responsible for, and then you could implement. Commissioner England suggested to possibly develop a map that shows bicycle and pedestrian trails. Vice Mayor Rumrell suggested to add that to Section VIII.B.8 because the River to Sea Loop is a bike trail. Mr. Dowling agreed that the River to Sea Loop is great but having something a little more completes it.

Commissioner Sweeny advised that she likes the idea of creating more of a "mobility" category within the Plan. Commissioner George suggested to add a section number nine that would speak more generally to that and could stand alone. Mayor Samora asked if mobility needs to be a standalone category. Vice Mayor Rumrell suggested that we could take out number VIII.B.5 because it is mobility between two cities, and he asked if that should be a subcategory of Mobility. Commissioner England advised that it is all under the category of Safe and Complete Streets. Commissioner Sweeny agreed. Commissioner George agreed that it needs to stay there but she did not know if you needed a separate category. Mayor Samora said that he believed that it has all the elements of it. Commissioner Sweeny said that we are just going to add the bike stuff in there. Commissioner England agreed.

Mayor Samora moved on to Section VIII.C: Parking and Use of Parkettes and he asked Commissioner England if she would explain her intent for this section since we did get a lot of comments and that he wanted to make sure that everyone here knows what our intent is.

Commissioner England advised that some of the comments that she received were that we are trying to turn all the parkettes on A Street into parking lots, and that is not the intent at all. She said, in fact, there is a statement that that we would not do that in the residential areas, but she advised that it would be good to have a vision for the use of the parkettes and to have a plan. She said that they are so wonderful and having a plan or a vision for how we are going to use the parkettes would not be set in stone, but it would be great to have a plan and a vision for those and acknowledge that they are there. She said that the parkettes are one of the things in the City that she thinks are the most wonderful.

Mayor Samora said that the parkettes are a very unique characteristic of our City and that we have the asset of fifty-two parkettes and that we really do not have a comprehensive vision of how we are going to use them. He said that he feels that the comments he has heard are out of line with what our intent is because this Commission has been pretty steadfast and that we do not want them to be used for parking outside of the Boulevard. Commissioner England advised that we backed off on A1A Beach Boulevard tremendously. Commissioner Sweeny suggested that it might be helpful if we break out the parkettes into two separate sections so that parking would be one and the parkettes would be separate one. Mayor Samora agreed that it would be a good change because this does need to transcend this Commission.

Vice Mayor Rumrell suggest visiting Jacksonville Beach because they also have little parkettes that have art in some of the spaces. He advised that they had the University of North Florida's art team design the sculptures and the parkettes. He said that it would bring a different touch to the City of St. Augustine Beach to have art in public spaces and that he believes it is also part of the vision that we have done by having the art markets through the holiday season. Commissioner Sweeny suggested that the City could partner with Flagler College.

Ms. Hester Longstreet, CPZB, said that a few years ago the word "parkette" was changed to "plaza" and now it has been brought back as "parkette". She said that because the first part of the word "parkette" begins with "park," that people assume that is what you are going to do. She suggested that anywhere you see the word "parkette", that it gets changed back to "plaza". Commissioner Sweeny asked to reference where it was changed to "plaza". Ms. Longstreet advised that it was changed about ten years ago. City Manager Royle advised that it was back when Mr. Baskin was on the Board.

Ms. Longstreet advised that she and Mr. Baskin were both on the Beautification Advisory Committee (which is now SEPAC) and had asked that it be changed, and it was. She said that plazas are nice for passive parks or sitting. She advised that she is originally from North Miami Beach and that 30 years ago they had something like the plazas within her community, and each plaza had something different. They had shuffleboard on one, tetherball on another, and that she has fond memories as a kid playing there and interacting with neighbors, etc. She said that for Section VIII.C.7, using a sustainable garden and native plants are great ideas. She advised that the BAC was also art in public places and that she had suggested back when she was on the Committee to do something similar to Tallahassee, Illinois, or Vilano Beach, which had the sea turtle, but that the City could use a dolphin instead. She said that Flagler College is great, but we also have a great local art community, and she suggested that the City should look to them instead.

Commissioner Sweeny asked if the word "plaza" is on City signs. Mayor Samora asked if there was any kind of City Charter, ordinances, or any official references to parkettes and plazas and how they are referred to in any kind of City documentation. Ms. Krempasky said that when she made the signs they said "parkettes", and that somebody did some research and apparently they voted on changing it to "plaza", but that it was never fully implemented. Commissioner George advised that it probably would have had to come before the Commission or at least the CPZB if it originated at the time of the BAC, but that she did not believe that the BAC had authority to pass

ordinances. Ms. Longstreet advised that they did come to the City and that they agreed. Ms. Krempasky advised that it still says parkettes. Building Official Law advised that there is no zoning on those because they operate outside of that Land Development Code, but that he believed that the County's GIS mapping software calls them "plazas".

Commissioner George suggested that the City Attorney would need to determine whether it is something that we can adopt by resolution, or if it needs anything more than that especially if this is just something that the staff can look into. Mayor Samora said that it is consistent with the terminology we are using. City Clerk Fitzgerald advised for the record that the current definition in Section 2 of the City's Land Development Regulations says "plaza" and that it references that it was formerly known as "parkette". That's the only reference to the word "parkette" in our current code. Mayor Samora advised that we have to be consistent about the language because it helps when we are communicating. Commissioner George advised that the old Vision Plan referenced parkettes and she believes that is where it got picked up for this draft.

Mayor Samora advised that as far as using Flagler College, The Art Studio, etc., that he did not think the City would be exclusive to anyone and that it would be wide open. Commissioner Sweeny agreed that the City would love to use our local artists.

Ms. Bandy advised that our signage does say "parkettes" and if we are going to change it, that it would cost a few thousand dollars. She said that she also had some comments about parking and the use of parkettes and that she agreed that it would be a good idea to make them two separate sections because the wording implies that these are one and the same. She said that she thinks the Plan is great and that she is glad that the City is planning ahead, getting feedback, and hopefully public feedback as well. She said that there are a lot of catchphrases in the Plan such as green space, smart, sustainable, and resilient, but that it seems like we are getting rid of green space in a lot of the things that we are talking about. She advised that she may be misinterpreting the parking plans and that she put together a map, looked at this Plan, and marked all the areas that the Plan says we could have parking [Exhibit A].

Mayor Samora advised that there would be two different sections and that parking is going to be one and he believed that this would be relevant information. Ms. Bandy said that maybe the wording is what she did not understand because the Plan says that the City is blessed with the parkettes. She said that she thinks we are blessed because it is unique that the City has fifty-two parkettes that are currently green space, and the citizens love them. She said that when citizens come to SEPAC meetings, they always talk about wanting more green space and they like the parkettes and they want them protected. They do not want more parking or development.

Ms. Bandy showed a map on the overhead projector that she highlighted all of the proposed new parking areas from the Vision Plan, which she believed to be a lot. She said that on A1A Beach Boulevard that the parkettes, if necessary and appropriate, could be used for parking and that it seems like a judgment call for what is appropriate and necessary. She said that there was talk about Hammock Dunes Park next to Publix, which would not be parking, but there was something in the Plan about it, as well as possibly all along Pope Road, and maybe in some of the green space at the Pier area. She said that obviously there is already parking at the Pier, but if we are going to take out the volleyball courts and the fire station, then that would be more parking. She said that the Plan also talked about parallel parking along many of the streets between the Boulevard and the ocean and that she highlighted those in yellow as well. She said that it seems like a lot of plans for parking, but that maybe she was misinterpreting it and she was hoping to talk through it. She agreed that a plan is needed for the parkettes because SEPAC has been talking about doing a rain garden, green infrastructure, educational things, or putting plants with signs for the public to learn about different things. She advised that some parkettes already have landscaping on them, but unless we know what that they are going to remain green space, that SEPAC would not want to

waste money putting in a rain garden. She asked the Commission for guidance, and she said that she did not know if that would mean looking at each parkette one-by-one, or whether the Commission has different areas that they would like SEPAC to work on.

Vice Mayor Rumrell advised that it is his understanding that Pope Road is a County road, and that he believed that the County had talked about it, and that the volleyball courts are also County. He advised that the only things that the City has at the pier are the garage, the bocce ball court, and splash park, and that everything else, from his understanding, is still under the County's purview. He said that the Commission discussed all the places where parking could be added, but that did not mean that we had to do it. But, from his understanding, that was the only spot that was available. Ms. Bandy questioned what was the only spot available. Vice Mayor Rumrell said the things that you have highlighted, and that he knows people have talked about parking in the plazas and tearing up the plazas. He said that when we talked about parking a while ago, that Public Works Director Tredik came back with a plan and said these are the only spaces left in the City of St. Augustine Beach that you could do parking. It was not a plan to do it. Public Works Director Tredik said that that is exactly correct. It was just to show what available land there was out there that could fit parking should the Commission desire to do so.

Ms. Krempasky said that Planning and Zoning has been tasked each year to give their advice on which parkettes should be turned into parking lots and that part of the frustration for SEPAC is that we feel that the two Boards are working in cross purposes. She would like to have a master plan so that we know which parkettes will be green, and which could be turned into parking lots. She advised that SEPAC really does need some direction.

Mayor Samora said that this illustrates the fact that we need to communicate our vision more clearly and that the City has never had a clear vision of how to use these plazas/parkettes. He said that there is confusion that comes up every single time but that he feels like the Commission has been very clear on where we need additional parking. He said that looking at this a 15 to 20 year Vision Plan and to think that there is not going to be a need for additional parking is short-sighted in his opinion.

Commissioner George suggested that when it is divided into parking and unused parkettes, that Section VIII.C.7 speaks about creating a plan to develop unimproved parkettes and that we could add, "to develop unimproved parkettes within the residential areas," and then have a separate bullet that says, "develop a plan to minimize the use of any plazas located in commercial zones for the minimal parking", which would keep it open, but to make it clear that the policy goal is not to develop all of them.

Mayor Samora suggested that for the purpose of the workshop and discussion, that we split them out right now. He said that of the seven bullet points currently under this section as written, that the first six are parking. He suggested to address that first, see what kind of changes we want to make, get feedback, and then we will pick up with number seven, which would go under a new "parkette/plaza" section. He said that he feels it needs a little more development and that there would be a lot of good ideas.

Commissioner England advised that we thought that we needed more parking at the north end of the City near the pier for our events, but then we were going to leave everything else. Commissioner George suggested to take number one out of the parking section and just to have a reference to developing the parkettes for parking because the plazas will be dealt with separately. She said that any parking possibility in commercial plazas could be addressed with careful language in a separate section and might help minimize any confusion. She suggested that number six should have new language added so that it would read, "investigate having possible parallel parking spaces along the commercial properties on the side streets, east of A1A Beach

Boulevard, but not along residential properties." The purpose of this was to develop along those condominium plazas, not to encroach in the front yards.

Mayor Samora asked Commissioner George for clarification of number one. Commissioner George advised that because it is still a reference to the plazas, that she was suggesting taking it out of subsection one, and to remove it from the parking section. And then in the plaza section, which would be number two, that we would probably have two sub-paragraphs, and one would be "develop a plan for parkettes in residential areas," and the other, "develop a plan for plazas and commercial areas." Both of them could speak to utilizing native plants or rain gardens, but it could be a really controlling language on the residential plazas that says parking would not be used in them. Mayor Samora said he liked that idea that it would go in the plazas, and we separate them out into two different categories. Commissioner George advised that it could be more open-ended, but still with clear policy language indicating we do not want to develop all of the ones in a commercial for parking and that we could play with the language to find something.

Ms. Bandy agreed that breaking it up would do a lot of good because there are six things about parking that are very specific and the rest of the Plan is not that specific, which could lead someone to think there is a lot about parking in here, and then the plazas or parkettes have only one item. She advised that SEPAC has a meeting tomorrow and we could add that as an agenda item if the Commission would like suggestions from us for things we would like to see and the things that we have heard from the community that they would like to see in these plazas. She advised that in Palm Coast that they have fiberglass sea turtle sculptures that different groups painted, which look very nice and professional. She said that the library designed one with different books, classic authors, etc. She said that she researched the cost and could provide that information to the Commission and that it is something that would look really nice throughout the City. She said that the City could choose another design such as seahorses, sand dollars, etc. She advised that there are a lot of opportunities to be artistic and to think about creative things that would really look nice in the community. Vice Mayor Rumrell said that he believes that Atlantic Beach did the same thing about fifteen years ago, which is neat to see.

Ms. Karen Candler, SEPAC Member said that she is bothered by Section VIII.C.4, which is to encourage St. John's County to provide improved parking spaces along County-owned streets in the City and that you are shying away from saying, "work with the County on Pier Park". Commissioner England advised that she did not think we were. Ms. Candler said that we mentioned the volleyball courts in Pier Park and that we only own the fire station and the splash pad. She said that if we are going to talk to them about County streets, then why not work with them to save the volleyball courts. Vice Mayor Rumrell advised that the last he heard was that they just re-did the volleyball courts and he believes that they just invested around \$20,000. Ms. Candler advised that working with them on Pier Park should be just as important as working with them on parking on county roads. Mayor Samora advised that we have Pier Park addressed somewhat under Section G - Parks and Recreation.

Commissioner Sweeny advised that maybe something got a little out of order in the Plan on Page 15 but that the City is actively working with St. John's County to maximize the park's highest and best use, specifically about Pier Park. Ms. Candler said that is fine because that is to deal with the park, but that she is talking about dealing with parking. Commissioner England advised that she is not following.

Commissioner George suggested to say "County-owned property in the City" instead of "County-owned streets", or "streets and property" or "streets and other resources".

Commissioner England advised that when we backed off on creating parking with our plazas on the Boulevard that we decided that we wanted to encourage the County to add parking on Pope

Road and we sent a letter to the County. Vice Mayor Rumrell advised that he believes that Ms. Candler is suggesting that we continue to have a relationship with the County on other interests they may have within the City. Ms. Candler said that you brought up Pier Park and that you backed off because it is County. Mayor Samora advised that we are just looking for an addition for number four such as County-owned streets and property in the City like Pope Road and Pier Park.

Mr. Smith said that the City definitely needs more parking but with the growth that is happening in St. Johns County, we will never have enough parking. He said that this is 2.5 square mile City so there has to be a stopping point. He advised that we can only go so far with this without tearing up our green space, etc. Commissioner George asked why we would fund it for non-residents.

Vice Mayor Rumrell said that he thinks that is why Pope Road was suggested because a lot of the influx that we get is from the County and that the City is trying to address it with walkability and for people to use less carbon. He said that the intent that he understood was to have the County pay for some of these too because it is supporting their initiative, not just ours.

Mr. Smith asked if the letter to the County about Pope Road described exactly how it is laid out. Commissioner England advised that the City wrote a letter asking the County to put parallel parking on Pope Road as we have on 16th Street. Mr. Smith asked how far up that goes up from Pope Road. Commissioner England said that she was not really sure. Mayor Samora advised that they were trying to keep it away from the residential entrances. Vice Mayor Rumrell advised that it would be east of the YMCA. Mr. Smith advised that the City would never have enough parking and that we are not large enough to accommodate the growth that is happening right now in St. Johns County.

Vice Mayor Rumrell said that possibly under the parking section we could add to the Plan a park-and-ride or a shuttle of some sort where people could park at City Hall. Commissioner England advised that she was not sure. Vice Mayor Rumrell advised that there may be a company like the Historic Tours of America or the Red Trains that may do it. Commissioner England advised that we do that for our events. She said that for the big events, we felt like we needed more parking at the north end by Pier Park or to offer a shuttle. Mr. Smith asked if that has been successful. Commissioner George advised sometimes but not always. Mr. Smith said that people have coolers, beach chairs, etc. to carry onto a shuttle. Commissioner England advised that it does not work for your everyday trip to the beach. Vice Mayor Rumrell suggested for people to use the front of the pier as a drop-off point for their coolers and beach chairs, and then have somebody ride back to City Hall, so you are just taking an individual, not trying to unload your stuff twice. Mr. Smith said that he like that point better than the shuttle.

Commissioner Sweeny said that she thought that number five sort of addresses it but that this is broader than just the City. She advised that St Augustine Vice Mayor Nancy Sikes-Kline has mentioned wanting to work with us to develop a system between the City of St. Augustine and the beach to create some sort of circulator between the two cities, which might be able to help in that respect. Mayor Samora asked if we need to have some language in here that encourages the inter-city circulator with the downtown area, a park-and-ride, and if there were a broad term that would cover those types of transportation that should be added. Commissioner Sweeny suggested to possibly tweak that language a little bit or add to it. Commissioner George suggested to say, "remain receptive to cooperating with other governments in the creation of a regional transit system."

Commissioner England advised that if you feel very strongly about something to please submit your language. She said that she is trying to take good notes, but that everyone should send them their words.

Mr. Smith suggested shared parking because we might have some businesses that are not open on the weekend that could possibly add parking. Commissioner England advised that she has talked about the possibility of that, but it is hard to accomplish, and it is administratively difficult, but that it definitely would help.

Ms. Bandy advised that we keep saying we need more parking, but that she thinks we only need more parking at certain times such as summer, weekends, Labor Day, 4th of July, etc. She said that a lot of times, like now, there are hardly any cars. If we do more parking lots, we will need to remember what it is going to look like when they are empty. She said that she believes that the main part of town is the Boulevard at A Street and that the four corners of that intersection have a lot of parking spaces. She suggested that since it is the centerpiece of the City that we need to focus on that to make it a bit more visually appealing for our citizens as well as the visitors. She advised that when we are redoing parking, to try to make it look nicer. She said that it is important to think about the landscaping and what people are going to see and that SEPAC would be happy to think through some of these things for how to make what we have a little nicer. Commissioner Sweeny said that she believes that there was a proposal from the firm designing the Jack's BBQ parking lot that would incorporate some of that. Commissioner George said that she thinks that the adjustment made during the meeting also moved it over so that there would be more of a landscape buffer on the corner. Mayor Samora said that it is important that we not just create parking, but to also make sure that it is aesthetically pleasing.

Mayor Samora advised that that was a fairly thorough discussion on parking, and he asked for discussion any about the plazas. Commissioner-Elect Morgan advised that she liked all the ideas and suggestions that were just made about parking and landscaping. She said that she did not think that those specifics were necessary for the broad scope of the Vision Plan, but that they are all great suggestions and that she hopes to see them in the Plan in the future. She said that number seven uses the word "develop", which she has concerns about, and she suggested to say, "create a plan for the unimproved parkettes or plazas". She said that when we see "develop" that we think of physical improvements, structures, parking, etc. and she does not want those things to be confused. The structure is very clear about the direction, but fifteen years from now no one may be here to give explanations.

Mayor Samora advised that SEPAC said they could get us suggestions for some different ideas and uses that we could incorporate, and he asked if anyone had anything to bring forward now to discuss about uses for the plazas or plans for the plazas. Commissioner George said that she liked that we already have rain gardens referenced in the Plan because it is really important for resiliency and minimizing flooding.

Mr. Dowling suggested that instead of just taking one single idea, that we have a plan where everything could come together. He said that rain gardens, etc. are all awesome ideas, but if they do not work in concert, they do not work. He said that we have these fifty-two parkettes that we need to look at holistically at some point, which would provide the best end result for the future.

Mr. Thompson advised that he has reviewed the Comprehensive Plan and it does not identify the fifty-two plazas as "parks" and the easiest way to identify this is to ask Public Works to update that plan so that they are actually identified. Right now, they are part of the street structure on our land-use plan, and they should be pulled out and given the green color so people can identify them. He said that what SEPAC is hearing is that the residential areas would be passive at best, and not be overly developed at all. He suggested to put "passive parks and plazas" and that the land-use plan should be updated to identify the plazas that are in residential areas.

Commissioner George asked the Building Official if there would be any problem with that. Building Official Law advised that he had no idea what was really being talked about on this because the

parkettes do not have a title, they are part of the amenities that go with each subdivision, there is no clear ownership of it, and no zoning. Therefore, we will never allow any structure to be built there. Mr. Thompson advised that it is in the Comprehensive Plan land-use element, which identifies the plan on the wall back there, which is void of the parks/plazas being identified as a park-use like the other parks we have in town. So, it would be more identification that these are plazas, which are going to be used for passive parks in residential areas. Commissioner George advised that this becomes a question for the City Attorney as to whether we are allowed to designate them as parks, given the way that the plazas were created with the plat. Mr. Thompson advised that we have a land-use plan element, and it should be identified what their use is. Commissioner George said good point. Mayor Samora advised that we would develop that one a little bit further.

Mayor Samora moved on to Section VIII.D, Beach-Related Matters and asked if there were any comments.

Commissioner George said that for Section VIII.D.2, that a lot of the walkovers are frequently provided by the County and that we usually get funding from outside sources. She suggested to say, "to continue to coordinate with the County regarding beach walkovers, maintenance, and to possibly add more of them". Vice Mayor Rumrell suggested to put "government agencies" because Port and Waterway just gave money for that, too. Mayor Samora suggested to "advocate with other County agencies for funding to provide, maintain, and improve beach walkovers".

Mayor Samora moved on to Illustration #4, Sustainability and Resiliency.

Mr. Thompson advised that he had two handouts [Exhibit C]. He advised that he takes issue with the definition of sustainability. He said for example the sustainability definition and recommendation do not represent current climate change and environmental planning best practices. In the Plan, sustainability means the ability to withstand efficiently and economically the changing environment and climate, basically, resisting climate change. Resiliency indicates how quickly we can recover from an unusual event, either economic or weather related. He advised that it is really a stretch to put definitions in the Vision Plan that are not up to par with the current thinking, and some statements that might be questionable. He said that the statement is inadequate and misleading in addressing the serious issues of sustainability in our community. He advised that the next paragraph, "Sustainability is more commonly referred to as the ability to maintain the quality of living standards and avoid depletion or pollution of our natural resources, so that they may be passed on from one generation to the next." He said that if you Googled it, you would produce something much closer to that definition. He said that the sustainability statements/recommendations in the Plan are vague and misguided. He advised that number one, to "provide more green space in the City" is very vague. We are parking in our right-of-ways, we reduced setbacks, and there is no tree protection. He advised that there is very little opportunity being created for green space in the City that he knows of. We have a hard time getting money to plant trees even though we have a Tree Fund and that we cannot use it to hire people to help do these things. He advised that there is a lot of work needed there and that you cannot say we are going to create more green space.

Commissioner England said that those are all good points and that she would read his information and see what can be incorporated. Commissioner George suggested to delegate it to SEPAC since that is their expertise to come up with some language that they as a whole would like to submit for review. Mayor Samora agreed and suggested to lean on SEPAC for some of these definitions and suggestions.

Mr. Thomson advised that if SEPAC makes suggestions, we look at the Comprehensive Plan relative to what the goals and objectives are and then we have some serious problems.

Stormwater runoff, water pollution, reduction needs to be worked on, urban tree canopy, maintenance and restoration, a shift to clean energy, reducing waste, and introducing recycling, ecological repair of the biosphere, coastal erosion management, and dune restoration, which we have done a fairly good job on.

Commissioner England advised that she really wanted SEPAC's language and efforts on this, but that we have to balance it. It cannot just be on sustainability, so you would need to balance how much language you put in. Mr. Thomson said that you suggested certain recommendations there and that the goals that he just stated would be more general and more appropriate. Commissioner England advised that she believes that he is heading in a better direction and that she would welcome it.

Mr. Thomson advised that it is still saying, "purchase electric vehicles when their prices are reduced to make them more competitive with fossil fuel-powered vehicles." He said that we had a hundred people who died from the last hurricane, that there is a certain responsibility for carbon emissions, and that we are going to pay a heavy price. Eventually, you want to get your vehicles transferred to clean energy. He said that there are residences that are doing a lot more than the City right now and that the City needs to step up its game and really look at it seriously. He said that a Vision Plan means that you need to be moving in a more environmentally responsive direction.

Mayor Samora moved on to Section VIII.F, Public Safety.

Commissioner Sweeny asked if it is redundant from other areas of the Plan or do the first two belong in the Mobility or the Safe Street section. She agrees that they are important but that we have talked about both of those in another section of the Plan. Commissioner England advised that maybe it is the identification from the public safety point of view. The identification for the location of some of these things. She said that number one could go, we get the information from the Police Department reports on where we need additional information, which are really important for public safety.

Vice Mayor Rumrell advised that for number three, instead of the word "purchase", that he would like to change that to "investigate the need for." Commissioner George suggested to take it out because it is one of those sub-specific things. She said that given the Vision Statement, that she would just speak to supporting and maintaining the Beach Police Department and their needs and to remain open to developments and technology for enhancing public safety. Commissioner Sweeny suggested that Chief Carswell should weigh in on this and provide the language to fill that out properly. Commissioner George agreed that is the right resource. Mayor Samora asked if we can actively engage the Chief in these matters. City Manager Royle agreed.

Mayor Samora advised that we would move the first two items to the other sections and then generalize number three a bit more.

Mayor Samora moved on to Section VIII.G, "Parks and Recreation", which identifies the five parks within the City and their ownership. He said that what he does not hear mentioned is the fact that we are bordered on the northern boundary by a huge State Park that we forget about. He said that there was a statement earlier that Ocean Hammock or Hammock Dunes were the last natural parks on the island, but we also have a State Park.

Commissioner England advised that she and the City Manager talked about identifying our parks, whether they are County or City, as a beautiful benefit to maintain as part of our Vision Plan. She said that for future Commissions going forward it was to create a vision of how each park would be utilized. We say all of our events are at Pier Park, but we have events at the Lakeside Park,

which is a meditation/strolling park. That was the thought process behind this, and it is a fairly big section and that the Vision Plan is all our parks.

Commissioner George suggested that in the second paragraph, the second sentence, that she would strike the three words, "will the City." She advised that it reads as though it is a directive that the City will not or shall not, but that it is unlikely that the City would, which is what the intent was. She said that it would communicate better if you just removed the three words. Or I guess that needs a little more tweaking, "nor that the city will..." is the replacement. Commissioner England suggested only to say, "It is unlikely that any future park land will be available."

Mayor Samora moved on to Section VIII.G.1 on Page 15 and asked if we want to get that specific in this section. Vice Mayor Rumrell said kind of. Commissioner Sweeny said that she would prefer not to. Commissioner George agreed and suggested to strike that sentence.

Commissioner George moved on to Item G.2 and suggested that the sentence should end after, "create new ones" period and then remove the rest.

Vice Mayor Rumrell asked there should there be another sub-section somewhere in the Plan for what we would do with that property if we were to get the fire station back. Commissioner George advised that it does say "to continue actively working to maximize the park's highest and best use." Because she was looking to make sure that if there was a reference of "we have tried to come up with the vision for Pier Park," over and over again, that it falls apart because it is not just us, it is us and the County. She said that she feels like that language captured it, but is open to something more. Commissioner England advised that it does specify if it is relocated, "This relocation will provide an opportunity to demolish outdated buildings to create more parking and to obtain grants to build a community center on the fire station site close to A1A Boulevard." She said that that has been the vision without getting too specific. Vice Mayor Rumrell said that was fine.

Mr. Dowling suggested to say, "demolish and repurpose existing buildings", which would be the most sustainable you could do since we do not have a vision plan, who's to say repurposing the existing building would not be a bad solution. Commissioner George advised that she is not in favor of demolishing no matter what because there was a big push to demolish the old city hall, as well as the little building.

Ms. Bandy said that the word "develop" in the last sentence on Page 13 is not the greatest word to use with regard to a park area. Mayor Samora suggested changing it to, "Therefore it is advisable that the City adopts policies and pursues initiatives to ensure the highest and best use of these properties." Ms. Bandy said that number five on Page 15 is where she got the information that she talked about earlier regarding the parking and the restrooms and that it should be changed to say "passive" if that is what our intention is. Commissioner England advised that those are just possible amenities and once we started developing it and have a grant, that she did not know how you avoid a restroom but that it may possible.

Commissioner George suggested that the second sentence should say, "A long-range park use plan should be developed" period, and remove the rest and then on the prior sentence, "It has walk trails, walkways, and other amenities for the public, possible amenities or walk trail..." period. Commissioner Sweeny advised that she would be okay with removing the entire third sentence from number five. Commissioner George agreed that that would be the best.

Commissioner-Elect Morgan advised that there are a couple of references here in number two about Ron Parker Park because we took out the information about volleyball and bocce courts, which also appears in number two. She said that the bocce court is on the parcel owned by the City and the volleyball courts are the parcel owned by the County and there is no reason we

cannot coordinate and cooperate with the County, but the volleyball courts are not part of the City's property. She advised that she is in agreement with minimizing the language, especially because this is such a long-range and broad Plan. She suggested to consider striking that to say that "the City will work with the County to maintain existing sports-related facilities and create new ones."

Ms. Candler advised that number three, Lakeside Park, has a description of it but no vision for it and that there should be something in there if we have intentions. Commissioner George said that she did not think it needed anything else. Ms. Candler said that we should have a vision for updating and maintaining it. Vice Mayor Rumrell suggested maybe "maintaining Lakeside Park", because it is already complete. Commissioner England advised that it is just describing how these different parks are used and that she really could not think of anything more. She said that Ron Parker Park is definitely sports-related, and Lakeside Park is what it is. Ms. Candler said that for Ron Parker Park, you say that the City will work with the County to maintain, and that is a vision. Commissioner George suggested to put a comma at the end of the last sentence in number three and then add, "which shall be maintained." Ms. Candler said yes, just something futuristic.

Vice Mayor Rumrell asked if the City at some point would want to try to acquire Pier Park. Mayor Samora advised that we talked about that a few years back. Commissioner George asked what that cost would be, or would they want to give it up because they do not want to maintain the Pier. Vice Mayor Rumrell said that fifteen years from now they may not want to redo the pier.

Discussion ensued regarding whether the County had ever offered the pier park to the City; where would the City get the money to maintain it; that it needs to be improved; that the City would need at least one additional staff member just to look for grants; that we would probably have to charge more for access; that several people would be needed to maintain it; etc.

Mayor Samora said that continuing to work with the County on that leaves us open to it.

Mayor Samora moved on to Section VIII.H., Historic Preservation and Best Use of Pier Park.

Commissioner England advised that she added that because it is so important and if they are going to move the fire station, which is when everything will break loose. We have a vision for it because it is possibly the biggest part of the Vision Plan. She said that it is in writing in the County's five year plan that they are moving that fire station and then the lease will be up on the old city hall, so a lot will be happening about that time. Commissioner Sweeny asked if it needs to have its own section when most of it, minus the fire station, is in number one. Commissioner England advised that it is up to the Commission, she broke it out because it is going to be very important when we get to that point.

Vice Mayor Rumrell suggested to move number one underneath, "Historic preservation best use of Pier Park" since that one covers that too. Commissioner Sweeny said that it does not really speak to historic preservation at all. Vice Mayor Rumrell said that the old City Hall is the historical part. Commissioner Sweeny suggested that we probably need to add in historic preservation.

Commissioner England said that if this Commission wants to have a say on this when it all takes place, that she would suggest you have something in there and even have an architectural plan in hand, which the Art Council has. She suggested that you have something in writing, not that you have to follow it, but that you have something in writing about Pier Park to have it ready for when the time comes. Commissioner George said that she likes the way that this is already structured, there is a good reason to have the fire station referenced separately and the sports amenities separately because she sees them as two different functions at the facility of the park as a whole. Vice Mayor Rumrell advised that he believes that the County has already cancelled out number one because they could not get the firetrucks in and out of the old Mosquito Control property. He

said that they might be using that building for staffing vehicles now. Commissioner George suggested that the last sentence in the first paragraph should become number three. Mayor Samora said that we want to keep this as its own section because it is important. Commissioner George said yes.

Mayor Samora asked if we want to have VIII.H.2 in our Vision Plan. Commissioner Sweeny said that she did not think that it needs to be that specific but that she would go along with the will of the Commission. Commissioner George advised that she liked the vision of the volleyball courts being on the actual beach. Commissioner England advised that it is controversial and that there would be some opposition to it. But when you think about Pier Park and how it is used for events that she thinks the use of the property for those sports activities could be moved somewhere else for best use of Pier Park. She said that we could definitely soften it. Mayor Samora suggested to take the first sentence out and possibly change a little bit of the language at the beginning of the second sentence. Vice Mayor Rumrell said that if the County decides to use Pier Park for something different that we discuss relocating the volleyball court or whatever to another area.

Commissioner England advised that she could take it out. She said that at some point when we started negotiating on the property for highest and best use, we could see what it turns out because these are floating ideas. Commissioner George said that their property is still regulated by our Land Development Code. Building Official Law advised that it is. Commissioner George said that we have strong arm leverage. Building Official Law advised that they may own it, but it is still in the City's jurisdiction. Commissioner George said that if the County wanted to do something that we vehemently opposed, provided that we have some ordinances already in place, then we could probably. Building Official Law advised that it would depend on what they wanted to build and if it is specifically allowed and it does not qualify as a major developmental review, it is under staff review, at that point they would enforce a code the way it is written. He advised that it is all institutional and so we have to go to the "table of allowed uses" to see what they can build. He advised that he watched them put all the sand out and that the new volleyball courts are in operation almost every day. He advised that in his opinion, it would be hard for us to move it.

Commissioner Sweeny advised that she believes that number five kind of captures our sentiments of having something in there about looking at the possible uses of the property. Mayor Samora advised that he would like to strike number two entirely. Commissioner Sweeny said that she did not know if we need to specify the uses of the Pier Park property but that it is under that heading, so maybe the references implied.

Mayor Samora read Section VIII.G.5 and said that it does get a little bit detailed there. Commissioner George advised that she did not have a problem with the detail as long as we say "not limited to" so that we document some ideas that have been considered without prioritization in any of them. She suggested that the language be tweaked a little bit to say, "without limitation" and "without any priority implied". Such as, "not limited to the following ideas, which had been considered over time."

B. Guidance to Staff Concerning the Next Step(s)

Mayor Samora agreed that those were all good suggestions and he moved on to Section IX. He asked the City Manager if he thought there would be a draft for November. City Manager Royle said that he did not think so. Commissioner England advised that they would try but that it would depend on how quickly staff can get the minutes done and that she tried to take good notes.

Mayor Samora suggested to leave the timetable unchanged at this point. Commissioner George asked if these minutes should be more detailed. City Clerk Fitzgerald advised that we could certainly try and that the Building Department has been using a transcription service so maybe we can borrow that since the Planning Board is here as well. Building Official Law advised that you

could set up an account and pay their fee of a dollar a minute. He said that when you think about how many days it would take for the staff to transcribe this, that the City needs to move all their minutes to be outsourced verbatim. He advised that you would still need to proof them because they do not get the names correct at first but get more accurate later on and you also get customer discounts periodically.

Mayor Samora asked for any further comments.

Ms. Candler said that she is trying to get the timeline down, and she asked if November would be when the Commission decides the details. Mayor Samora advised that it would be the November Commission meeting but that it would be dependent on how quickly we can get things transcribed. He said that there is a lot of work to be done, so if it does not happen in November, then possibly December. Ms. Candler advised that SEPAC has a full meeting tomorrow night. Commissioner England asked for those who have comments in the specific language to jot it down on a piece of paper, "Section A, B," and send it to us. Ms. Candler advised that SEPAC wanted to write their section well. Commissioner George asked if SEPAC preferred to do that as a group instead of separately. Ms. Candler advised yes, and that we can only do that once a month so, tomorrow night probably would not happen. Commissioner George asked when SEPAC's November meeting is. City Clerk Fitzgerald advised that they did not know yet because of the elections and that there are only two weeks available for the month of November.

Mayor Samora advised that he looked at the language that was used on the timeline that says, "November the Commission decides the details for a draft of the Vision Plan". He advised that it does not say that we would have a draft, it says for December we would actually have a draft submitted to the Commission. Commissioner George advised that if the rest of the draft gets completed, then there would only be that one section for Commissioner England and staff to work on when it is received from SEPAC, which could probably be done with limited time. Commissioner England suggested that SEPAC appoint one person to take over comments to do the draft because it is impossible to draft something at a meeting. Commissioner Sweeny suggested to provide a Redline version of the document.

City Manager Royle advised that SEPAC meets tomorrow night so if any members of the Planning Board wanted to attend the meeting, I'm sure they would welcome you.

Mayor Samora asked for any further comments. Being none, he moved on and asked for a motion to adjourn.

V. ADJOURNMENT

Mayor Samora 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 7:34 p.m.

Donald Samora, Mayor

ATTEST:

Dariana Fitzgerald, City Clerk

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager mk

DATE: November 3, 2022

SUBJECT: Ms. Janel Finley, Public Affairs Specialist, U.S. Small Business Administration, Regarding Financial Aid Available to Businesses, Homeowners, Renters, and Non-Profits Affected by Hurricane Ian

On October 20th, Vice Mayor Rumrell asked if Ms. Finley could make a presentation at your November 14th meeting.

Attached is information that she has provided about her presentation.

**Disaster Business Loans
For Physical Damages and Economic Injury**

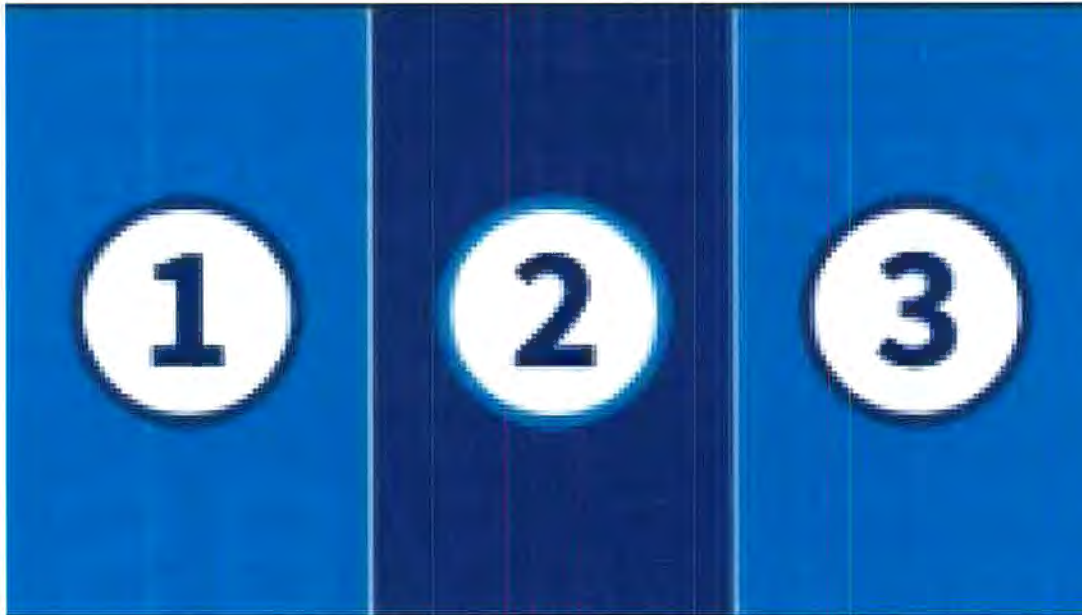


U.S. Small Business
Administration

DISASTER ASSISTANCE

Businesses ■ Homeowners ■ Renters ■ Nonprofits

When Disasters Strike



[How to Apply for a Disaster Assistance Loan - YouTube](#)

[Como solicitar un préstamo de asistencia por desastre - YouTube](#)

Types of SBA Disaster Loans, Limits and Terms

Types of Loans	Borrowers	Purpose	Max. Amount	FL Declaration #17644
Business Loans	Businesses and private nonprofits	Repair or replace real estate, inventory, equipment, etc.	\$2 million *	<p>Interest rates are as low as: 3.04 percent for businesses, 1.875 percent for nonprofit organizations, and 2.188 percent for homeowners and renters, with terms up to 30 years.</p> <p>The filing deadline to submit an applications is: <u>Nov. 28, 2022</u>, for physical property damage, and <u>June 29, 2023</u>, for economic injury applications.</p>
Economic Injury Loans	Small businesses and private nonprofits	Working capital loans	\$2 million *	
Home Loans	Homeowners	Repair or replace primary residence	\$200,000	
Home Loans	Homeowners and renters	Repair or replace personal property	\$40,000	
Mitigation	Businesses, private nonprofits and homeowners.	Mitigate / prevent future loss of the same type	20% of verified physical damage. Homeowners limited to \$200,000.	

* The \$2,000,000 statutory limit for business loans applies to the combination of physical, economic injury, mitigation and refinancing, and applies to all disaster loans to a business and its affiliates for each disaster. If a business is a major source of employment, SBA has the authority to waive the \$2,000,000 statutory limit.

Step One

Three Steps to SBA Disaster Assistance Loans



1: Apply



Begin by first registering with FEMA at disasterassistance.gov or by calling (800) 621-FEMA (3362).

Then apply at disasterloanassistance.sba.gov, in person at any local disaster center, or by calling our Customer Service Center at (800) 659-2955 to request an application by mail. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

There is no need to wait for insurance claims to settle or to receive FEMA grants or contractor estimates before applying. You are under no obligation to accept the loan if approved.

Registration with FEMA is recommended but not required for business applicants. Businesses located in the contiguous counties listed in the declaration should not register with FEMA.

Step Two

2: Application Processed



Application packages and required documents (including credit and income information) will be reviewed for completeness. Eligible applications are sent to SBA's loss verification team and property inspections may be necessary to decide the total physical damage.

A loan officer takes over your case to work with you to receive any additional information, review insurance or other recoveries, and recommend a loan amount.

We strive to make loan determinations within 2–3 weeks after receiving complete application packages.

Economic Injury Disaster Loans are not sent to SBA's loss verification team because they do not involve physical damages. Instead, the file goes directly to a loan officer.

Three Steps
to SBA Disaster
Assistance
Loans



Step Three

3: Loan Closure & Disbursement

Three Steps
to SBA Disaster
Assistance
Loans



Loan closing documents are prepared for your signature. After receipt of the signed documents, an initial disbursement, up to the following amounts, will be made within 5 business days: up to \$25,000 for physical damage; up to \$25,000 for economic injury (working capital), which can be in addition to the physical damage disbursement for eligible businesses.

A case manager will work with you to answer questions and help you meet all loan conditions. The case manager schedules the disbursement of any remaining loan amount.

Requirements for Loan Approvals



- **Eligibility**

Damaged property must be in a declared county.

NOTE: Secondary homes or vacation properties, personal pleasure boats, airplanes, recreational vehicles and similar property are not eligible, unless used for business purposes (e.g., *qualified rental properties*).

- **Credit History**

Applicants must have a credit history acceptable to SBA.

- **Repayment**

Applicants must show the ability to repay the SBA loan.

Additional Features of SBA Disaster Loans

- **Loan Terms:**

Up to 30 years based on ability to repay; fixed rate.

- **Relocation:**

With approval, funds may be used to relocate.

- **Refinancing:**

Eligibility is only for homeowners & businesses.



Business and Home Loans Can Be Increased For Mitigation Funds to Help Build Back Better, More Resilient

- After disaster strikes, many property owners may want to take steps in recovery to mitigate against future damages from a similar event.
- SBA can increase loans to cover added costs for new building codes/required upgrades; mitigation improvements against future damages or to increase the safety of property; and, to utilize modern and more resilient construction methods.
- Applicants may be eligible for a loan increase up to 20 percent of their physical damages, as verified by the SBA for mitigation purposes.
- Eligible mitigation improvements may include a safe room or storm shelter, sump pump, French drain or retaining wall, elevating structures and utilities to help protect property and occupants from future damage caused by a similar disaster.

Don't Wait! Mitigate.

Protect Your Business From Future Disaster

- Disaster mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. Disasters can happen at any time and any place.
- The number of disasters each year is increasing, but only 50% of events trigger Federal assistance.
- Building back smarter and stronger **now** can be an effective recovery tool for future disasters.
- Strengthening your business doesn't need to cost a fortune. Projects such as maintaining gutters can be low-cost, while getting a backup generator requires greater financial investment.
- **\$1 spent on mitigation today defers an estimated \$6 in future damages.**

SBA's Disaster Loans are Different from Other SBA Loans

SBA's Economic Injury Disaster Loan (EIDLs) funds come directly from the U.S. Treasury.

Applicants do not go through a bank to apply. Instead apply directly to SBA's Disaster Assistance Program at: [DisasterLoan.sba.gov](https://disasterloan.sba.gov)

There is no cost to apply.

Applicants can have an existing SBA Disaster Loan and still qualify for a loan for this disaster, but the loans cannot be consolidated.

SBA Resource Partners

SBA's Resource Partners help businesses:

- Help with preparing financial statements and applying for an SBA disaster loan
- Successfully stay in business.
- Develop operational, financial and marketing plans.
- Consider alternative sources of revenue.
- Identify ways to reduce costs.
- Update management and technical services.
- For the nearest office, visit: <https://www.sba.gov/local-assistance>



Women's Business Centers



Submit The Application As Soon As Possible

The filing deadline to return applications for physical property damage is **Nov. 28, 2022**. The deadline to return economic injury applications is **June 29, 2023**.

The biggest reason for delays in processing is due to missing information. Make sure to complete all filing requirements before submitting the application and forms.

If more funds are needed, applicants can submit supporting documents and a request for an increase. If less funds are needed, applicants can request a reduction in the loan amount.

If the loan request is denied, the applicant will be given up to six months in which to provide new information and submit a written request for reconsideration.

Ways to Apply

To be considered for all forms of disaster assistance, applicants should register online at DisasterAssistance.gov or download the FEMA mobile app. If online or mobile access is unavailable, applicants should call the FEMA toll-free helpline at 800-621-3362. Those who use 711-Relay or Video Relay Services should call 800-621-3362.

Applicants may apply online using the Electronic Loan Application (ELA) via SBA's secure website at <https://disasterloanassistance.sba.gov/ela/s/> and should apply under SBA declaration # **17644**.

Visit the nearest FEMA Disaster Recovery Center or SBA Business Recovery Center.

Disaster loan information and application forms can also be obtained by calling the SBA's Customer Service Center at 800-659-2955 (if you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services) or sending an email to DisasterCustomerService@sba.gov. Loan applications can also be downloaded from sba.gov/disaster.

SBA Office of Disaster Assistance Contacts for the Public

**For More Information about SBA disaster
assistance programs, go to:**

www.sba.gov/disaster

**Or contact SBA's
Customer Service Center at:**


1-800-659-2955 / 711TTY)

Or by email at:

disastercustomerservice@sba.gov

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: November 2, 2022

SUBJECT: Resolution 22-15, to Discuss and Possibly Adopt a Stormwater Utility Fee

INTRODUCTION

Mr. Tredik has prepared a presentation for your discussion concerning Resolution 22-15, which, if approved, would authorize the collection of a non-ad valorem assessment fee to provide revenue for the maintenance and repair of the City's stormwater management system, and for related capital expenses, such as new pumps. The information from Mr. Tredik is attached as follows:

- a. Pages 1-5, a memo from him with the information about the proposal to levy a non-ad valorem assessment, as well a description of the City's stormwater system, the costs to maintain it, the basis for a non-ad valorem assessment fee (which would be the Equivalent Residential Unit), the amounts of revenue the City would receive from various levels of the fee, and the timetable for adopting the fee.
- b. Pages 6-8, Resolution 22-15.
- c. Pages 9-22, the PowerPoint that Mr. Tredik will present at your November 14th meeting.
- d. Pages 23-47, Section 2, Utility Fees and Rates, from a report prepared by the Florida Stormwater Association. It provides you with a good overview of stormwater utility fees throughout the state.

CORE FUNCTIONS

As you consider the information that Mr. Tredik has provided, we suggest you put the request for a non-ad valorem assessment fee for stormwater management in this context: The City has five core functions or services that it must do to fulfill its basic purpose, which is the protection of life and property:

- Law enforcement
- Stormwater management
- Maintenance of streets, rights-of-way, and parks
- Solid waste collection
- Building permitting and inspection

Two of these functions, solid waste collection and building permitting/inspection, have dedicated revenue sources that enable their respective departments to carry out their responsibilities.

Two of the remaining three that don't have a dedicated revenue source, law enforcement and stormwater management, are funded by revenue from property taxes and other sources. The fifth function, maintenance of streets, rights-of-way, and parks, does have a dedicated revenue source for STREETS only. It is gasoline taxes, but the yearly amount is modest (\$218,612 in FY 22) compared to the cost to maintain and repave streets, such as the recent project to repave 10 streets and alleys east of the Boulevard, plus Mickler Boulevard between 11th and 16th Streets, and North Trident Place. That project cost \$399,268. The money provided for it by the American Rescue Plan Act won't be available in FY 23 and succeeding fiscal years for street paving projects. Also, aside from the repaving project, the cost in FY 22 for regular maintenance of streets, rights-of-way and drainage facilities was \$50,040 plus \$85,427 for the Drainage Technician's salary and benefits.

THE PROPOSAL

To provide a reliable revenue source for stormwater management to protect private and public property, the City administration is proposing a stormwater fee similar to what many Florida cities levy, such as St. Augustine, Jacksonville, Jacksonville Beach, Neptune Beach and Green Cove Springs in our area. On pages 27-28 (attached) is a list of the Florida cities that levy the fee. For those cities that have a water and sewer utility, the stormwater fee is on the utility bill that is sent monthly to each property owner.

However, because our City doesn't have a water and sewer utility, Mr. Tredik proposes that a non-valorem assessment be the means to obtain revenue for the stormwater management system. The fee will be put on the tax notice that is sent yearly to each owner of real estate in the City.

Having this new revenue source for stormwater management is especially important because of three reasons:

1. To make property tax revenue available to pay new and significant upcoming costs for the City's Police Department.
2. To provide a revenue source besides property taxes to pay the costs to maintain both the City's current stormwater management system as well as the additions to it that are planned or nearly completed.
3. To make property tax revenue available to pay the yearly costs for other needs, such as the maintenance of streets, rights-of-way and parks and to provide money for a yearly street paving program.

For the Police Department, the upcoming major costs are these:

- \$300,000 for 30 new radios at \$10,000 per radio as the Department's current radios are worn out and no longer serviced by the vendor.
- Purchase of body cameras for the officers and equipment to archive and index the video for retrieval purposes. The Sheriff is planning to purchase body cameras while St. Augustine is already using them.
- Paying for dispatching services, which will be a yearly fee charged by the Sheriff, who is likely to propose it for FY 24.

For the stormwater management system, the new additions that will have to be maintained at increased cost to the City will be the drainage improvements for the Ocean Walk and Magnolia Dunes subdivisions, the west ends of 7th, 8th and 9th Streets, improvements to control flooding at Pope Road and A1A Beach Boulevard, and the retention pond's new weir and pump station.

KEY QUESTION

Because property taxes are the single major revenue source for several of the City's core functions, the key question is: Why doesn't the City use other revenue sources to lessen its reliance on property taxes? As Mr. Tredik shows, the reliance can be significantly reduced by levying the non-ad valorem assessment for the stormwater management system.

For example, on page 3 (attached), Mr. Tredik shows that the current annual cost just to maintain the stormwater management system is \$150,00. These maintenance costs will increase with the completion of such major projects as the retention pond weir and pump station, Ocean Walk and Magnolia Dunes drainage improvements, the west end of 7th, 8th and 9th Streets and improvements to prevent flooding at Pope Road and the Boulevard.

Each tenth of a millage at the current level of the assessed property value in the City will provide \$172,478. If the City had a non-ad valorem assessment for stormwater management that initially equaled that tenth of a mill, then the \$172,478 could be used to pay some of the additional costs for the Police Department and for the City's street repaving program.

ADDITIONAL CONCERN: It is that there is no guarantee that the assessed value of real estate won't decline, which would affect the amount of revenue the City could receive from property taxes. For example, a report in the October 31, 2022, issue of the Jacksonville Daily Record said the median price of a single-family home fell 2.6% to \$380,000 in several northeast Florida counties. Though St. Johns wasn't one of those counties, higher interest rates and a possible nation-wide recession could lower home values in our County.

IN CONCLUSION

The City's major revenue source, property taxes, will be squeezed to provide the money required by three of the City's five core functions: law enforcement, maintenance of streets, rights-of-way and parks; and stormwater management. There are new costs, such as for police radios, body cameras, and 911 dispatching services, and to maintain the City's stormwater management system as it is expanded and improved in various areas of the City. At this time, there are no other sources other than property taxes that can provide enough money for the new costs.

To relieve that squeeze and to help the Commission avoid having to raise property taxes, perhaps significantly in the future, Mr. Tredik proposes the Commission take the steps to adopt a new revenue source, the non-ad valorem assessment fee, for stormwater management. The fee will eventually make the City's stormwater management system self-supporting, just as building permitting/inspections and the City's solid waste operations are now. And, as noted above, the fee will also make available money from property taxes for new law enforcement expenses and for significant projects, such as the City's annual street repaving program.

MEMORANDUM

Date: November 14, 2022

To: Max Royle, City Manager

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

Subject: Resolution 22-15
Intent to Implement a Stormwater Non ad Valorem Assessment

BACKGROUND

June 17, 2021 - City Commission Workshop

The City Commission conducted a workshop to discuss the potential implementation of a stormwater utility fee to address future stormwater needs. The Public Works Director presented the following estimated costs for future stormwater projects:

Vulnerability Study Projects	\$ 3.6 million
2004 Stormwater Master Plan Remaining Projects	\$ 1.8 million
<u>Future Drainage Projects (Master Plan Update)</u>	<u>\$ 4.8 million</u>
TOTAL ESTIMATED COST	\$10.2 million

At the workshop, a listing of several cities' stormwater utility fees was presented, ranging from roughly \$5 per month to \$10 per month. It was discussed that an assessment of approximately \$8.33 per month would generate up to \$500,000 in annual revenue for stormwater improvements and maintenance.

Also discussed in the workshop were the steps necessary to implement a Stormwater Utility Fee and the need to:

- Establish a structure for equivalent residential units (ERUs).
- Quantify impervious and semi-impervious surface areas
- Establish a rate for undeveloped properties
- Establish a schedule of projects to be implemented.

The Commission directed staff to provide additional information at an upcoming meeting.

October 4, 2021 – Staff Presentation to City Commission

Staff presented additional information relating to adoption of a non ad valorem assessment for stormwater maintenance and improvements and asked for Commission direction whether to advertise for a public meeting to begin the process of adopting a non-ad valorem

stormwater utility fee for FY 2023. The City Commission opted to not move forward in with a stormwater non-ad valorem fee in FY 2023.

October 3, 2022 – Staff Presentation to City Commission

The Public Works Director presented information in regard to the following:

- The City's current dependance upon grants and legislative appropriations to fund stormwater capital projects.
- The City's current dependence upon ad valorem taxes to fund stormwater maintenance.
- Implementation of a non ad valorem assessment to provide a dedicated revenue source for stormwater maintenance and project funding

Staff asked for Commission direction whether to advertise for a public meeting to begin the process of adopting a non-ad valorem stormwater utility fee for FY 2024. Staff stated that in order to proceed, the City Commission must pass a resolution indicating the City's intent to adopt a non-ad valorem assessment. This resolution must be sent to the Tax Collector prior to January 1, 2023.

The City Commission authorized staff to advertise for a public meeting on November 14, 2022 to consider a resolution stating the City's intent to adopt a non-ad valorem stormwater utility fee for FY 2024.

DISCUSSION

The City currently maintains:

- Stormwater pump stations
 - Mizell Pond Pump Station (3 pumps)
 - Versaggi Pump Station (1 pump)
 - Sandpiper Pump Station (1 pump)
- 8 miles of storm pipe
- 9 miles of swales
- 2.5 miles of ditch
- 436 drainage structures
- 3 tide gates (at Mizell pond)

Additionally, the following improvements will be coming on line in the next few years:

- Ocean Walk drainage, including a stormwater pump station
- Magnolia Dunes/Atlantic Oaks Circle drainage, including a stormwater pump station
- Storm surge protection devices at Pope Road
- Oceanside Circle stormwater exfiltration system

Typical Maintenance Activities

- Ditch cleaning at Mickler, 11th St. and 16th St (at least bi-annually)
- Swale inspection (200+ per year)
- Inlet inspections (300+ per year)
- Debris/sediment removal (100 c.f.-200 c.f. per year)
- Street sweeping (2.4 miles per month)
- Stormwater repairs (pipe, structure, etc.) (as needed)

Current Maintenance Costs

The following are the current estimated expenditures to maintain the City's drainage system:

• Labor (salaries/benefits)	\$100,000
• Annual Repairs	\$ 34,000
• Fuel/Oil	\$ 5,000
• Equipment	\$ 5,000
• Vehicle Cost	\$ 4,000
• <u>Vehicle Maintenance</u>	<u>\$ 2,000</u>
Current Total Annual Expenditures	\$150,000+/-

Unfunded Maintenance Needs

Refurbish outfall canal between S.R. A1A and Mizell Road:

- Estimated Cost \$100,000
- Recommended Frequency 10-years
- Annualized Cost \$10,000

Citywide Pipe Cleaning:

- Estimated Cost \$150,000
- Frequency 5-years
- Annualized Cost \$30,000

Future maintenance for projects in construction or design:

- Mizell Weir and Pump Station (annual maintenance)
- Oceanside Circle drainage improvements (future pipe cleaning)
- Versaggi and Sandpipe pump stations (annual maintenance / pump replacement)
- Ocean Walk (pump station maintenance, future pipe cleaning)
- Magnolia Dunes/Atlantic Oaks (pump station maintenance, future pipe cleaning)

Annual maintenance cost will continue to rise with increasing infrastructure and increasing labor and material costs. By 2025, maintenance costs are anticipated to increase to over **\$200,000 per year**.

As discussed in previous meetings, future stormwater improvement and resilience projects are anticipated to exceed \$10 million over the next decade. Assuming the City is successful in funding 75% (typical HMGP rate) of the projects with grants, \$2.5 million of City matching funds would be required to complete the projects. Annualizing this over 10 years, \$250,000 per year would be required to implement future projects..

Based upon the above, the City would need roughly **\$450,000 per year** to fully fund stormwater maintenance and capital project improvements in the future. The only current funding source for this need is ad valorem taxes. Each budget cycle, stormwater needs must compete for funding with the following City priorities:

- Public safety
- Parks and Recreation
- Roads and Paving
- Facilities Maintenance
- Equipment/vehicle replacement
- Beautification projects

Dedicated Revenue Source

A dedicated revenue source is essential to maintain the City's existing stormwater infrastructure as well as implement new resilience and stormwater improvements. Adopting a stormwater non-ad valorem assessment would create such a dedicated revenue source and help guarantee stormwater funding into the future.

Much work over the next several months to develop a non ad valorem assessment, including:

- Determining the Equivalent Residential Unit (ERU) value
 - Averaging impervious surface area per single family residence
- Assigning ERUs to commercial properties
 - Measure impervious area from aerials
- Developing a stormwater fee ordinance

Potential Revenue

Preliminary analysis indicates:

- Annual fee of \$32+/- per ERU – Fund current annual maintenance needs.
- Annual fee of \$72+/- per ERU – Fund maintenance plus \$250K for projects.

The statewide average stormwater fee is currently \$8.05/month (\$96/year). Preliminary analysis indicates that a \$8.05 fee would generate approximately \$575,000 of annual revenue

Next Steps

In order to continue to on the path to implement a stormwater non advalorem assessment the following actions must be taken:

November 14, 2022	Pass resolution expressing intent to adopt a non-ad valorem assessment
by January 1, 2023	Notify the Tax Collector of the intent to adopt a non-ad valorem assessment
April 3, 2023	Set annual and total ranges for the non-ad valorem assessment; set the first year assessment; set the term for the assessment; set the total assessment to be collected
June 2023	Hold Public Hearing and set the initial assessment rate
August 7, 2023	Pass resolution and enter agreement with Tax Collector

The Commission can opt to discontinue consideration of a stormwater utility at any time during the above process.

ACTION REQUESTED

Approve Resolution 22-15 expressing the intent of the city of St. Augustine Beach to implement a stormwater non ad valorem assessment

RESOLUTION 22-15

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY
FLORIDA**

RE: EXPRESSING THE INTENT OF THE CITY OF ST. AUGUSTINE BEACH TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENT PROVIDED FOR IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3632, FOR A STORMWATER UTILITY FEE TO BE UTILIZED FOR INFRASTRUCTURE MAINTENANCE AND CAPITAL IMPROVEMENT PROJECTS RELATED TO STORMWATER DRAINAGE AND RESILIENCY; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE INCLUDED IN THE COMBINED NOTICE FOR AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS PROVIDED IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3635; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE COLLECTED IN THE SAME MANNER AS AD VALOREM TAXES; PROVIDING THAT THIS NON-AD VALOREM ASSESSMENT IS NEEDED IN ORDER TO MAINTAIN STORMWATER DRAINAGE SYSTEMS THAT SERVICE THE CITY OF ST. AUGUSTINE BEACH AND TO FUND ADDITIONAL CAPITAL IMPROVEMENT PROJECTS TO BE DETERMINED BY THE CITY COMMISSION RELATED TO STORMWATER DRAINAGE AND RESILIENCY; PROVIDING FOR THE LEGAL DESCRIPTION OF THE CORPORATE LIMITS OF THE CITY OF ST. AUGUSTINE BEACH WHICH SHALL BE SUBJECT TO THE NON-AD VALOREM LEVY; PROVIDING THAT THE PUBLIC HEARING ON THIS RESOLUTION WAS DULY ADVERTISED; PROVIDING THAT THE CLERK OF THE CITY OF ST. AUGUSTINE BEACH SHALL MAIL CERTIFIED COPIES OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, November 14, 2022, resolves as follows:

WHEREAS, by the authority created in Chapter 166, Florida Statutes, Section 166.021, and within Section 2 (b), Article VIII, of the Constitution of the State of Florida, municipalities have the governmental, corporate, and proprietary power to conduct municipal government, perform municipal functions, and render municipal services and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, such statutory and constitutional authorization includes the ability to levy a special assessment for the provision of disposal of solid waste within the corporate limits of the City of St. Augustine Beach; and

WHEREAS, Chapter 197, Florida Statutes, Section 197.3632, sets forth the required procedure to be followed by a local government in order to elect the use of the uniform method of levying, collecting, and enforcing non-ad valorem assessments; and

WHEREAS, the City Commission held a public hearing on this Resolution on November 14, 2022, after advertising in *The St. Augustine Record* for four (4) consecutive weeks on October 14, 2022, October 21, 2022, October 28, 2022, and November 4, 2022, as required by Chapter 197, Florida Statutes, Section 197.3632(3)(a); and

WHEREAS, the City Commission has determined it services the health, safety, and general welfare of the residents of the City of St. Augustine Beach to utilize the uniform method of collection for non-ad valorem assessments for the provision of a stormwater utility fee within the corporate limits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AS FOLLOWS:

Section 1. Intent to Use Uniform Method. The City Commission of the City of St. Augustine Beach intends to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for a stormwater utility fee within the corporate limits of the City of St. Augustine Beach, pursuant to Chapter 197, Florida Statutes, Section 197.3632 and 197.3635.

Section 2. Need for Levy. The levy of non-ad valorem assessment for the stormwater utility fee is necessary in order to maintain and improve a comprehensive, coordinated, economical, and efficient stormwater drainage infrastructure system that services the City of St. Augustine Beach.

Section 3. Legal Description of Area Subject to Levy. The incorporated area of the City of St. Augustine Beach shall be subject to the levy and collection of the non-ad valorem assessment and is legally described in Section 1-2 of Article 1 of the Charter of the City of St. Augustine Beach and in official documents in the possession of the Clerk of the City of St. Augustine Beach.

Section 4. Combined Notice for Ad Valorem Taxes and Non-Ad Valorem Assessments. The non-ad valorem assessment that shall be levied using the uniform method provided for in Chapter 197, Florida Statutes, Section 197.3632, shall be included in the combined notice for ad valorem taxes and non-ad valorem assessments proved for in Chapter 197, Florida Statutes, Section 197.3635.

Section 5. Non-Ad Valorem Assessment Subject to Collection Procedures for Ad Valorem Taxes. The non-ad valorem assessment collected pursuant to Chapter 197, Florida Statutes, Section 197.3632, shall be subject to the collection procedures provided for in Chapter 197, Florida Statutes, for ad valorem taxes and includes discount for early payment, prepayment by installment method, deferred payments, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

Section 6. Public Hearing on Non-Ad Valorem Assessment Roll. The City Commission shall adopt a non-ad valorem assessment roll of the property to be assessed within the corporate limits of the City of St. Augustine Beach at a public hearing held between January 6, 2023, and September 7, 2023.

Section 7. Copy of Resolution. The Clerk of the City of St. Augustine Beach is hereby directed to mail a certified copy of this Resolution by United States mail to the St. Johns County Property Appraiser, the St. Johns County Tax Collector, and the State of Florida Department of Revenue by January 1, 2023.

RESOLVED AND DONE, this 14th day of November 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Donald Samora, Mayor

ATTEST:

Max Royle, City Manager



CITY OF ST. AUGUSTINE BEACH

*Regular City Commission Meeting
Monday November 14, 2022*

*Stormwater Utility Fee
Non ad Valorem Assessment*

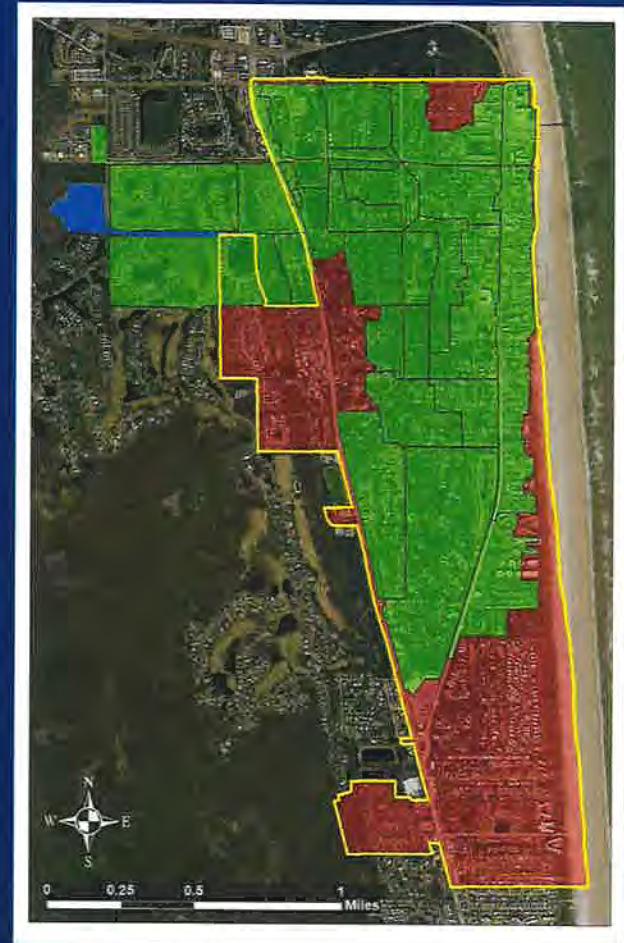
William Tredik, P.E. Public Works Director

STORMWATER SYSTEM

- **City Size – 1,387 acres**
 - **792 acres (57%) to Mizell**
 - **595 acres (43%) elsewhere**
- **Mizell Pond Watershed**
 - **City 792 acres (79%)**
 - **SJC 205 acres (20%)**
 - **FDOT 9 acres (1%)**
- **Stormwater Pumps**
 - **Mizell Pond (3) - \$540K**
 - **Versaggi and Sandpiper (2)**
 - *Ocean Walk (future)*
 - *Magnolia Dunes (future)*
- **Stormwater Piping**
 - **8 miles**
- **Ditches/Swales**
 - **9 miles of swales maintained**
 - **2.5 miles of ditch**
- **Drainage Structures**
 - **436 inlets/manholes**
 - **Mizell Pond tide gates (3)**
 - **Pope Road Backflow (future)**

STORMWATER SYSTEM

- **City Size – 1,387 acres**
 - **792 acres (57%) to Mizell**
 - **595 acres (43%) elsewhere**
- **Mizell Pond Watershed**
 - **City 792 acres (84%)**
 - **SJC 141 acres (15%)**
 - **FDOT 9 acres (1%)**



CURRENT STORMWATER MAINTENANCE

- **Ongoing Maintenance**

- 11th Street and Mickler Blvd Ditch Cleaning (bi-annually)
- Swale inspections (200+/- annually)
- Inlet inspections (300+/- annually)
- Inlet cleaning (100-200 cubic feet removed annually)
- Street sweeping (2.4 miles monthly)
- Stormwater repairs

- **Estimated Current Stormwater Maintenance Costs**

• Labor (salaries+benefits)	\$ 100,000
• Annual stormwater repairs	\$ 34,000
• Fuel/Oil	\$ 5,000
• Equipment	\$ 5,000
• Vehicle replacement cost	\$ 4,000
• <u>Vehicle maintenance cost</u>	<u>\$ 2,000</u>
TOTAL	\$150,000+/-

ADDITIONAL MAINTENANCE NEEDS

- **Outfall Canal (0.6 miles)- \$10,000 per year**
 - **Recommended every 10 years**
 - **Estimated cost \$100,000**
- **Pipe Cleaning - \$30,000 per year**
 - **Recommended every five (5) years**
 - **Estimated cost \$150,000**
- **Future Maintenance – up to \$40,000 per year**
 - **Mizell Pump Station**
 - **Oceanside Circle**
 - **Versaggi and Sandpiper Pump Stations**
 - **Ocean Walk Pump Station**
 - **Magnolia Dunes / Atlantic Oaks Circle Pump Station**

Annual maintenance costs will likely exceed \$200,000 per year once future project come online

PROJECT FUNDING NEEDS

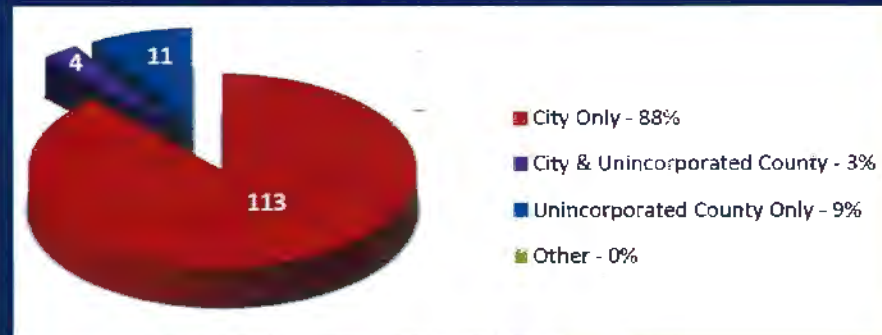
- Over \$10 million of anticipated projects
 - **Vulnerability Study**
 - **Master Drainage Study Update**
- Assume 10-year implementation plan
 - **\$1 million per year required**
- Assume grants fund 75% (typical HMGP level)
 - **\$250,000 of City funding per year required**

NEED FOR DEDICATED FUNDING

- Stormwater Management is expensive
 - \$450,000 per year (maintenance plus projects)
- Stormwater funding is not optional
 - Lack of maintenance = flooding
 - Lack of improvements = flooding
- Other needs and wants compete for ad valorem taxes
 - Public safety
 - Parks and recreation
 - Roads and paving
 - Infrastructure maintenance
 - Beautification
- A stormwater utility fee guarantees funds for drainage

FLORIDA STORMWATER ASSOCIATION 2022 STORMWATER UTILITY (SWU) REPORT

- 170 local governments have SWUs
- Upheld by Florida Supreme Court
- Most SWUs use impervious area
- 88% of SWUs are municipalities



BENEFITS OF STORMWATER FEE

- **Dedicated revenue source for drainage**
 - Not dependent upon millage rate
 - Guarantees funding for maintenance
 - Predictable funding for planning
 - Funding not subject to property value variability
- **All properties in City benefit**
- **Fee can be adjusted annually within range**
 - Protection from inflation
 - Ability to complete planned long-term projects

FUNDING STRATEGY

- Non ad valorem assessment
 - No monthly billing option (e.g. utility bill)
- Other Similar Sized Jurisdictions' Fees
 - Vary depending upon goals

City/Town	Acreage	Population	ERU Rate	ERU Size
City of Cape Canaveral	1,472	9,984	\$10.00	2,074
City of Gulf Breeze	1,740	6,410	\$9.38	4,450
City of Indian Harbour Bch	1,920	9,177	\$4.00	2,500
City of Satellite Beach	1,890	11,450	\$16.67	3,000
City of St. Pete Beach	1,408	8,785	\$15.31	3,813
City of Sunny Isles Beach	1,140	22,644	\$4.33	1,548
Town of Belleair	1,792	4,352	\$11.92	5,459

STEPS TO IMPLEMENT FEE IN FY24

Today	Pass resolution expressing intent to adopt assessment
Before Jan. 1, 2022	Notify the Tax Collector of the intent to adopt
April 2022	Develop draft Stormwater Fee Ordinance Establish square footage per ERU Establish annual assessment <u>range</u> per ERU Establish the annual assessment per ERU Establish the annual commercial assessments Set public meeting
June 2022	Notify all property owners subject to fee Adopt annual assessments and Stormwater Fee Ordinance
Aug. 2022	Pass resolution and enter agreement with Tax Collector

KEY STEPS

- RFQ for consultant to develop Stormwater Utility
- Determine the Equivalent Residential Unit (ERU)
 - Utilize aerials and property appraiser records
 - Average residential impervious area per single family residence
 - Condominiums dwelling units would be charged 1 ERU
- Measuring commercial impervious surface areas
 - Utilize aerial photography
 - Assignment of ERUs based upon impervious area
 - Notification of proposed fee commercial impervious
- Develop stormwater utility fee ordinance

ERU ESTIMATES

- **Rate to just cover annual maintenance costs**
 - **Estimated monthly fee per ERU** **\$2.70 (\$32.40 per year per ERU)**
 - **Estimated annual revenue generated** **\$200,000**
- **If \$8.05 per month per ERU (statewide average)**
 - **Estimated monthly fee per ERU** **\$8.05 (\$96.60 per year per ERU)**
 - **Estimated annual revenue generated** **\$575,000**
 - **Would allow \$375,000 annually dedicated to projects**
- **\$6 per month per ERU (\$72 per year per ERU) could fund maintenance plus almost \$250,000 of projects annually**

REQUESTED ACTION

Pass resolution 22-XX stating intent to assess a non ad valorem assessment for stormwater maintenance and improvements.

Utility Fees and Rates

Our reason is **water.**TM



Advanced Drainage Systems provides water management solutions. As a local employer, we've been supplying central Florida for more than 20 years.

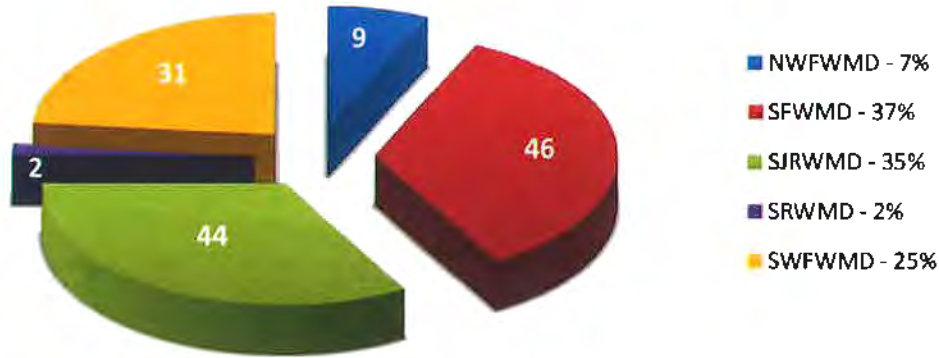
As an industry leader in sustainable business practices, we're proud to be the second largest plastic recycling company in North America.

Learn more about how we're protecting water,
a precious natural resource, at
sustainability.ads-pipe.com.

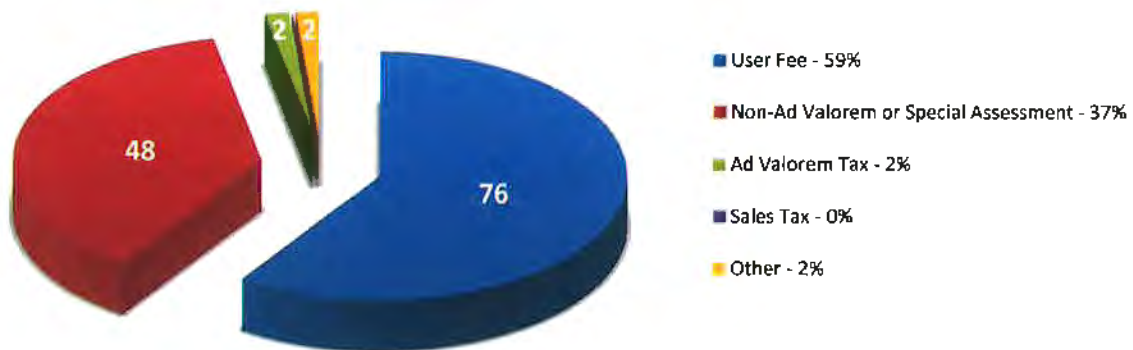
adspipe.com
800-821-6710



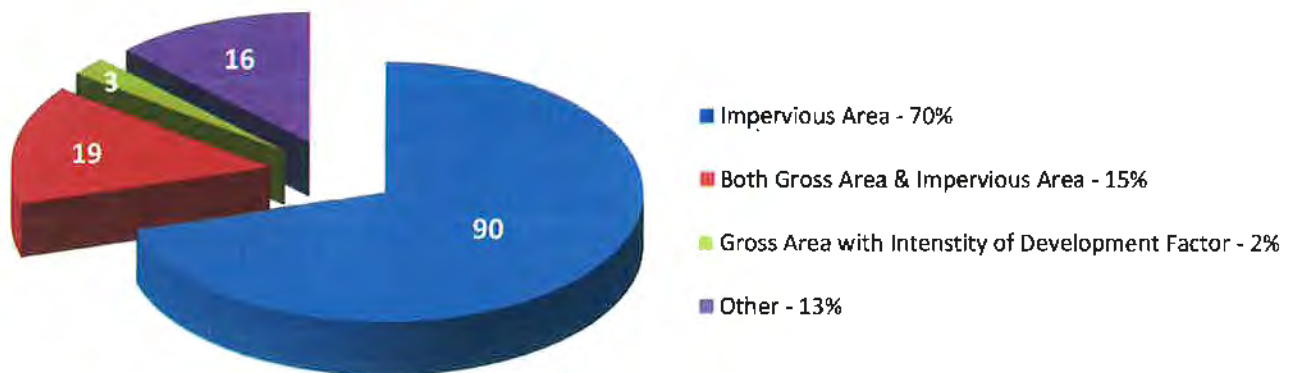
2-1 Within which Water Management District is your SWU located?
(multiple responses accepted)



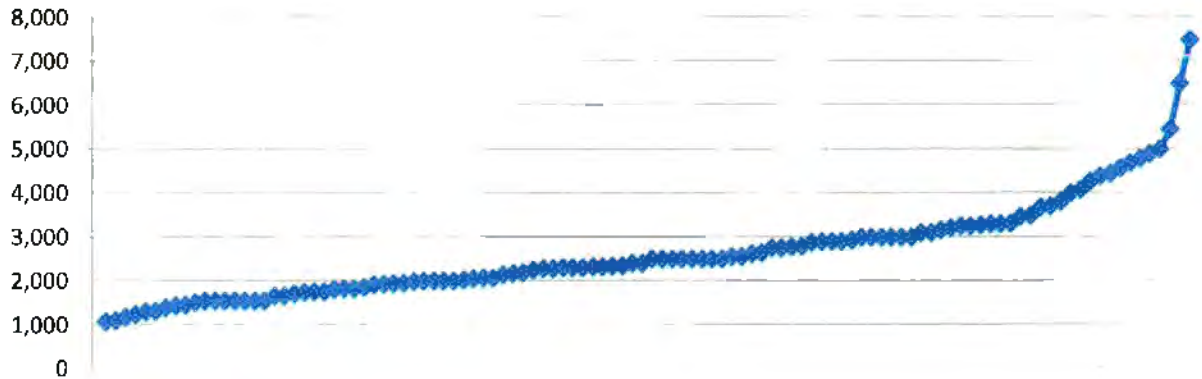
2-2 What is the basic methodology used for your revenue generation?



2-3 What is the general basis for your fee?

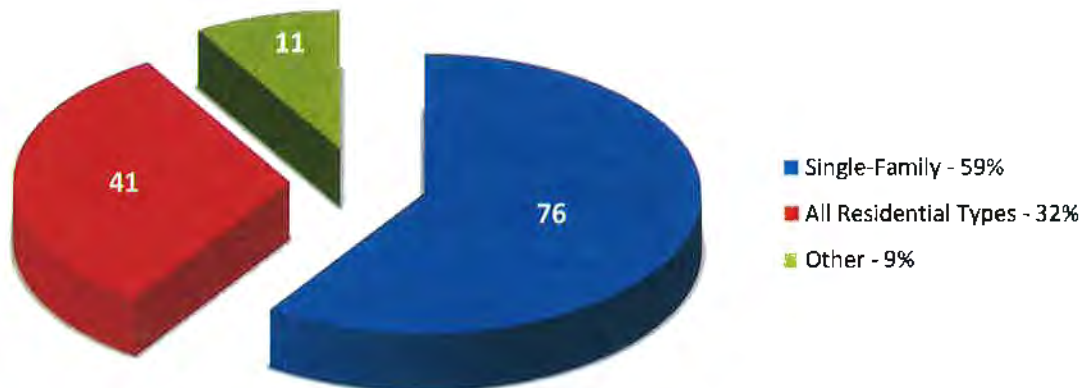


2-4 If impervious area is the fee basis, what is the square footage of your average billing unit (ERU or similar designation)?



Average is 2,643 square feet (average in 2020 was 2,579).

2-5 Is the “average billing unit” based upon single-family units only or on all residential types (e.g. single and multi-family, condominiums, mobile homes, etc.)?



2-6 What is your current SWU rate per month?

Average rate is \$8.05 (2020 was \$7.84)

Utility Rate Range: \$0.75 (Low) \$60.00 (High)

NR = No Response

Jurisdiction	Rate	Unit Size
Alachua County	\$3.33	4,011
Bay County	\$3.33	NR
Brevard County	\$5.33	2,500
City of Altamonte Springs	\$6.75	2,492
City of Auburndale	\$0.75	NR
City of Aventura	\$3.50	1,549
City of Bradenton Beach	\$4.40	NR
City of Callaway	\$1.00	NR
City of Cape Canaveral	\$10.00	2,074
City of Cape Coral	\$10.83	3,296
City of Casselberry	\$9.20	2,304
City of Clearwater	\$13.40	1,830
City of Clermont	\$4.99	2,000
City of Cocoa	\$10.51	3,100
City of Cocoa Beach	\$8.96	2,900
City of Coconut Creek	\$4.15	2,070
City of Cooper City	\$5.58	1,750
City of Coral Gables	\$19.07	2,346
City of Daytona Beach	\$11.46	1,661
City of DeBary	\$14.00	2,560
City of Deerfield Beach	\$3.75	2,788
City of DeLand	\$9.67	4,900
City of Delray Beach	\$5.33	2,502
City of Doral	\$4.00	1,548
City of Dunedin	\$12.25	1,708
City of Edgewater	\$13.00	2,027
City of Eustis	\$6.00	NR
City of Fernandina Beach	\$12.00	NR
City of Fort Lauderdale	\$21.52	NR
City of Fort Meade	\$7.44	2,750
City of Fort Myers	\$9.60	2,500
City of Fort Pierce	\$5.75	2,186

Jurisdiction	Rate	Unit Size
City of Fort Walton Beach	\$5.00	3,200
City of Fruitland Park	\$2.00	NR
City of Gainesville	\$10.40	2,300
City of Green Cove Springs	\$3.50	3,000
City of Gulf Breeze	\$9.38	4,450
City of Gulfport	\$3.95	2,300
City of Hialeah	\$2.50	1,664
City of Homestead	\$3.37	2,000
City of Indian Harbour Beach	\$4.00	2,500
City of Jacksonville	\$5.00	3,100
City of Key Colony Beach	\$60.00	NR
City of Key West	\$9.25	1,440
City of Kissimmee	\$9.10	2,404
City of Lake Alfred	\$2.00	NR
City of Lake Mary	\$4.00	4,576
City of Lake Worth Beach	\$6.52	1,748
City of Lakeland	\$9.26	5,000
City of Largo	\$8.91	2,257
City of Longwood	\$6.00	2,898
City of Madeira Beach	\$10.00	1,249
City of Marathon	\$20.00	4,796
City of Margate	\$8.25	2,328
City of Mascotte	\$7.00	3,000
City of Melbourne	\$3.67	2,500
City of Miami	\$3.50	1,191
City of Miami Gardens	\$6.00	1,548
City of Miami Springs	\$6.00	NR
City of Minneola	\$4.00	1,100
City of Mulberry	\$4.00	3,250
City of Naples	\$14.50	1,934
City of New Port Richey	\$6.67	2,629
City of New Smyrna Beach	\$7.92	1,818

2-6 What is your current SWU rate per month? (continued)

Average rate is \$8.05 (2020 was \$7.84)

Utility Rate Range: \$0.75 (Low) \$60.00 (High)

NR = No Response

Jurisdiction	Rate	Unit Size	Jurisdiction	Rate	Unit Size
City of Niceville	\$4.51	7,500	City of Tavares	\$10.00	3,500
City of North Lauderdale	\$6.00	2,138	City of Titusville	\$7.64	3,300
City of North Miami	\$7.12	1,760	City of Umatilla	\$4.00	3,000
City of Oakland Park	\$7.00	1,507	City of West Melbourne	\$4.33	2,500
City of Ocala	\$5.54	1,948	City of West Miami	\$2.50	1,400
City of Ocoee	\$8.25	2,054	City of West Palm Beach	\$14.83	2,171
City of Oldsmar	\$6.00	2,550	City of Wilton Manors	\$6.46	3,460
City of Orange City	\$14.67	NR	City of Winter Garden	\$8.25	4,077
City of Orlando	\$9.99	2,000	City of Winter Haven	\$7.46	NR
City of Ormond Beach	\$7.00	3,000	City of Winter Park	\$11.56	2,324
City of Palm Bay	\$12.34	4,693	Hillsborough County	\$6.40	4,267
City of Palm Coast	\$11.65	3,682	Leon County	\$7.08	3,272
City of Pensacola	\$6.34	2,998	Marion County	\$1.25	2,275
City of Pinellas Park	\$5.78	2,000	Miami-Dade County	\$5.00	1,548
City of Pompano Beach	\$5.52	2,880	Pasco County	\$7.92	2,890
City of Port Richey	\$3.00	3,250	Pinellas County	\$9.81	2,339
City of Port St. Lucie	\$14.00	2,280	Sarasota County	\$7.55	3,153
City of Riviera Beach	\$9.00	1,920	Town of Belleair	\$11.92	5,459
City of Rockledge	\$5.00	2,922	Town of Cutler Bay	\$4.00	1,548
City of Safety Harbor	\$10.93	1,865	Town of Jupiter	\$6.17	2,651
City of Satellite Beach	\$16.67	3,000	Town of Malabar	\$5.33	6,500
City of St. Augustine	\$9.00	2,752	Town of Melbourne Beach	\$3.00	2,500
City of St. Pete Beach	\$15.31	3,813	Town of Pembroke Park	\$10.12	1,548
City of St. Petersburg	\$9.93	2,406	Town of Redington Shores	\$1.50	1,312
City of Stuart	\$4.35	3,707	Town of Surfside	\$5.35	1,300
City of Sunny Isles Beach	\$4.33	1,548	Village of Indian Creek	\$4.39	4,385
City of Sweetwater	\$5.00	1,458	Village of Key Biscayne	\$16.90	1,083
City of Tallahassee	\$8.83	1,990	Village of Palm Springs	\$4.00	NR
City of Tamarac	\$11.85	1,830	Village of Wellington	\$19.17	NR
City of Tampa	\$6.83	3,310	Volusia County	\$6.00	2,775
City of Tarpon Springs	\$8.65	1,945			

2-6 Comparative Monthly Stormwater Rates Based on Standardized Billing Area

Standardizing the billing area to 1,000 square feet gives the average for 2022 of \$3.30 (2020 was \$3.35).
Range of rate per 1,000 square feet: \$0.55(Low) \$15.60(High)

Jurisdiction	Rate/1000 Sq. Ft.
Alachua County	\$0.83
Brevard County	\$2.13
City of Altamonte Springs	\$2.71
City of Aventura	\$2.26
City of Cape Canaveral	\$4.82
City of Cape Coral	\$3.29
City of Casselberry	\$3.99
City of Clearwater	\$7.32
City of Clermont	\$2.50
City of Cocoa	\$3.39
City of Cocoa Beach	\$3.09
City of Coconut Creek	\$2.00
City of Cooper City	\$3.19
City of Coral Gables	\$8.13
City of Daytona Beach	\$6.90
City of DeBary	\$5.47
City of Deerfield Beach	\$1.35
City of DeLand	\$1.97
City of Delray Beach	\$2.13
City of Doral	\$2.58
City of Dunedin	\$7.17
City of Edgewater	\$6.41
City of Fort Meade	\$2.71
City of Fort Myers	\$3.84
City of Fort Pierce	\$2.63
City of Fort Walton Beach	\$1.56
City of Gainesville	\$4.52
City of Green Cove Springs	\$1.17

Jurisdiction	Rate/1000 Sq. Ft.
City of Gulf Breeze	\$2.11
City of Gulfport	\$1.72
City of Hialeah	\$1.50
City of Homestead	\$1.69
City of Indian Harbour Beach	\$1.60
City of Jacksonville	\$1.61
City of Key West	\$6.42
City of Kissimmee	\$3.79
City of Lake Mary	\$0.87
City of Lake Worth Beach	\$3.73
City of Lakeland	\$1.85
City of Largo	\$3.95
City of Longwood	\$2.07
City of Madeira Beach	\$8.01
City of Marathon	\$4.17
City of Margate	\$3.54
City of Mascotte	\$2.33
City of Melbourne	\$1.47
City of Miami	\$2.94
City of Miami Gardens	\$3.88
City of Minneola	\$3.64
City of Mulberry	\$1.23
City of Naples	\$7.50
City of New Port Richey	\$2.54
City of New Smyrna Beach	\$4.36
City of Niceville	\$0.60
City of North Lauderdale	\$2.81
City of North Miami	\$4.05

2-6 Comparative Monthly Stormwater Rates Based on Standardized Billing Area (continued)

Standardizing the billing area to 1,000 square feet gives the average for 2022 of \$3.30 (2020 was \$3.35).
Range of rate per 1,000 square feet: \$0.55(Low) \$15.60(High)

Jurisdiction	Rate/1000 Sq. Ft.
City of Oakland Park	\$4.64
City of Ocala	\$2.84
City of Ocoee	\$4.02
City of Oldsmar	\$2.35
City of Orlando	\$5.00
City of Ormond Beach	\$2.33
City of Palm Bay	\$2.63
City of Palm Coast	\$3.16
City of Pensacola	\$2.11
City of Pinellas Park	\$2.89
City of Pompano Beach	\$1.92
City of Port Richey	\$0.92
City of Port St. Lucie	\$6.14
City of Riviera Beach	\$4.69
City of Rockledge	\$1.71
City of Safety Harbor	\$5.86
City of Satellite Beach	\$5.56
City of St. Augustine	\$3.27
City of St. Pete Beach	\$4.02
City of St. Petersburg	\$4.13
City of Stuart	\$1.17
City of Sunny Isles Beach	\$2.80
City of Sweetwater	\$3.43
City of Tallahassee	\$4.44
City of Tamarac	\$6.48
City of Tampa	\$2.06
City of Tarpon Springs	\$4.45

Jurisdiction	Rate/1000 Sq. Ft.
City of Tavares	\$2.86
City of Titusville	\$2.32
City of Umatilla	\$1.33
City of West Melbourne	\$1.73
City of West Miami	\$1.79
City of West Palm Beach	\$6.83
City of Wilton Manors	\$1.87
City of Winter Garden	\$2.02
City of Winter Park	\$4.97
Hillsborough County	\$1.50
Leon County	\$2.16
Marion County	\$0.55
Miami-Dade County	\$3.23
Pasco County	\$2.74
Pinellas County	\$4.19
Sarasota County	\$2.39
Town of Belleair	\$2.18
Town of Cutler Bay	\$2.58
Town of Jupiter	\$2.33
Town of Malabar	\$0.82
Town of Melbourne Beach	\$1.20
Town of Pembroke Park	\$6.54
Town of Redington Shores	\$1.14
Town of Surfside	\$4.12
Village of Indian Creek	\$1.00
Village of Key Biscayne	\$15.60
Volusia County	\$2.16

FSA 2022 Stormwater Utility Report

2-6 Comparative Monthly Stormwater Rates

Averages													
1997	1999	2001	2003	2005	2007	2009	2011	2014	2016	2018	2020	2022	Change
\$3.37	\$3.18	\$3.36	\$3.52	\$3.85	\$4.29	\$4.88	\$5.22	\$5.67	\$6.53	\$6.97	\$7.50	\$8.05	\$0.55

Jurisdiction	2001	2003	2005	2007	2009	2011	2014	2016	2018	2020	2022	Change
Alachua County										\$3.33	\$3.33	\$0.00
Bay County				\$3.33	\$3.33			\$3.33	\$3.33	\$3.33	\$3.33	\$0.00
Brevard County	\$3.00	\$3.00	\$3.00		\$3.00	\$3.33	\$3.00	\$4.33	\$5.33	\$5.33	\$5.33	\$0.00
Charlotte County	\$3.00			\$3.00		\$10.71	\$10.71	\$10.71	\$10.71			
City of Altamonte Springs	\$4.75	\$4.75		\$5.75	\$6.75	\$6.75	\$6.75	\$6.75	\$6.75	\$6.75	\$6.75	\$0.00
City of Atlantic Beach	\$3.00	\$4.00	\$4.00	\$4.00	\$5.00	\$5.00	\$8.39	\$8.39				
City of Auburndale	\$0.50	\$0.50	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.00
City of Aventura		\$2.50	\$2.50	\$2.50		\$2.50				\$3.50	\$3.50	\$0.00
City of Boca Raton								\$3.22				
City of Boynton Beach	\$6.00		\$5.00	\$5.00				\$5.00				
City of Bradenton		\$2.50						\$4.50				
City of Bradenton Beach				\$8.33	\$8.33	\$8.33	\$8.33	\$4.40	\$4.40	\$4.40	\$4.40	\$0.00
City of Callaway								\$1.00	\$1.00	\$1.00	\$1.00	\$0.00
City of Cape Canaveral				\$3.00	\$3.00	\$3.00	\$5.00	\$5.00	\$7.00	\$9.00	\$10.00	\$1.00
City of Cape Coral	\$3.00	\$3.00	\$3.50	\$6.25	\$6.25	\$6.25	\$6.25		\$9.25	\$9.92	\$10.83	\$0.91
City of Casselberry				\$2.90		\$7.00	\$7.00	\$7.00	\$7.00	\$8.65	\$9.20	\$0.55
City of Clearwater	\$4.22	\$7.16	\$8.65	\$9.91	\$11.13	\$12.51	\$13.77	\$14.33	\$14.58	\$13.40	\$13.40	\$0.00
City of Clermont				\$3.00		\$3.00	\$3.00	\$3.00	\$3.00	\$4.99	\$4.99	\$0.00
City of Cocoa	\$2.00	\$3.00	\$3.00			\$5.00	\$5.75	\$6.25	\$6.75		\$10.51	
City of Cocoa Beach	\$2.75	\$5.00	\$5.00	\$6.00	\$6.00	\$6.00	\$6.00	\$8.00	\$8.50	\$8.96	\$8.96	\$0.00
City of Coconut Creek							\$3.46	\$3.54	\$3.71	\$3.92	\$4.15	\$0.23
City of Cooper City								\$2.93	\$2.93	\$3.22	\$5.58	\$2.36
City of Coral Gables							\$8.20	\$8.80	\$13.30	\$16.16	\$19.07	\$2.91
City of Daytona Beach	\$2.71	\$2.71	\$4.00	\$6.00		\$7.48	\$8.67	\$9.38	\$10.07	\$10.07	\$11.46	\$1.39
City of DeBary				\$7.00	\$7.00		\$7.00	\$7.00	\$7.00	\$7.00	\$14.00	\$7.00
City of Deerfield Beach										\$3.75	\$3.75	\$0.00
City of DeLand	\$3.60	\$5.81							\$8.69	\$8.69	\$9.67	\$0.98
City of Delray Beach	\$4.50	\$4.50	\$4.50	\$5.33	\$5.33	\$5.33	\$5.33	\$5.33		\$5.33	\$5.33	\$0.00
City of Deltona	\$2.50	\$2.50	\$5.00									
City of Doral					\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$0.00
City of Dunedin	\$3.00	\$3.00	\$4.50	\$6.00	\$6.00	\$7.40		\$10.16	\$11.10	\$11.89	\$12.25	\$0.36
City of Eagle Lake							\$4.00					
City of Edgewater	\$6.00	\$6.00	\$6.00	\$6.00	\$7.00	\$8.00	\$8.00	\$9.00	\$10.00	\$11.00	\$13.00	\$2.00
City of Eustis		\$3.00								\$6.00	\$6.00	\$0.00
City of Fernandina Beach								\$4.00	\$12.00	\$12.00	\$12.00	\$0.00
City of Flagler Beach								\$5.00	\$6.25	\$6.25		
City of Fort Lauderdale	\$2.24	\$2.35	\$2.62	\$2.90	\$3.20	\$3.53	\$3.50	\$4.10	\$10.00	\$14.00	\$21.52	\$7.52
City of Fort Meade		\$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$4.25	\$6.19	\$6.75	\$7.44	\$7.44	\$0.00
City of Fort Myers					\$4.80	\$4.80	\$4.80	\$4.80	\$7.60	\$9.60	\$9.60	\$0.00
City of Fort Pierce	\$1.50	\$2.50	\$2.50	\$4.50	\$4.50	\$4.50	\$4.50	\$4.50	\$4.50	\$5.75	\$5.75	\$0.00
City of Fort Walton Beach						\$3.00	\$3.00	\$4.25	\$4.75	\$5.00	\$5.00	\$0.00
City of Fruitland Park					\$1.00	\$2.00		\$2.00	\$2.00	\$2.00	\$2.00	\$0.00

2-6 Comparative Monthly Stormwater Rates (continued)

Jurisdiction	2001	2003	2005	2007	2009	2011	2014	2016	2018	2020	2022	Change
City of Gainesville	\$5.75	\$6.25	\$6.50	\$6.95	\$7.65	\$8.15	\$8.56	\$9.00	\$9.45	\$9.90	\$10.40	\$0.50
City of Green Cove Springs								\$3.50	\$3.50	\$3.50	\$3.50	\$0.00
City of Gulf Breeze									\$5.07	\$9.38	\$9.38	\$0.00
City of Gulfport				\$2.87	\$2.87	\$2.87	\$3.21	\$3.60	\$3.95	\$3.95	\$3.95	\$0.00
City of Haines City			\$2.00		\$2.00		\$4.52	\$4.52	\$4.93	\$4.94		
City of Hallandale Beach	\$1.42	\$1.42	\$2.17	\$2.68	\$2.68	\$2.50	\$3.35	\$3.35	\$7.37			
City of Hialeah	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50		\$2.50	\$2.50	\$2.50	\$2.50	\$0.00
City of Holly Hill	\$2.50	\$3.00	\$3.00	\$3.00	\$6.00		\$6.00					
City of Hollywood			\$2.35	\$2.69		\$3.22						
City of Homestead	\$2.00	\$3.06	\$3.18			\$3.18		\$3.37	\$3.37	\$3.37	\$3.37	\$0.00
City of Indian Harbour Beach								\$4.00	\$4.00	\$4.00	\$4.00	\$0.00
City of Jacksonville						\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	\$0.00
City of Jacksonville Beach	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00		\$4.78	\$5.00	\$5.00	\$5.00		
City of Key Colony Beach								\$60.00	\$60.00	\$60.00	\$60.00	\$0.00
City of Key West							\$7.90	\$8.22	\$8.72	\$8.98	\$9.25	\$0.27
City of Kissimmee						\$7.38	\$8.08	\$8.08	\$8.45	\$8.78	\$9.10	\$0.32
City of Lake Alfred							\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$0.00
City of Lake Mary			\$3.00	\$3.00	\$3.00	\$3.00		\$4.00	\$4.00	\$4.00	\$4.00	\$0.00
City of Lake Worth Beach	\$2.25	\$2.25	\$2.90	\$5.80		\$5.80	\$6.30		\$6.30	\$6.52	\$6.52	\$0.00
City of Lakeland	\$2.00	\$2.00	\$2.00	\$2.00	\$6.00	\$6.00	\$6.00	\$6.00	\$8.00	\$8.82	\$9.26	\$0.44
City of Largo	\$2.80	\$3.10	\$3.57	\$3.57	\$3.57	\$4.45		\$6.65	\$6.65	\$6.65	\$8.91	\$2.26
City of Lauderhill						\$12.19						
City of Leesburg	\$3.00	\$3.00				\$6.00	\$6.00	\$5.50	\$5.50	\$5.50		
City of Longwood	\$3.00			\$6.00	\$6.00	\$6.00		\$6.00	\$6.00	\$6.00	\$6.00	\$0.00
City of Madeira Beach				\$5.00	\$5.00				\$10.00	\$10.00	\$10.00	\$0.00
City of Maitland							\$8.60	\$9.80	\$9.60			
City of Marathon											\$20.00	
City of Margate	\$2.30		\$2.69	\$2.69	\$3.57			\$5.15	\$5.15	\$8.25	\$8.25	\$0.00
City of Mascotte										\$7.00	\$7.00	\$0.00
City of Melbourne							\$3.00	\$3.67	\$3.67	\$3.67	\$3.67	\$0.00
City of Miami		\$3.50		\$3.50	\$3.50			\$3.50	\$3.50	\$3.50	\$3.50	\$0.00
City of Miami Gardens					\$4.00	\$4.00	\$4.00	\$4.00	\$6.00	\$6.00	\$6.00	\$0.00
City of Miami Springs				\$3.67			\$3.67	\$3.67	\$6.00	\$6.00	\$6.00	\$0.00
City of Minneola				\$2.00	\$4.00			\$4.00	\$4.00	\$4.00	\$4.00	\$0.00
City of Miramar	\$2.00	\$2.00	\$2.00	\$2.50								
City of Mount Dora					\$5.00		\$6.50					
City of Mulberry					\$4.00	\$4.00	\$4.00		\$4.00	\$4.00	\$4.00	\$0.00
City of Naples			\$4.00	\$4.00	\$11.82	\$12.01	\$12.80	\$13.05	\$13.35	\$13.93	\$14.50	\$0.57
City of Neptune Beach			\$3.00	\$3.00	\$3.00		\$3.00	\$5.00	\$5.00	\$18.41		
City of New Port Richey		\$3.36	\$3.36	\$3.36	\$3.36	\$3.36		\$3.36	\$6.50	\$6.67	\$6.67	\$0.00
City of New Smyrna Beach								\$7.17	\$7.33	\$7.67	\$7.92	\$0.25
City of Niceville			\$2.65	\$2.65	\$3.85	\$4.25	\$4.51	\$4.51	\$4.51	\$4.51	\$4.51	\$0.00
City of North Bay Village								\$1.26	\$7.72			
City of North Lauderdale	\$2.50	\$2.50	\$3.00	\$3.00	\$3.00		\$3.00	\$3.00	\$6.00	\$6.00	\$6.00	\$0.00
City of North Miami	\$2.10	\$2.10	\$4.65	\$4.65	\$5.64			\$6.19	\$6.19	\$6.19	\$7.12	\$0.93
City of North Miami Beach	\$3.70	\$3.70	\$3.70	\$4.50		\$4.50	\$4.50					\$0.00

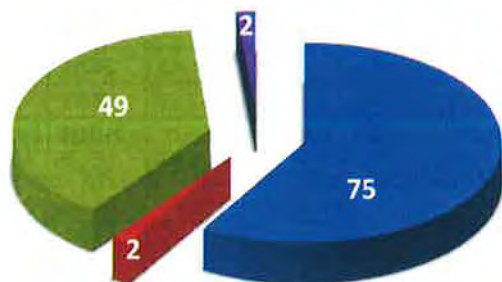
2-6 Comparative Monthly Stormwater Rates (continued)

Jurisdiction	2001	2003	2005	2007	2009	2011	2014	2016	2018	2020	2022	Change
City of Oakland Park		\$3.00	\$3.99	\$6.00	\$6.00	\$6.00	\$6.00	\$7.00	\$7.00	\$7.00	\$7.00	\$0.00
City of Ocala	\$3.00	\$3.00	\$3.00	\$4.00	\$4.00	\$4.00		\$4.00	\$4.71	\$5.54	\$5.54	\$0.00
City of Ocoee	\$5.00	\$5.00	\$5.00	\$5.00		\$7.00			\$8.25	\$8.25	\$8.25	\$0.00
City of Oldsmar	\$2.50	\$2.50	\$3.50	\$3.00	\$3.00		\$4.00	\$5.00	\$5.00	\$6.00	\$6.00	\$0.00
City of Orange City									\$12.55	\$12.55	\$14.67	\$2.12
City of Orlando	\$5.50	\$5.50	\$6.88	\$9.08	\$9.99	\$9.99	\$9.99	\$9.99	\$9.99	\$9.99	\$9.99	\$0.00
City of Ormond Beach							\$8.00	\$8.00	\$8.00	\$7.00	\$7.00	\$0.00
City of Oviedo	\$4.00	\$4.00	\$4.00		\$4.00		\$4.00					
City of Palm Bay								\$4.47	\$13.76	\$12.34	\$12.34	\$0.00
City of Palm Coast				\$6.00	\$8.00	\$8.00	\$11.65	\$11.65	\$11.65	\$11.65	\$11.65	\$0.00
City of Pensacola			\$4.40	\$4.40	\$4.40	\$4.40	\$5.07	\$5.28	\$5.28	\$5.28	\$6.34	\$1.06
City of Pinellas Park					\$5.50				\$4.00	\$4.00	\$5.78	\$1.78
City of Plant City								\$4.00				
City of Plantation										\$2.50		
City of Pompano Beach		\$3.00	\$3.00	\$3.00	\$3.00		\$3.21	\$3.68	\$4.21	\$4.50	\$5.52	\$1.02
City of Port Orange	\$6.00	\$6.00	\$6.25	\$6.25	\$8.25							
City of Port Richey									\$3.00		\$3.00	
City of Port St. Lucie	\$8.33	\$8.75	\$8.75	\$10.25	\$10.25			\$12.75	\$13.58	\$13.58	\$14.00	\$0.42
City of Riviera Beach			\$4.50	\$4.50			\$4.50	\$9.00			\$9.00	
City of Rockledge			\$3.00	\$3.00	\$3.75	\$3.75	\$3.75	\$4.25	\$4.25	\$5.00	\$5.00	\$0.00
City of Safety Harbor				\$3.50	\$3.75	\$3.75	\$7.25	\$7.25	\$7.25	\$10.61	\$10.93	\$0.32
City of Sanford	\$4.00	\$4.00	\$5.20		\$5.60	\$6.79		\$8.25				
City of Satellite Beach	\$3.00	\$3.00		\$3.50	\$4.50			\$8.67	\$8.67	\$16.67	\$16.67	\$0.00
City of Sebastian								\$5.00	\$5.00	\$10.00		
City of St. Augustine	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00		\$7.00		\$7.00	\$7.00	\$9.00	\$2.00
City of St. Cloud					\$6.35				\$6.35	\$6.35		
City of St. Pete Beach							\$3.92	\$3.92	\$3.92	\$3.92	\$15.31	\$11.39
City of St. Petersburg	\$4.50	\$5.00	\$6.00	\$6.40	\$6.85	\$6.84	\$6.84	\$6.84	\$10.00	\$9.93	\$9.93	\$0.00
City of Stuart		\$2.65	\$2.65	\$3.76	\$3.76	\$3.76	\$3.95	\$3.95	\$4.18	\$4.35	\$4.35	\$0.00
City of Sunny Isles Beach		\$2.50	\$2.50	\$2.50		\$2.50			\$4.33	\$4.33	\$4.33	\$0.00
City of Sunrise	\$1.30	\$1.30	\$1.30	\$2.32	\$3.25	\$4.50	\$6.82		\$8.09			
City of Sweetwater								\$4.00	\$5.00	\$5.00	\$5.00	\$0.00
City of Tallahassee	\$6.25	\$6.25	\$6.25	\$6.93	\$7.61	\$7.95	\$7.95	\$7.95	\$8.18	\$8.51	\$8.83	\$0.32
City of Tamarac				\$8.00	\$9.03	\$9.58	\$9.19	\$9.19	\$9.57	\$9.86	\$11.85	\$1.99
City of Tampa				\$3.00	\$3.00	\$3.00	\$3.00	\$6.83	\$6.83	\$6.83	\$6.83	\$0.00
City of Tarpon Springs			\$5.65		\$5.65	\$5.65	\$5.65		\$7.15	\$8.15	\$8.65	\$0.50
City of Tavares			\$3.00			\$4.50	\$4.50	\$7.75	\$9.25	\$10.00	\$10.00	\$0.00
City of Titusville	\$3.71	\$4.15	\$5.30	\$5.57	\$5.85	\$6.15	\$6.62	\$6.96	\$7.31	\$7.64	\$7.64	\$0.00
City of Umatilla								\$4.00	\$4.00	\$4.00	\$4.00	\$0.00
City of Venice	\$2.98	\$2.98	\$2.98	\$5.00	\$5.00							
City of West Melbourne								\$3.00	\$3.00	\$4.33	\$4.33	\$0.00
City of West Miami				\$2.50	\$2.50	\$2.50		\$2.50	\$2.50		\$2.50	
City of West Palm Beach	\$3.40	\$3.40	\$6.04	\$6.95	\$8.48			\$10.62	\$13.57	\$13.57	\$14.83	\$1.26
City of Wilton Manors	\$3.00	\$3.00	\$3.50	\$3.50	\$3.50	\$3.50	\$4.37	\$4.37	\$5.31	\$5.31	\$6.46	\$1.15
City of Winter Garden	\$4.00			\$4.00					\$5.13	\$5.13	\$8.25	\$3.12
City of Winter Haven				\$2.68			\$3.16	\$3.16	\$6.81	\$7.11	\$7.46	\$0.35

2-6 Comparative Monthly Stormwater Rates (continued)

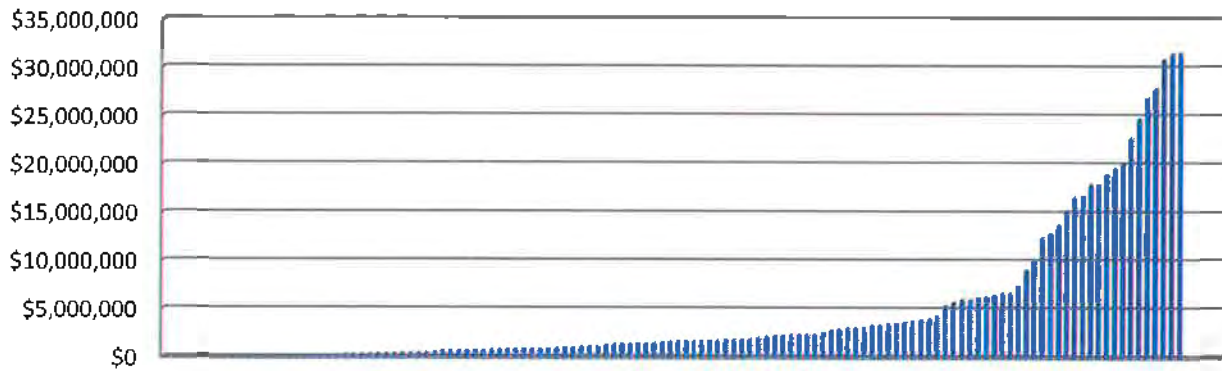
Jurisdiction	2001	2003	2005	2007	2009	2011	2014	2016	2018	2020	2022	Change
City of Winter Park					\$9.78	\$11.56	\$11.56	\$11.56	\$11.56	\$11.56	\$11.56	\$0.00
City of Winter Springs	\$2.04	\$3.25	\$3.25	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50			
Hillsborough County	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$1.00	\$2.50	\$3.00	\$6.40	\$6.40	\$0.00
Lake County (in mils)				.4984	.4984	.4984	.4984	.4984	.4984	.4984		
Leon County	\$1.67	\$1.67	\$1.67	\$1.67	\$1.67	\$1.67	\$7.08	\$7.08	\$7.08	\$7.08	\$7.08	\$0.00
Marion County				\$1.25	\$1.25	\$1.25	\$1.25	\$1.25	\$1.25	\$1.25	\$1.25	\$0.00
Miami-Dade County	\$2.50	\$3.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$4.00	\$5.00	\$5.00	\$0.00
Pasco County					\$3.82	\$3.92	\$3.92	\$4.75	\$7.92	\$7.92	\$7.92	\$0.00
Pinellas County							\$9.67	\$9.81	\$9.81	\$9.81	\$9.81	\$0.00
Sarasota County	\$6.70	\$6.70	\$6.70	\$7.24	\$7.55	\$7.55		\$7.55	\$7.55	\$7.55	\$7.55	\$0.00
Town of Bay Harbor Islands		\$5.00						\$5.00				
Town of Belleair								\$11.92	\$11.92	\$11.92	\$11.92	\$0.00
Town of Cutler Bay								\$4.00	\$4.00	\$4.00	\$4.00	\$0.00
Town of Jupiter	\$3.51	\$3.68	\$3.85	\$4.10	\$4.37	\$4.37	\$4.37	\$4.55	\$4.98	\$5.70	\$6.17	\$0.47
Town of Malabar			\$3.00		\$3.00			\$3.00	\$4.50	\$4.50	\$5.33	\$0.83
Town of Medley				\$3.00	\$3.00				\$3.00			
Town of Melbourne Beach					\$3.00		\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	\$0.00
Town of Pembroke Park			\$5.50	\$5.67	\$6.25		\$9.00		\$10.12	\$10.12	\$10.12	\$0.00
Town of Redington Shores								\$1.50	\$1.50	\$1.50	\$1.50	\$0.00
Town of Surfside								\$5.35	\$5.35	\$5.35	\$5.35	\$0.00
Village of El Portal		\$3.00										
Village of Indian Creek					\$4.39	\$4.39		\$4.38	\$4.38	\$4.38	\$4.39	\$0.00
Village of Key Biscayne								\$13.35	\$13.35	\$16.90	\$16.90	\$0.00
Village of Miami Shores Village		\$2.67	\$3.00	\$3.25	\$3.75	\$3.75						
Village of Palm Springs									\$3.00	\$4.00	\$4.00	\$0.00
Village of Pinecrest		\$2.00	\$3.00	\$3.00	\$3.00	\$4.00	\$4.00	\$8.00	\$10.00	\$10.00		
Village of Wellington								\$19.17	\$19.17	\$19.17	\$19.17	\$0.00
Volusia County	\$2.50	\$2.50	\$2.50	\$6.00	\$6.00	\$6.00	\$6.00	\$6.00	\$6.00	\$6.00	\$6.00	\$0.00

2-7 How are the majority of your stormwater charges invoiced?



- Combined on Monthly Bill for Other Utility Services - 58%
- Separate Mailing - 2%
- Placed on Annual Property Tax Bill - 38%
- Other - 2%

2-8 What is the total annual revenue generated by the utility fee?



Average revenue generated is \$4,763,151 (2020 was \$4,281,938).

2-8 Total Annual Revenue Generated by Utility Fee

Jurisdiction	2022 Revenue
Alachua County	\$1,951,246
Bay County	\$1,000,000
Brevard County	\$6,560,026
City of Altamonte Springs	\$2,003,165
City of Auburndale	\$112,816
City of Aventura	\$1,300,000
City of Bradenton Beach	\$309,520
City of Callaway	\$85,000
City of Cape Canaveral	\$1,069,796
City of Cape Coral	\$20,227,445
City of Casselberry	\$2,353,108
City of Clearwater	\$16,925,590
City of Clermont	\$1,800,000
City of Cocoa	\$1,890,701
City of Cocoa Beach	\$881,307
City of Coconut Creek	\$1,762,000
City of Cooper City	\$550,100
City of Coral Gables	\$6,396,266
City of Daytona Beach	\$13,950,498
City of DeBary	\$791,000
City of Deerfield Beach	\$1,800,000
City of DeLand	\$910,000
City of Delray Beach	\$2,210,727
City of Doral	\$3,700,000
City of Dunedin	\$4,120,000
City of Edgewater	\$1,892,121
City of Eustis	\$850,806
City of Fernandina Beach	\$850,000
City of Fort Lauderdale	\$28,000,000
City of Fort Meade	\$192,170

Jurisdiction	2022 Revenue
City of Fort Myers	\$6,500,000
City of Fort Pierce	\$2,542,540
City of Fort Walton Beach	\$970,866
City of Fruitland Park	\$48,000
City of Gainesville	\$9,161,009
City of Green Cove Springs	\$177,400
City of Gulf Breeze	\$460,274
City of Gulfport	\$409,368
City of Hialeah	\$3,300,000
City of Homestead	\$1,876,373
City of Indian Harbour Beach	\$218,293
City of Jacksonville	\$31,561,888
City of Key Colony Beach	\$197,000
City of Key West	\$2,351,456
City of Kissimmee	\$834,527
City of Lake Alfred	\$45,000
City of Lake Mary	\$413,000
City of Lake Worth Beach	\$1,575,000
City of Lakeland	\$7,573,331
City of Largo	\$6,825,000
City of Longwood	\$650,000
City of Madeira Beach	\$375,000
City of Marathon	\$1,037,326
City of Margate	\$2,071,000
City of Mascotte	\$213,000
City of Melbourne	\$2,925,000
City of Miami	\$12,575,573
City of Miami Gardens	\$5,845,253
City of Miami Springs	\$450,000
City of Minneola	\$262,870

2-8 Total Annual Revenue Generated by Utility Fee (continued)

Jurisdiction	2022 Revenue
City of Mulberry	\$280,000
City of Naples	\$5,465,100
City of New Port Richey	\$1,068,910
City of New Smyrna Beach	\$2,417,000
City of Niceville	\$500,000
City of North Lauderdale	\$1,193,100
City of North Miami	\$2,624,268
City of Oakland Park	\$3,150,074
City of Ocala	\$6,835,282
City of Ocoee	\$3,918,740
City of Oldsmar	\$942,136
City of Orange City	\$810,620
City of Orlando	\$24,829,798
City of Ormond Beach	\$2,539,966
City of Palm Bay	\$10,157,317
City of Palm Coast	\$12,995,325
City of Pensacola	\$2,000,000
City of Pinellas Park	\$3,258,719
City of Pompano Beach	\$4,000,000
City of Port Richey	\$118,638
City of Port St. Lucie	\$22,893,483
City of Riviera Beach	\$3,200,000
City of Rockledge	\$1,100,432
City of Safety Harbor	\$1,550,000
City of Satellite Beach	\$1,005,000
City of St. Augustine	\$1,128,808
City of St. Pete Beach	\$1,347,700
City of St. Petersburg	\$18,000,000
City of Stuart	\$545,000
City of Sunny Isles Beach	\$1,482,477
City of Tallahassee	\$19,079,490
City of Tamarac	\$6,107,898
City of Tampa	\$16,793,390

Jurisdiction	2022 Revenue
City of Tarpon Springs	\$1,735,314
City of Tavares	\$1,564,010
City of Titusville	\$2,724,028
City of Umatilla	\$99,000
City of West Melbourne	\$680,146
City of West Miami	\$163,161
City of West Palm Beach	\$15,376,467
City of Wilton Manors	\$550,000
City of Winter Garden	\$1,589,244
City of Winter Haven	\$2,014,950
City of Winter Park	\$3,565,000
Hillsborough County	\$31,672,650
Leon County	\$3,684,258
Marion County	\$3,793,235
Miami-Dade County	\$31,000,000
Pasco County	\$27,000,000
Pinellas County	\$19,700,000
Polk County	\$2,500,000
Sarasota County	\$18,037,741
Town of Belleair	\$337,400
Town of Cutler Bay	\$1,030,000
Town of Jupiter	\$3,500,442
Town of Malabar	\$128,780
Town of Melbourne Beach	\$53,000
Town of Pembroke Park	\$1,440,000
Town of Redington Shores	\$45,000
Town of Surfside	\$137,000
Village of Indian Creek	\$182,835
Village of Key Biscayne	\$1,640,490
Village of Palm Springs	\$382,799
Village of Wellington	\$6,100,000
Volusia County	\$4,499,656

2-8 Comparative Annual Stormwater Revenue

Jurisdiction	2011	2014	2016	2018	2020	2022	Change
Alachua County					\$1,939,850	\$1,951,246	\$11,396
Bay County			\$1,755,880	\$1,788,920	\$1,777,160	\$1,000,000	(\$777,160)
Brevard County	\$3,306,078	\$3,402,357	\$4,956,903	\$6,194,316	\$6,435,425	\$6,560,026	\$124,601
Charlotte County	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000			
City of Altamonte Springs	\$1,915,871	\$1,915,871	\$2,022,364	\$2,058,306	\$2,058,306	\$2,003,165	(\$55,141)
City of Atlantic Beach	\$508,124	\$855,000	\$1,135,000				
City of Auburndale	\$42,966	\$42,966	\$42,966	\$55,287	\$97,150	\$112,816	\$15,666
City of Aventura	\$801,532				\$1,300,000	\$1,300,000	\$0
City of Boca Raton			\$1,800,000				
City of Boynton Beach			\$3,200,000				
City of Bradenton			\$1,847,000				
City of Bradenton Beach	\$129,000	\$147,000	\$298,650	\$298,650	\$309,520	\$309,520	\$0
City of Callaway			\$85,000	\$85,000	\$85,000	\$85,000	\$0
City of Cape Canaveral	\$334,200	\$581,400	\$582,000	\$695,500	\$853,227	\$1,069,796	\$216,569
City of Cape Coral	\$11,912,940	\$12,365,100		\$18,379,336	\$20,227,445	\$20,227,445	\$0
City of Casselberry	\$1,748,000	\$1,679,050	\$1,711,878	\$1,760,500	\$2,161,317	\$2,353,108	\$191,791
City of Clearwater	\$14,905,000	\$16,700,000	\$16,700,000	\$16,700,000	\$16,778,861	\$16,925,590	\$146,729
City of Clermont	\$804,800	\$804,800	\$1,038,627	\$1,038,627	\$1,400,000	\$1,800,000	\$400,000
City of Cocoa	\$520,000	\$520,000	\$1,400,000	\$1,400,000	\$1,890,701	\$1,890,701	\$0
City of Cocoa Beach	\$585,000	\$566,000	\$566,000	\$809,159	\$853,956	\$881,307	\$27,351
City of Coconut Creek		\$1,552,800	\$1,552,800	\$1,670,000	\$1,762,000	\$1,762,000	\$0
City of Cooper City			\$130,000	\$130,000	\$321,285	\$550,100	\$228,815
City of Coral Gables		\$2,900,000	\$3,150,000	\$4,222,000	\$5,540,000	\$6,396,266	\$856,266
City of Daytona Beach	\$5,026,480	\$9,399,000	\$9,399,000	\$11,733,000	\$11,733,000	\$13,950,498	\$2,217,498
City of DeBary		\$791,000	\$791,000	\$791,000	\$791,000	\$791,000	\$0
City of Deerfield Beach					\$1,800,000	\$1,800,000	\$0
City of DeLand				\$800,000	\$910,000	\$910,000	\$0
City of Delray Beach	\$2,200,000	\$2,200,000	\$2,200,000		\$2,210,727	\$2,210,727	\$0
City of Doral	\$3,000,000	\$3,000,000	\$3,000,000	\$3,700,000	\$3,700,000	\$3,700,000	\$0
City of Dunedin	\$2,405,152		\$3,219,581	\$3,720,500	\$4,060,500	\$4,120,000	\$59,500
City of Eagle Lake		\$45,000					
City of Edgewater	\$1,276,032	\$1,276,483	\$1,302,571	\$1,554,152	\$1,892,121	\$1,892,121	\$0
City of Eustis					\$824,450	\$850,806	\$26,356
City of Fernandina Beach			\$250,000	\$780,000	\$825,000	\$850,000	\$25,000
City of Flagler Beach			\$260,000	\$362,401	\$362,401		
City of Fort Lauderdale	\$4,864,000	\$5,197,944	\$7,250,762	\$9,171,567	\$13,800,377	\$28,000,000	\$14,199,623
City of Fort Meade	\$140,000	\$140,000	\$207,485	\$193,841	\$192,170	\$192,170	\$0
City of Fort Myers	\$2,700,000	\$2,860,000	\$3,050,000	\$4,700,000	\$6,500,000	\$6,500,000	\$0
City of Fort Pierce	\$2,500,000	\$2,406,000	\$2,406,000	\$2,542,540	\$2,542,540	\$2,542,540	\$0
City of Fort Walton Beach	\$670,893	\$670,893	\$892,659	\$970,866	\$970,866	\$970,866	\$0
City of Fruitland Park	\$21,000		\$21,000	\$21,000	\$48,000	\$48,000	\$0
City of Gainesville	\$6,609,596	\$6,753,539	\$7,734,911	\$6,802,057	\$6,802,057	\$9,161,009	\$2,358,952

2-8 Comparative Annual Stormwater Revenue (continued)

Jurisdiction	2011	2014	2016	2018	2020	2022	Change
City of Green Cove Springs			\$177,400	\$177,400	\$177,400	\$177,400	\$0
City of Gulf Breeze				\$235,000	\$460,274	\$460,274	\$0
City of Gulfport	\$306,510	\$306,510	\$324,089	\$409,368	\$409,368	\$409,368	\$0
City of Haines City	\$190,325	\$500,000	\$500,000	\$500,000	\$520,000		
City of Hallandale Beach	\$1,462,465	\$1,977,760	\$1,977,760	\$1,977,760			
City of Hialeah	\$3,420,800		\$3,600,000	\$3,300,000	\$3,300,000	\$3,300,000	\$0
City of Holly Hill		\$804,000					
City of Hollywood	\$2,400,000						
City of Homestead	\$937,694		\$1,644,744	\$1,832,424	\$1,847,930	\$1,876,373	\$28,443
City of Indian Harbour Beach			\$226,114	\$226,114	\$226,114	\$218,293	(\$7,821)
City of Jacksonville	\$30,000,000	\$30,600,000	\$30,600,000	\$29,584,022	\$31,287,151	\$31,561,888	\$274,737
City of Jacksonville Beach		\$1,209,604	\$1,296,045	\$1,326,178	\$1,402,055		
City of Key Colony Beach			\$197,000	\$197,000	\$197,000	\$197,000	\$0
City of Key West		\$2,100,000	\$2,150,000	\$2,150,000	\$2,150,000	\$2,351,456	\$201,456
City of Kissimmee	\$3,625,000	\$4,020,561	\$4,738,000	\$834,527	\$834,527	\$834,527	\$0
City of Lake Alfred		\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$0
City of Lake Mary	\$268,000		\$408,930	\$413,000	\$413,000	\$413,000	\$0
City of Lake Worth	\$2,717,000	\$1,846,304		\$1,846,304	\$1,575,000	\$1,575,000	\$0
City of Lakeland	\$4,320,000	\$4,536,900	\$4,536,900	\$5,425,000	\$5,923,000	\$7,573,331	\$1,650,331
City of Largo	\$3,709,320		\$5,495,000	\$5,789,000	\$5,787,800	\$6,825,000	\$1,037,200
City of Lauderhill	\$5,058,801						
City of Leesburg	\$1,500,000	\$1,400,000	\$1,400,000	\$1,983,211	\$1,983,211		
City of Longwood	\$1,300,000		\$1,300,000	\$1,300,000	\$1,300,000	\$650,000	(\$650,000)
City of Madeira Beach				\$375,000	\$375,000	\$375,000	\$0
City of Marathon						\$1,037,326	
City of Maitland		\$1,141,392	\$1,141,392	\$1,712,000			
City of Margate			\$900,000	\$900,000	\$2,071,000	\$2,071,000	\$0
City of Mascotte					\$160,000	\$213,000	\$53,000
City of Melbourne		\$2,300,000	\$2,700,000	\$2,925,000	\$2,925,000	\$2,925,000	\$0
City of Miami			\$11,424,031	\$11,816,631	\$12,575,573	\$12,575,573	\$0
City of Miami Gardens	\$3,500,000	\$4,000,000	\$4,000,000	\$5,643,765	\$5,643,765	\$5,845,253	\$201,488
City of Miami Springs		\$278,515	\$210,000	\$450,000	\$450,000	\$450,000	\$0
City of Minneola			\$190,800	\$260,893	\$260,893	\$262,870	\$1,977
City of Mount Dora	\$24,760	\$848,843					
City of Mulberry	\$217,885	\$217,885		\$280,000	\$280,000	\$280,000	\$0
City of Naples	\$4,754,978	\$4,754,978	\$4,773,000	\$5,032,252	\$5,063,000	\$5,465,100	\$402,100
City of Neptune Beach		\$173,127	\$280,000	\$280,000	\$280,000		
City of New Port Richey	\$542,119		\$542,119	\$985,987	\$1,084,890	\$1,068,910	(\$15,980)
City of New Smyrna Beach			\$1,800,000	\$2,100,000	\$2,417,000	\$2,417,000	\$0
City of Niceville	\$388,000	\$425,000	\$480,000	\$485,000	\$500,000	\$500,000	\$0
City of North Bay Village			\$112,927	\$116,575			

2-8 Comparative Annual Stormwater Revenue (continued)

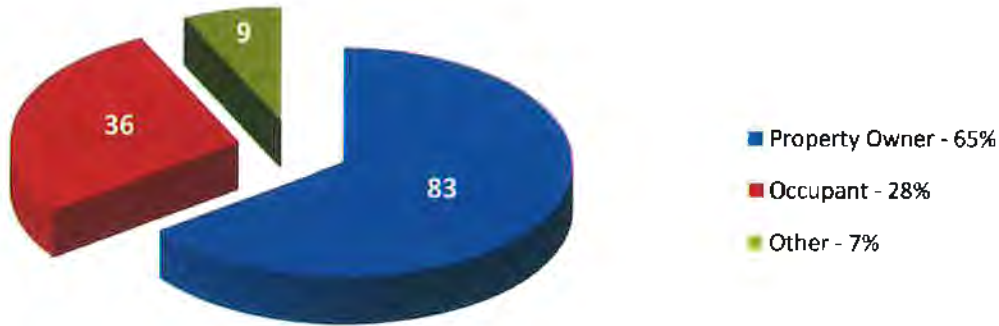
Jurisdiction	2011	2014	2016	2018	2020	2022	Change
City of North Lauderdale		\$375,000	\$375,000	\$750,000	\$1,193,100	\$1,193,100	\$0
City of North Miami			\$2,448,000	\$2,598,048	\$2,552,977	\$2,624,268	\$71,291
City of North Miami Beach	\$1,280,359	\$1,275,000					
City of Oakland Park	\$2,850,000	\$3,000,000	\$3,000,070	\$3,150,074	\$3,150,074	\$3,150,074	\$0
City of Ocala	\$4,245,131		\$4,803,148	\$5,999,400	\$6,835,282	\$6,835,282	\$0
City of Ocoee	\$3,209,160			\$3,549,174	\$3,549,174	\$3,918,740	\$369,566
City of Oldsmar		\$509,000	\$600,000	\$719,000	\$919,000	\$942,136	\$23,136
City of Orange City				\$631,027	\$715,729	\$810,620	\$94,891
City of Orlando	\$22,878,645	\$22,632,278	\$23,881,352	\$23,881,352	\$23,881,352	\$24,829,798	\$948,446
City of Ormond Beach		\$2,550,000	\$2,550,000	\$239,890	\$2,539,966	\$2,539,966	\$0
City of Oviedo		\$697,000					
City of Palm Bay			\$3,135,767	\$12,200,000	\$10,157,317	\$10,157,317	\$0
City of Palm Coast	\$5,440,000	\$7,852,470	\$7,048,000	\$7,048,000	\$7,048,000	\$12,995,325	\$5,947,325
City of Pensacola	\$1,900,000	\$2,410,000	\$2,588,100	\$2,588,100	\$2,588,100	\$2,000,000	(\$588,100)
City of Pinellas Park			\$1,237,542	\$1,266,806	\$1,271,896	\$3,258,719	\$1,986,823
City of Plant City							
City of Plantation					\$1,285,216		
City of Pompano Beach		\$2,420,000	\$2,843,950	\$2,484,310	\$2,586,378	\$4,000,000	\$1,413,622
City of Port Orange							
City of Port Richey				\$120,000		\$118,638	\$118,638
City of Port St. Lucie			\$20,422,000	\$20,727,845	\$22,893,483	\$22,893,483	\$0
City of Riviera Beach		\$1,600,000	\$3,200,000			\$3,200,000	\$3,200,000
City of Rockledge	\$939,000	\$939,000	\$875,250	\$1,005,715	\$1,100,432	\$1,100,432	\$0
City of Safety Harbor	\$561,000	\$561,000	\$561,000	\$561,000	\$1,489,500	\$1,550,000	\$60,500
City of Sanford	\$3,746,409		\$4,705,595				
City of Satellite Beach			\$513,303	\$512,000	\$1,005,000	\$1,005,000	\$0
City of Sebastian			\$986,000	\$986,000	\$1,940,000		
City of St. Augustine		\$800,000		\$934,570	\$1,004,200	\$1,128,808	\$124,608
City of St. Cloud				\$1,800,000	\$2,013,000		
City of St. Pete Beach		\$619,300		\$619,300	\$1,231,700	\$1,347,700	\$116,000
City of St. Petersburg	\$11,000,000	\$13,000,000	\$13,000,000	\$16,000,000	\$18,000,000	\$18,000,000	\$0
City of Stuart	\$545,000	\$545,000	\$545,000	\$545,000	\$545,000	\$545,000	\$0
City of Sunny Isles Beach	\$525,000			\$1,005,488	\$1,169,975	\$1,482,477	\$312,502
City of Sunrise	\$4,034,100	\$6,202,817		\$7,225,952			
City of Tallahassee	\$9,000,000			\$17,200,000	\$17,800,000	\$19,079,490	\$1,279,490
City of Tamarac	\$4,953,790	\$4,953,790	\$4,346,747	\$5,539,717	\$5,879,590	\$6,107,898	\$228,308
City of Tampa	\$7,005,850	\$7,128,021	\$16,056,716	\$16,430,716	\$16,793,390	\$16,793,390	\$0
City of Tarpon Springs	\$1,028,000	\$1,028,000		\$1,340,092	\$1,589,975	\$1,735,314	\$145,339
City of Tavares	\$139,760	\$139,760	\$964,613	\$1,287,510	\$1,564,010	\$1,564,010	\$0
City of Titusville	\$2,000,000	\$2,300,000	\$2,300,000	\$2,500,000	\$2,714,983	\$2,724,028	\$9,045

2-8 Comparative Annual Stormwater Revenue (continued)

Jurisdiction	2011	2014	2016	2018	2020	2022	Change
City of Umatilla			\$99,000	\$99,000	\$99,000	\$99,000	\$0
City of West Melbourne			\$386,431	\$366,577	\$617,120	\$680,146	\$63,026
City of West Miami	\$85,000		\$126,534	\$150,566		\$163,161	
City of West Palm Beach			\$10,748,860	\$10,748,860	\$10,748,860	\$15,376,467	\$4,627,607
City of Wilton Manors	\$250,000	\$250,000	\$250,000	\$480,000	\$480,000	\$550,000	\$70,000
City of Winter Garden				\$1,506,992	\$1,589,244	\$1,589,244	\$0
City of Winter Haven		\$1,409,395	\$1,409,395	\$1,700,000	\$1,860,611	\$2,014,950	\$154,339
City of Winter Park	\$2,951,679	\$2,963,998	\$3,021,777	\$3,050,687	\$2,783,911	\$3,565,000	\$781,089
City of Winter Springs	\$1,050,000	\$980,000	\$1,090,000	\$1,090,000			
Hillsborough County	\$5,800,000	\$6,300,000	\$16,900,000	\$19,808,100	\$30,384,880	\$31,672,650	\$1,287,770
Lake County	\$3,200,000	\$3,200,000	\$504,000	\$582,300	\$582,300		
Leon County	\$1,070,599	\$3,203,866	\$3,492,616	\$3,539,181	\$3,539,181	\$3,684,258	\$145,077
Marion County	\$3,400,000	\$3,500,000	\$3,500,000	\$3,700,000	\$4,124,705	\$3,793,235	(\$331,470)
Miami-Dade County	\$31,000,000	\$31,000,000	\$31,000,000	\$31,000,000	\$31,000,000	\$31,000,000	\$0
Pasco County	\$11,000,000	\$12,000,000	\$14,000,000	\$25,000,000	\$25,000,000	\$27,000,000	\$2,000,000
Pinellas County		\$17,006,064	\$18,000,000	\$19,800,000	\$19,700,000	\$19,700,000	\$0
Polk County		\$1,400,000	\$1,400,000	\$1,670,000	\$1,670,000	\$2,500,000	\$830,000
Sarasota County	\$16,994,185		\$17,092,167	\$16,207,778	\$17,522,361	\$18,037,741	\$515,380
Town of Bay Harbor Islands			\$206,000				
Town of Belleair			\$350,000	\$350,000	\$337,400	\$337,400	\$0
Town of Cutler Bay			\$950,000	\$950,000	\$1,030,000	\$1,030,000	\$0
Town of Jupiter	\$2,206,489	\$2,229,043	\$2,493,964	\$2,782,844	\$3,196,014	\$3,500,442	\$304,428
Town of Malabar			\$72,000	\$108,000	\$108,000	\$128,780	\$20,780
Town of Medley				\$1,000,000			
Town of Melbourne Beach		\$53,000	\$53,000	\$53,000	\$53,000	\$53,000	\$0
Town of Pembroke Park		\$1,225,000		\$1,345,000	\$1,440,000	\$1,440,000	\$0
Town of Redington Shores			\$45,000	\$45,000	\$45,000	\$45,000	\$0
Town of Surfside			\$137,000	\$137,000	\$137,000	\$137,000	\$0
Village of Indian Creek	\$181,000	\$181,000	\$181,000	\$183,538	\$183,538	\$182,835	(\$703)
Village of Key Biscayne			\$1,003,187	\$1,003,187	\$1,640,490	\$1,640,490	\$0
Village of Miami Shores	\$224,000						
Village of Palm Springs				\$383,731	\$518,769	\$382,799	(\$135,970)
Village of Pinecrest	\$449,041	\$449,041	\$919,600	\$1,253,686	\$1,253,686		
Village of Wellington			\$5,700,000	\$5,700,000	\$6,100,000	\$6,100,000	\$0
Volusia County	\$4,842,897	\$4,622,778	\$4,780,750	\$4,780,750	\$4,499,656	\$4,499,656	\$0

Year	2011	2014	2016	2018	2020	2022
Total	\$316,556,415	\$322,769,203	\$443,030,723	\$527,064,798	\$560,933,888	\$600,156,032
Average	\$3,813,933	\$3,626,620	\$3,661,411	\$3,962,893	\$4,281,938	\$4,801,938

2-9 Who is responsible for paying your utility fee?

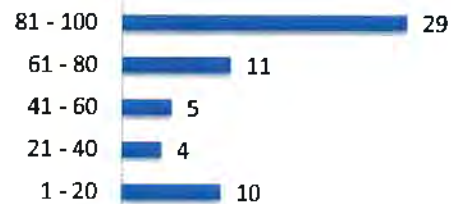
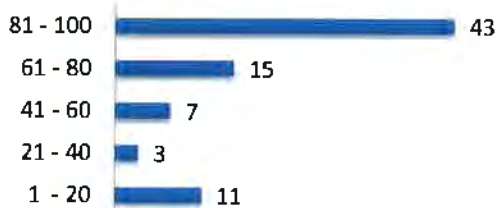


2-10 For properties that are charged a fee based on actual, on-site impervious area (i.e. *not* a customer class average) please estimate how a majority of this information was initially collected and how it is maintained for your billing database?

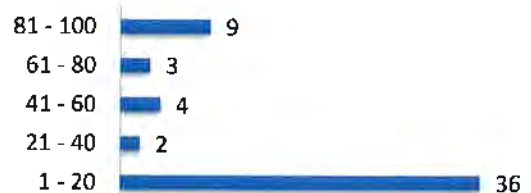
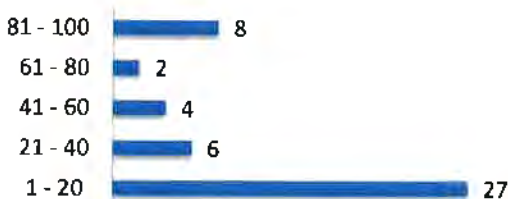
Initially Collected

Maintained

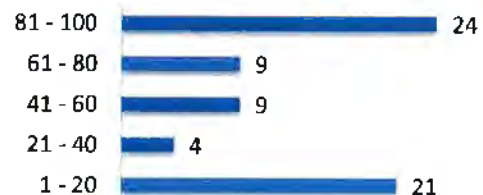
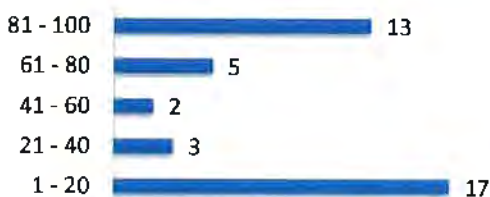
Percent of Parcel Data Acquired from Property Appraiser's



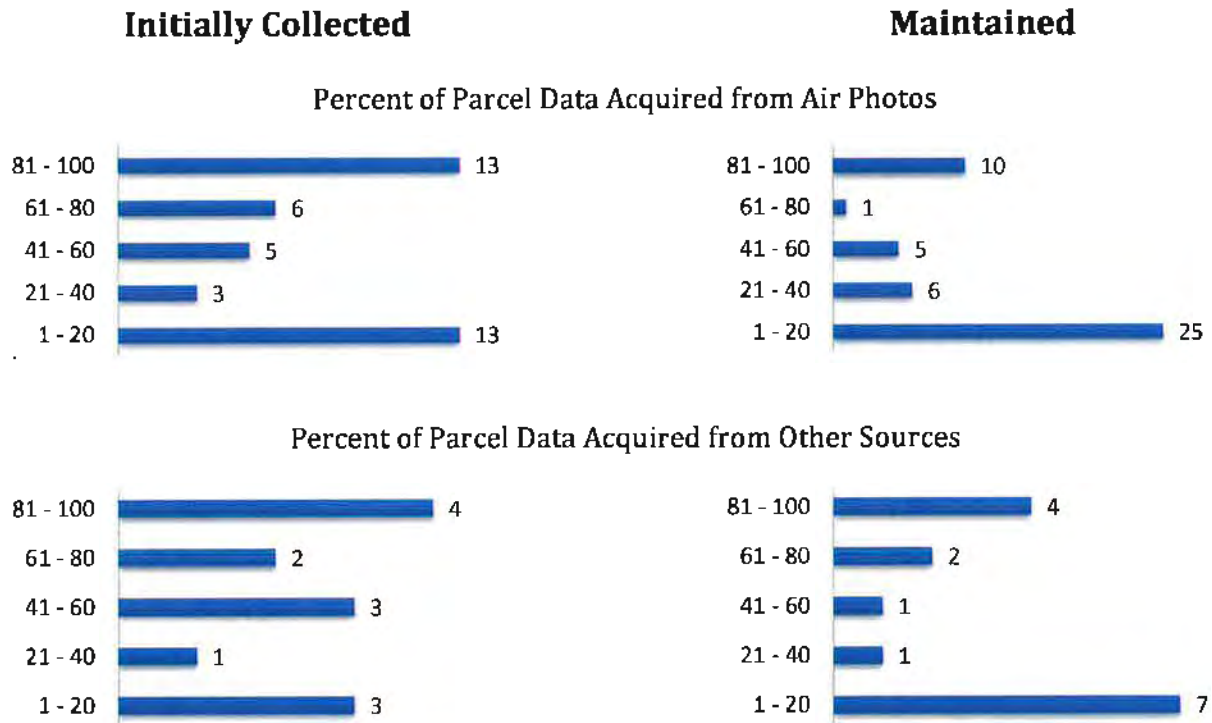
Percent of Parcel Data Acquired from Physical On-Site Measurement



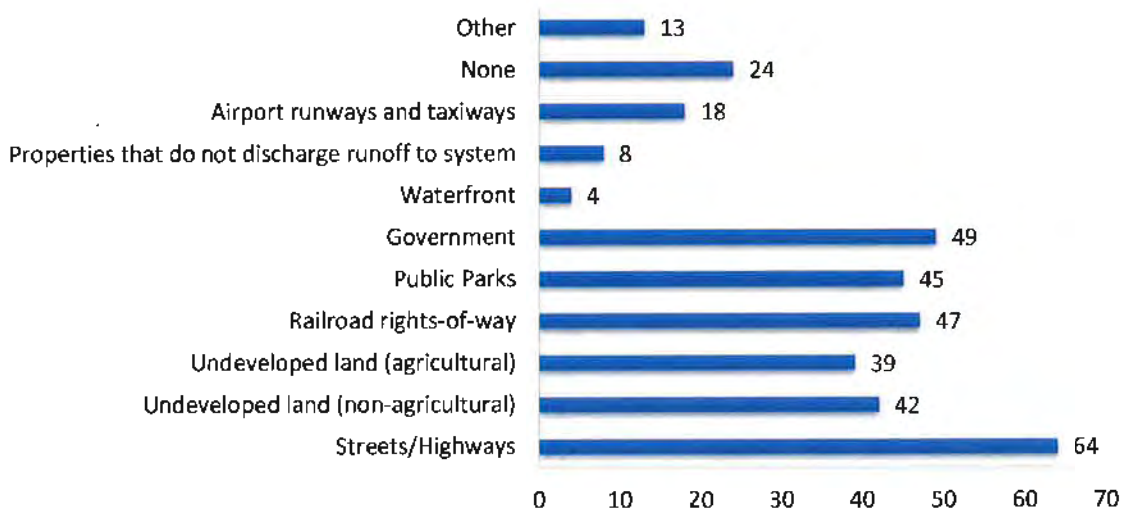
Percent of Parcel Data Acquired from Permit Records



2-10 For properties that are charged a fee based on actual, on-site impervious area (i.e. *not* a customer class average) please estimate how a majority of this information was initially collected and how it is maintained for your billing database? (continued)



2-11 What properties are exempt from your user fees?



2-12 Please indicate your billing practices with regard to the following governmentally owned properties:

	Exempt	Bill and collect	Bill but do not collect	Not billed
Federal	35	48	8	15
State	37	45	9	17
County	37	56	6	15
City	39	61	5	16
School District	44	39	19	16
Special District	20	52	4	13

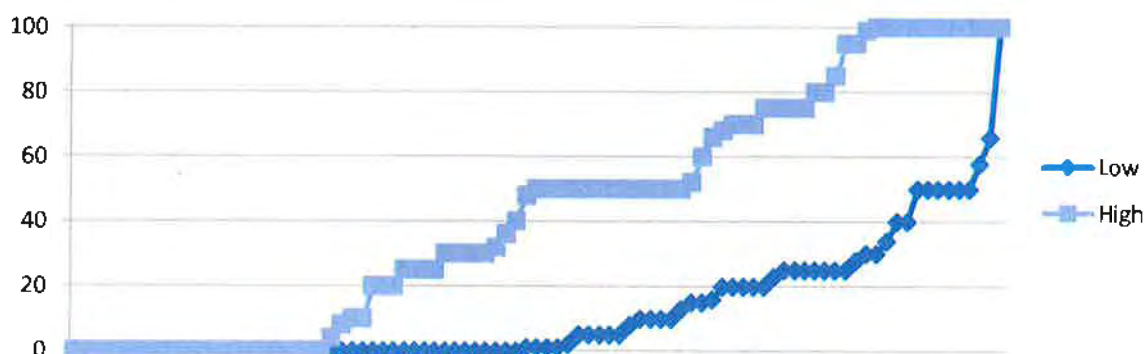
2-13 Of those accounts that receive credits, what is the average percent reduction in the utility fee?

Average Reduction:	27.97 %
--------------------	---------

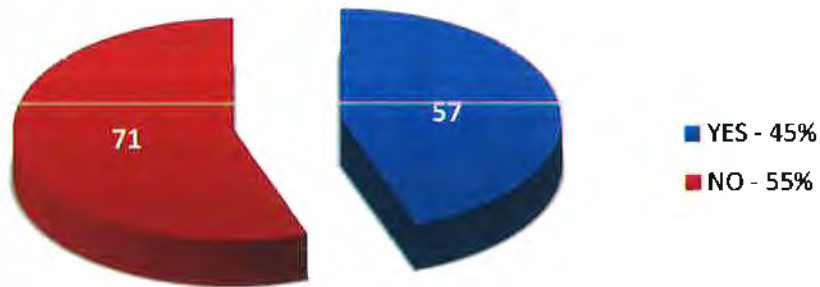
2-14 Of the total number of SWU accounts, how many receive credits?

Reported number of accounts that receive credits:	345,177
Average number of accounts that receive credits:	3,226

2-15 Of those accounts that receive credits, what is the range in possible percent reductions in SWU fees?



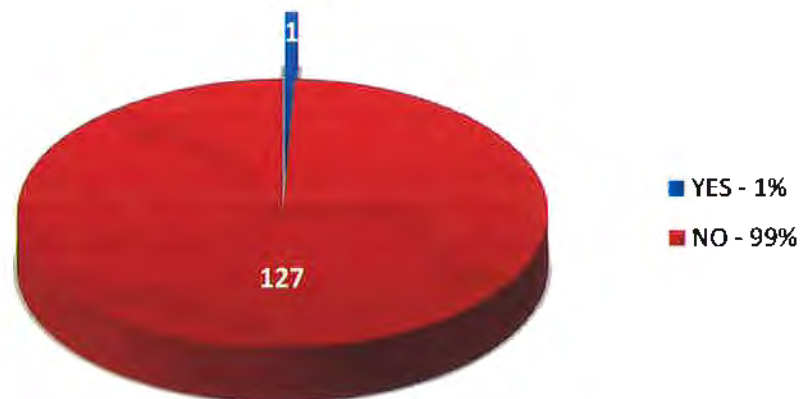
2-16 Are credits provided for private detention/retention facilities?



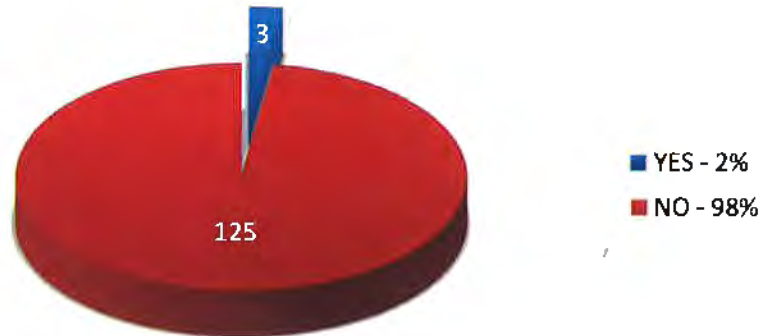
2-17 Are user fees for single-family detached dwellings the same as for individual units in multi-family (e.g. apartments, condominiums)?



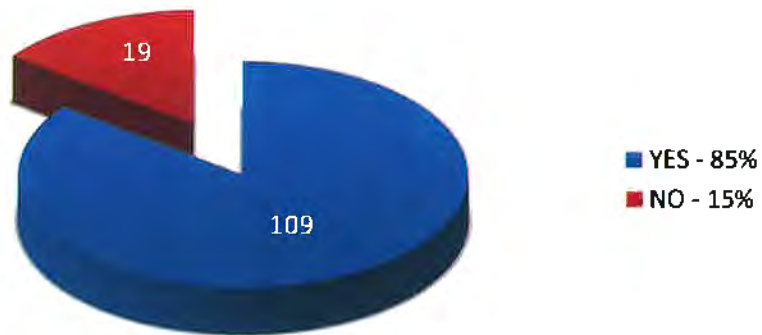
2-18 Do user fees vary by watershed?



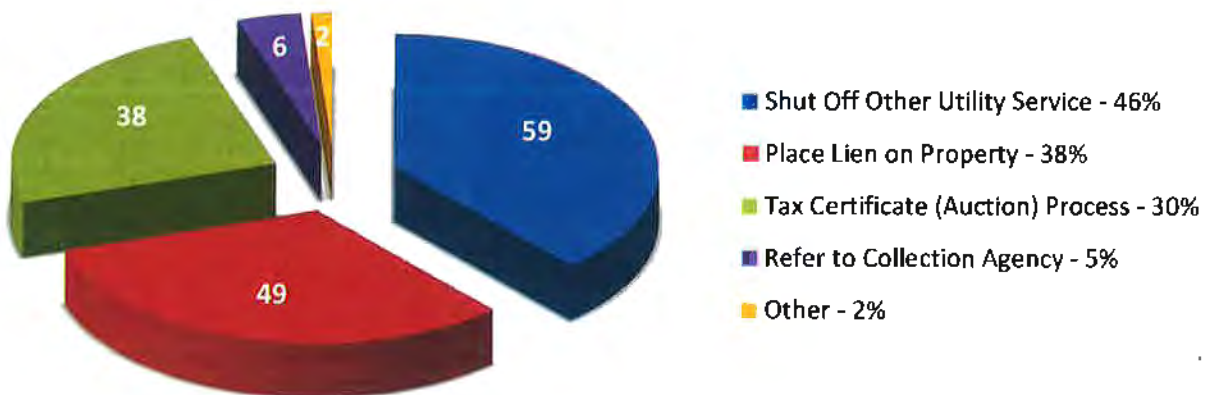
2-19 Are different fees charged within the “zone-of-benefit” of specific capital projects to account for differences in capital costs?



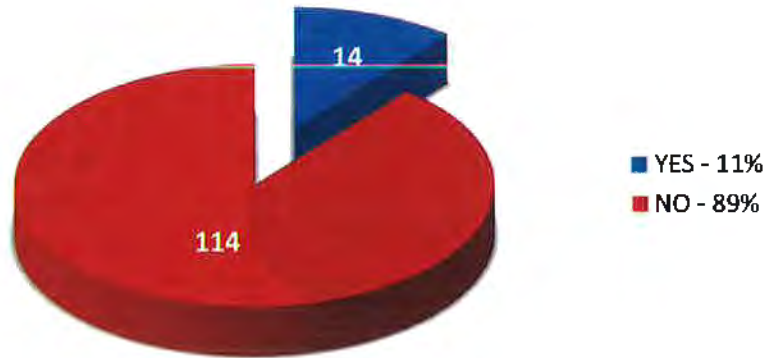
2-20 Does your local code require private detention/retention facilities?



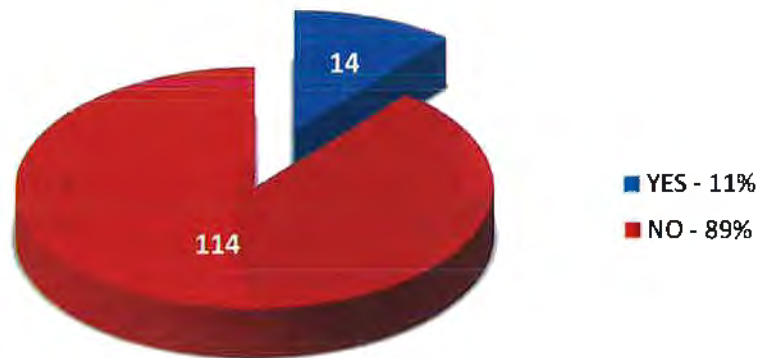
2-21 How is payment of the utility charge enforced?
(multiple responses accepted)



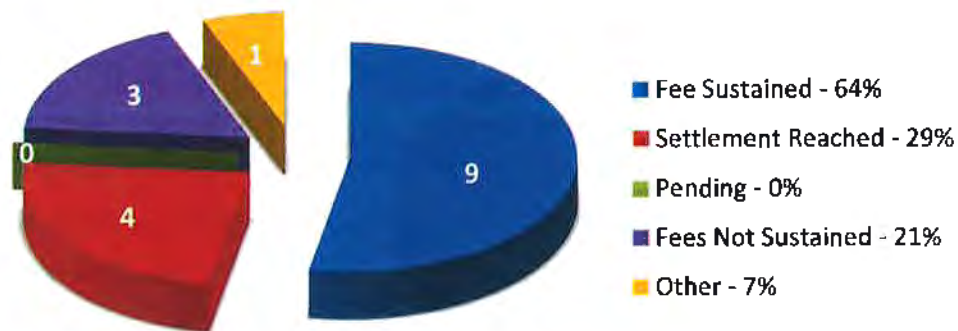
2-22 Were interim rates established during the formation of the utility prior to adoption of a permanent rate format?



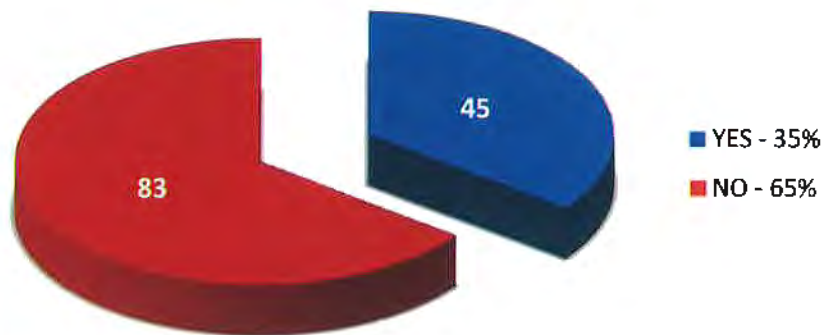
2-23 Have your stormwater fees or assessments faced a legal challenge in court?



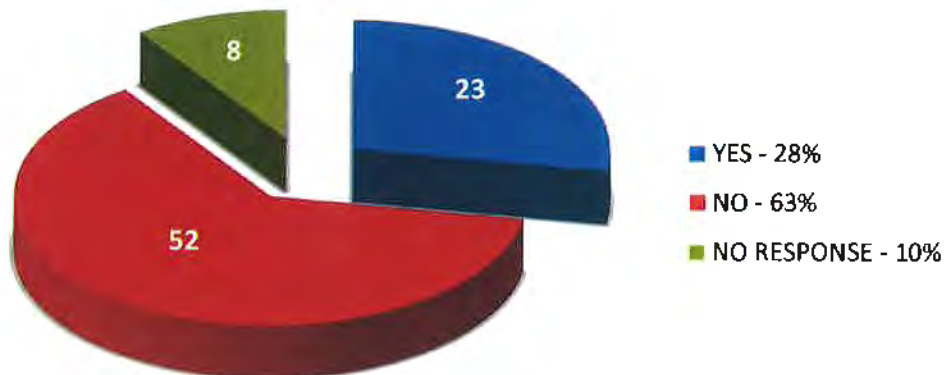
2-24 If your charges have been challenged in court, what was the outcome?
(multiple responses accepted)



2-25 Has your jurisdiction modified your SWU rate structure to take into account new water quality requirements and corresponding costs as a result of the TMDL program?



If not, are you actively considering such modifications?



MEMORANDUM

TO: Max Royle, City Manager

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

DATE: November 14, 2022

SUBJECT: Resolution 22-16 – Expressing City intent to implement a solid waste and recycling non ad valorem assessment for transient rental properties

BACKGROUND

On August 6, 2020, the City Commission modified Chapter 10 – Garbage and Trash of the City Code. The changes expanded the residential solid waste non ad valorem assessment and improved commercial collection efficiency by eliminating the “can counts” method of billing. The modified Code required commercial customers to purchase “City” waste carts to match their historical usage as established by the old “can count” method.

Commercial customers include businesses, transient rentals, as well as condominiums and apartment complexes. Dwelling units in condominium and apartment complexes were exempted from the cart purchase requirement. In 2022 – to simplify billing – the existing residential non ad valorem assessment was expanded to include dwelling units within condominium and apartment complexes. Transient rentals, as commercial businesses, were not eligible and continued to be billed monthly for solid waste and recycling services.

While the elimination of the “can count” method resulted in time savings for traditional commercial solid waste and recycling services, this benefit was not realized for the existing 164 transient rental properties. For these transient rental properties, staff currently logs solid waste overages and bills for services on a monthly basis.

On October 3, 2022, the City Commission voted to begin the process of creating a commercial solid waste non ad valorem assessment for transient rental properties. The proposed assessment is not intended to be a new fee, but to replace the existing overage logging and monthly billing system for transient rental properties.

DISCUSSION

Per Florida statute, the following steps are necessary to implement a non ad valorem assessment for the next budget year:

November 14, 2022	Pass resolution expressing intent to adopt a non-ad valorem assessment
by January 1, 2023	Notify the Tax Collector of the intent to adopt a non-ad valorem assessment
April 3, 2023	Set annual and total ranges for the non-ad valorem assessment: set the first year assessment; set the term for the assessment; set the total assessment to be collected
June 2023	Hold Public Hearing and set the initial assessment rate
August 7, 2023	Pass resolution and enter agreement with Tax Collector

ACTION REQUESTED

Approve Resolution 22-16 expressing the City's intent to implement a commercial non ad valorem assessment to collect solid waste and recycling fees for transient rental properties.

RESOLUTION 22-16

CITY OF ST. AUGUSTINE BEACH

ST. JOHNS COUNTY

FLORIDA

RE: EXPRESSING THE INTENT OF THE CITY OF ST. AUGUSTINE BEACH TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENT PROVIDED FOR IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3632, FOR THE PROVISION OF COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE INCLUDED IN THE COMBINED NOTICE FOR AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS PROVIDED IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3635; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE COLLECTED IN THE SAME MANNER AS AD VALOREM TAXES; PROVIDING THAT THIS NON-AD VALOREM ASSESSMENT IS NEEDED IN ORDER TO COLLECT AND DISPOSE OF SOLID WASTE AND RECYCLING WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. AUGUSTINE BEACH FOR REGISTERED TRANSIENT LODGING ESTABLISHMENTS (AS DEFINED IN LDR 2.00.00); PROVIDING THAT THE PUBLIC HEARING ON THIS RESOLUTION WAS DULY ADVERTISED; PROVIDING THAT THE CLERK OF THE CITY OF ST. AUGUSTINE BEACH SHALL MAIL CERTIFIED COPIES OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, November 14, 2022, resolves as follows:

WHEREAS, by the authority created in Chapter 166, Florida Statutes, Section 166.021, and within Section 2 (b), Article VIII, of the Constitution of the State of Florida, municipalities have the governmental, corporate, and proprietary power to conduct municipal government, perform municipal functions, and render municipal services and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, such statutory and constitutional authorization includes the ability to levy a special assessment for the provision of collection and disposal of solid waste and recyclable material within the corporate limits of the City of St. Augustine Beach; and

WHEREAS, Chapter 197, Florida Statutes, Section 197.3632, sets forth the required procedure to be followed by a local government in order to elect the use of the uniform method of levying, collecting, and enforcing non-ad valorem assessments; and

WHEREAS, the City Commission held a public hearing on this Resolution on November 14, 2022, after advertising in *The St. Augustine Record* for four (4) consecutive weeks on October 14, 2022, October 21, 2022, October 28, 2022, and November 4, 2022, as required by Chapter 197, Florida Statutes, Section 197.3632(3)(a); and

WHEREAS, the City Commission has determined it services the health, safety, and general welfare of the residents of the City of St. Augustine Beach to utilize the uniform method of collection for non-ad valorem assessments for the provision of collection and disposal of solid waste and recyclable material for registered Transient Lodging Establishments within the corporate limits; and

WHEREAS, assessment for the provision of collection and disposal of solid waste and recyclable material for registered Transient Lodging Establishments has been heretofore assessed and collected by the City of St. Augustine Beach by means of monthly billing, the City intends to instead utilize the uniform method of collection for non-ad valorem assessments

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AS FOLLOWS:

Section 1. Intent to Use Uniform Method. The City Commission of the City of St. Augustine Beach intends to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for the provision of collection and disposal of solid waste and recyclable material for registered Transient Lodging Establishments within the corporate limits of the City of St. Augustine Beach, pursuant to Chapter 197, Florida Statutes, Section 197.3632 and 197.3635.

Section 2. Need for Levy. The levy of non-ad valorem assessment for the provision of collection and disposal of solid waste and recyclable material is necessary in order to fund a comprehensive, coordinated, economical, and efficient disposal of solid waste and recycling program within the corporate limits of the City of St. Augustine Beach.

Section 3. Legal Description of Area Subject to Levy. Registered Transient Lodging Establishments within the incorporated area of the City of St. Augustine Beach shall be subject to the levy and collection of the non-ad valorem assessment and is legally described in Section 1-2 of Article 1 of the Charter of the City of St. Augustine Beach and in official documents in the possession of the Clerk of the City of St. Augustine Beach.

Section 4. Combined Notice for Ad Valorem Taxes and Non-Ad Valorem Assessments. The non-ad valorem assessment that shall be levied using the uniform method provided for in Chapter 197, Florida Statutes, Section 197.3632, shall be included in the combined notice for ad valorem taxes and non-ad valorem assessments proved for in Chapter 197, Florida Statutes, Section 197.3635.

Section 5. Non-Ad Valorem Assessment Subject to Collection Procedures for Ad Valorem Taxes. The non-ad valorem assessment collected pursuant to Chapter 197, Florida Statutes, Section 197.3632, shall be subject to the collection procedures provided for in Chapter 197, Florida Statutes, for ad valorem taxes and includes discount for early payment, prepayment by installment method, deferred payments, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

Section 6. Public Hearing on Non-Ad Valorem Assessment Roll. The City Commission shall adopt a non-ad valorem assessment roll of the property to be assessed within the corporate limits of the City of St. Augustine Beach at a public hearing held between January 6, 2023, and September 7, 2023.

Section 7. Copy of Resolution. The Clerk of the City of St. Augustine Beach is hereby directed to mail a certified copy of this Resolution by United States mail to the St. Johns County Property Appraiser, the St. Johns County Tax Collector, and the State of Florida Department of Revenue by January 1, 2023.

RESOLVED AND DONE, this 14th day of November 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Donald Samora, Mayor

ATTEST:

Max Royle, City Manager

MEMORANDUM

TO: Max Royle, City Manager

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

DATE: November 14, 2022

SUBJECT: Undergrounding of Power Lines
2nd Street between A1A Beach Boulevard and 2nd Avenue

BACKGROUND

The 2nd Street Extension and Widening project is now under construction. Work includes construction of a new curb and gutter roadway west of 2nd Avenue as well as roadway widening and installation of curb and gutter east of 2nd Avenue. The project is scheduled to be complete in Spring 2023.

During project development, the City Commission expressed a desire to underground utility lines in conjunction with roadway improvements and staff met with Florida Power and Light (FPL) to begin the process. It was determined that in order to transition to underground power lines, FPL would require a 10' wide easement from 2nd Street property owners west of 2nd Avenue. Due to the developed condition and limited right of way east of 2nd Avenue, FPL agreed to accept 5' wide easements east of 2nd Avenue. Additionally, FPL required 10'x10' easements for transformer locations, where located outside of the 10' or 5' roadside easements. The City would be responsible for paying for all design fees to FPL and the cost of furnishing and installing new underground power lines and transformers. It was discussed at the time that there would also be a cost to individual homeowners to convert to the underground power system, with the cost dependent upon each property owner's exact situation.

The City Commission authorized FPL to begin design for both roadway segments and authorized staff to work with property owners and FPL to secure the required easements. As of this writing, the FPL design is not complete, however the preliminary plans are shown in figures 1 and 2.



West Block (Extension):

Final underground power plans west of 2nd Avenue are not yet available. Preliminary sketch plans received from FPL (Figure 2) are consistent with the easements which have been obtained to date. Easements will be recorded upon receipt of final FPL plans.

East Block (Widening):

As shown on Figure 1, east block properties will be served from the east and the west. 5' easements are required in all locations where a power line runs parallel to the roadway. The City has not succeeded in acquiring all necessary easements to install the underground lines.

The primary objection property owners have to the undergrounding effort is the high owner cost to transition to underground service, including:

- Electrician cost to run underground service to the transformer
- Modifications to the FPL meter
- Modifications to roofs/eaves
- FPL tariff (up to \$750 per meter)

Property owners coordinated with Justin Motley, a local electrician, to get a ballpark estimate of the potential costs they may face to transition to underground service. Mr. Motley estimated that each service which had an unobstructed path between the existing meter location and the proposed transformer location would have an associated cost of \$2,000 to \$4,000 per service. For those services which require an underground directional bore (3 potential locations), Mr. Motley estimated the cost could be \$5,000 to \$7,000 per service. These costs would be in addition to the aforementioned FPL tariff. Based upon the above costs the total cost to all property owners in the east block of 2nd Street could be between \$34,000 and \$52,000

At the October 3, 2022 City Commission meeting, staff presented the following options in relation to undergrounding of utilities between A1A Beach Boulevard and 2nd Avenue:

1. Require the service modifications to be funded by the property owners
2. Adopt a non ad valorem assessment to recover City paid owner costs
3. Fund (in full or in part) the property owners' service connection modifications
4. Defer undergrounding of utilities to a future date.

The City Commission opted to proceed with Option No. 2 and authorized staff to advertise for a public meeting to consider a resolution expressing intent to implement a non ad valorem assessment.

DISCUSSION

Attached Resolution 22-17 expresses the City's intent to implement a non ad valorem assessment to pay for owners' costs for undergrounding of utilities. Resolution 22-17, if approved by the City Commission, will be forwarded to the Tax Collector as required by Florida statutes. After submittal of Resolution 22-17 to the Tax Collector, the following actions are necessary to adopt a non ad valorem assessment:

- | | |
|---------------|---|
| • April 2023 | Establish the length (years) of the assessment
Establish the annual assessment rate
Set public hearing date |
| • May 2023 | Advertise for public hearing |
| • June 2023 | Set assessment rate at public hearing |
| • August 2023 | Agreement with Tax Collector to collect assessment |

The costs referenced in BACKGROUND above are ballpark estimates only and are subject to refinement. Detailed costs are not required at this time and shall be developed prior to the April 2023 City Commission meeting.

Staff recommends passing Resolution 22-17 to maximize available options to fund owners' costs to underground 2nd Street utilities between A1A Beach Boulevard and 2nd Avenue. Should the City Commission opt to not approve Resolution 22-17, a non ad valorem assessment cannot be implemented in the upcoming fiscal year.

Passing of resolution 22-17 does not obligate the City to implement a non ad valorem assessment. The Commission can opt to halt moving forward with a non ad valorem assessment at any time up to approval of the agreement with the Tax Collector in August 2023.

RECOMMENDED ACTION

Approve Resolution 22-17 expressing the City's intent to implement a non ad valorem assessment to fund owners' costs associated with undergrounding of utilities on 2nd Street between A1A Beach Boulevard and 2nd Avenue.

RESOLUTION 22-17

CITY OF ST. AUGUSTINE BEACH

ST. JOHNS COUNTY

FLORIDA

RE: EXPRESSING THE INTENT OF THE CITY OF ST. AUGUSTINE BEACH TO USE THE UNIFORM METHOD FOR THE LEVY, COLLECTION, AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENT PROVIDED FOR IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3632, FOR INSTALLING UNDERGROUND UTILITY LINES; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE INCLUDED IN THE COMBINED NOTICE FOR AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS PROVIDED IN CHAPTER 197, FLORIDA STATUTES, SECTION 197.3635; PROVIDING THAT THE NON-AD VALOREM ASSESSMENT SHALL BE COLLECTED IN THE SAME MANNER AS AD VALOREM TAXES; PROVIDING THAT THIS NON-AD VALOREM ASSESSMENT IS NEEDED IN ORDER TO INSTALL UNDERGROUND UTILITY LINES ALONG 2ND STREET, BETWEEN A1A BEACH BOULEVARD AND 2ND AVENUE; PROVIDING FOR A LEGAL DESCRIPTION OF THE AREA SUBJECT TO LEVY; PROVIDING THAT THE PUBLIC HEARING ON THIS RESOLUTION WAS DULY ADVERTISED; PROVIDING THAT THE CLERK OF THE CITY OF ST. AUGUSTINE BEACH SHALL MAIL CERTIFIED COPIES OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, November 14, 2022, resolves as follows:

WHEREAS, by the authority created in Chapter 166, Florida Statutes, Section 166.021, and within Section 2 (b), Article VIII, of the Constitution of the State of Florida, municipalities have the governmental, corporate, and proprietary power to conduct municipal government, perform municipal functions, and render municipal services and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, such statutory and constitutional authorization includes the ability to levy a special assessment for the provision of disposal of solid waste within the corporate limits of the City of St. Augustine Beach; and

WHEREAS, Chapter 197, Florida Statutes, Section 197.3632, sets forth the required procedure to be followed by a local government in order to elect the use of the uniform method of levying, collecting, and enforcing non-ad valorem assessments; and

WHEREAS, the City Commission held a public hearing on this Resolution on November 14, 2022, after advertising in *The St. Augustine Record* for four (4) consecutive weeks on October 14, 2022, October 21, 2022, October 28, 2022, and November 4, 2022, as required by Chapter 197, Florida Statutes, Section 197.3632(3)(a); and

WHEREAS, the City Commission has determined it best serves the needs of the residents of the City of St. Augustine Beach to utilize the uniform method of collection for non-ad valorem assessments for the installation of underground utility lines along 2nd Street within the City of St. Augustine Beach; and

WHEREAS, to prevent a significant lump sum cost to homeowners and divide the expense over a period of time, the City Commission has determined that a non-ad valorem assessment would be the most prudent method of collection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AS FOLLOWS:

Section 1. Intent to Use Uniform Method. The City Commission of the City of St. Augustine Beach intends to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments for the installation of underground utility lines along 2nd Street within the City of St. Augustine Beach, pursuant to Chapter 197, Florida Statutes, Section 197.3632 and 197.3635.

Section 2. Need for Levy. The levy of non-ad valorem assessment for the installation of underground utility lines is necessary in order to create a more weather resistant utility system within the corporate limits of the City of St. Augustine Beach.

Section 3. Legal Description of Area Subject to Levy. Properties along 2nd Street, between A1A Beach Boulevard and 2nd Avenue, Chautauqua Beach subdivision, Block 20, Lots 5, 7, 9, 11, 13, and 15, and Block 21, Lots 8, 10, 12, 14, and 16, shall be subject to the levy and collection of the non-ad valorem assessment.

Section 4. Combined Notice for Ad Valorem Taxes and Non-Ad Valorem Assessments. The non-ad valorem assessment that shall be levied using the uniform method provided for in Chapter 197, Florida Statutes, Section 197.3632, shall be included in the combined notice for ad valorem taxes and non-ad valorem assessments provided for in Chapter 197, Florida Statutes, Section 197.3635.

Section 5. Non-Ad Valorem Assessment Subject to Collection Procedures for Ad Valorem Taxes. The non-ad valorem assessment collected pursuant to Chapter 197, Florida Statutes, Section 197.3632, shall be subject to the collection procedures provided for in Chapter 197, Florida Statutes, for ad valorem taxes and includes discount for early payment, prepayment by installment method, deferred payments, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for nonpayment.

Section 6. Public Hearing on Non-Ad Valorem Assessment Roll. The City Commission shall adopt a non-ad valorem assessment roll of the property to be assessed within the corporate limits of the City of St. Augustine Beach at a public hearing held between January 6, 2023, and September 7, 2023.

Section 7. Copy of Resolution. The Clerk of the City of St. Augustine Beach is hereby directed to mail a certified copy of this Resolution by United States mail to the St. Johns County Property Appraiser, the St. Johns County Tax Collector, and the State of Florida Department of Revenue by January 1, 2023.

RESOLVED AND DONE, this 14th day of November 2022 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Donald Samora, Mayor

ATTEST:

Max Royle, City Manager

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: RESOLUTION 22-14
DATE: 10/18/2022

The above referenced resolution is needed to update Section XII.4 of the personnel manual to reflect that only non-salaried employees must submit a timesheet for payroll. The city moved to an electronic payroll system in Fiscal Year 2021, and the policy manual was not updated to reflect that salaried employees are no longer required submit timesheets. This change will update the policy manual to reflect the current process in place for auditing purposes.

If there are any questions, please let me know.

RESOLUTION 22-14

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY
FLORIDA**

**RE: TO AMEND SECTION XII.4 OF THE CITY'S
PERSONNEL MANUAL REGARDING HOLIDAY PAY**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on Monday, November 14, 2022, resolves as follows:

WHEREAS, the City has a Personnel Manual concerning various policies applicable to City employees which are not in ordinance form, but are adopted by resolution; and

WHEREAS, in order to keep the Manual comprehensive and current, it is necessary to update it periodically.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, adopts updated Section XII.4 of the City's Personnel Manual as follows:

To modify Section XII.4 as follows:

XII.4.B. All non-salaried employees shall record their hours of work by means of time sheets.

RESOLVED AND DONE, this 14th day of November 2022, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.


Donald Samora, Mayor

ATTEST:

Max Royle, City Manager

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager mk 

DATE: November 3, 2022

SUBJECT: Budget Resolutions

Budget Resolutions:

- A. 22-15, to Adjust Funding from the American Rescue Plan Act
- B. 22-16 and 22-17, for Adjustments to the Fiscal Year 2022 Budget

Attached as pages 1-4 is Budget Resolution 22-25 and an explanation about it from the Public Works Director, Mr. Bill Tredik.

Attached as pages 5-7 are Budget Resolutions 22-16 and 22-17 and an explanation for each from the Finance Director, Ms. Patty Douylliez.

MEMORANDUM

Date: November 3, 2022
To: Patty Douylliez, Finance Director
From: William Tredik, P.E., Public Works Director
Subject: Budget Resolution 22-15 American Rescue Plan Act (ARPA) Adjustments

DISCUSSION

On April 19, 2022, the City Commission approve a list of expenditures for the use of ARPA funds which included, among other items, the following:

- | | |
|---|-----------|
| • Replacement Truck # 56 (1995 6 cubic yard dump truck) | \$130,000 |
| • 6" dewatering pump | \$ 75,000 |
| • Paving | \$200,000 |

Truck # 56

The Public Works Department currently utilizes a 27-year-old 6 cubic yard (C.Y.) dump truck (Truck #56). Truck #56 is used for multiple critical department operations, including:

- Movement of construction materials
- Movement of excavated materials
- Storm preparations (movement of sand to and from beach accesses)
- Storm cleanup (movement of storm debris)

Truck #56 is well past its service life and has insufficient capacity (dump volume) to meet the City's current needs; especially during emergency operations. Truck #56 only has 1/3 of the capacity of a standard 17 C.Y. dump truck, resulting in the tripling of time for storm preparation at these vulnerable locations. This small truck capacity becomes untenable when adaptation to rapidly changing storm surge forecasts is required, such as recently experienced during Hurricane Ian.

Staff has researched trucks available under the Florida Sheriffs Association Cooperative Purchasing Program and has identified a 17 C.Y. International HX Dump Truck which meets the City's needs. The cost for the truck is \$174,943.00, exceeding the original estimate of \$130,000 included in the adopted ARPA list.

6" Dewatering Pump

The subject \$75,000 dewatering pump was placed in the original ARPA list as it is an important tool to quickly address flood conditions during severe rainfalls. In recent events Public Works has been able to meet this need through leasing. Though leasing is expensive – and subject to availability – it is considerably less costly than purchase when considering the frequency of need. Staff recommends that this need continue to be addressed through leasing and the dewatering pump be removed from the ARPA list in favor of other needs.

Paving

To date, the City has expended \$162,269 of the approved \$200,000 of ARPA paving funds; leaving \$37,731 unspent. Under current economic conditions, the unspent funding is likely too small to entice companies to mobilize for additional paving under their existing contracts. Removal of the \$75,000 dewatering pump from the approved ARPA list provides the opportunity to reallocate \$30,057 (the remainder after the increase to Truck #56 replacement) to paving, thereby increasing the monies available for paving to \$ 67,789, and providing a better opportunity for additional paving to be accomplished this fiscal year.

RECOMMENDATION

Approve Budget Resolution 2022-15 modifying the ARPA Expenditure List as follows:

- Increase cost of replacement of Truck 56 from \$130,000 to \$174,943
- Eliminate the \$75,000 6" dewatering pump
- Increase the amount of expenditure for paving from \$200,000 to \$230,057

The above changes will result in no net change to the overall ARPA expenditures.

ARPA Worksheet

\$3,507,979.00

APPROVED TO SPEND

Approval Date	Police Department ARPA List			
	Item		Quantity	Cost Estimate
4/19/2022	Detective's Vehicle		1	\$ 40,000.00
4/19/2022	Administrative Vehicle		1	\$ 50,000.00
4/19/2022	Commander Vehicle		1	\$ 50,000.00
4/19/2022	Chief Vehicle		1	\$ 50,000.00
4/19/2022	Vehicle Radars		3	\$ 25,000.00
				\$ 215,000.00

Public Works ARPA List				
9/26/2022	Concrete Grinder		1	\$10,000.00
9/26/2022	Stormwater Bypass Pump	6" dewater pump DBA	1	\$75,000.00
9/26/2022	Dump Truck	Replacement (6 cy #56)	1	\$130,000.00
9/26/2022	Dump Truck	Replacement (17 cy #56)	1	\$174,943.00
9/26/2022	Pickup Truck	Replacement (#64)	1	\$35,000.00
9/26/2022	Pickup Truck	Replacement (#67)	1	\$35,000.00
9/26/2022	Pickup Truck	Replacement (#66-2006)	1	\$35,000.00
9/26/2022	48" mower	replacing scag	1	\$10,000.00
9/26/2022	2nd Street Improvement		1	\$100,000.00
9/26/2022	Parking Improvements	5th Street (Beach Blvd to 2nd Ave)	1	\$150,000.00
9/26/2022	Parking Improvements	4th Street East Parallel	1	\$100,000.00
9/26/2022	Parking Improvements	8th Street Lot SW	1	\$20,000.00
9/26/2022	Parking Improvements	A St/1st St West Lot	1	\$200,000.00
7/11/2022	Claw Truck		1	\$162,000.00
6/6/2022	Trailer 12 ton deckover 22'		1	\$12,000.00
4/19/2022	Refuse truck 25cy	replacing 77	1	\$250,000.00
4/19/2022	Refuse truck 25cy	replacing 79	1	\$250,000.00
				\$1,543,943.00

Other Suggestions				
9/26/2022	ID Cards	ID Card equipment, cards, printers, supplies	1	\$20,000.00
9/26/2022	MFA Citywide	Add multifactor authentication for entire city. According to Homeland Security CISA, cyberinsurance underwriters are going to be requiring this.	1	\$25,000.00
9/26/2022	Secure Bldg C	Block in front glass, block in W & N PTAC units, place flooring over concrete	1	\$40,000.00
9/26/2022	Video Production Impr	Cameras/Captioning equipment for city meetings; addition of wiring & technology to dais.	1	\$75,000.00
4/19/2022	Pipe Ditch-Vacant Alley	2nd/3rd Street-West of 2nd Ave		\$100,000.00
5/2/2022	Ocean Hammock Park	Restroom completion-in addition to grant		\$300,000.00
6/6/2022	Beach Access Walkovers	\$67k in FY22, remainder in FY23		\$335,000.00
6/6/2022	Paving Projects	Needed paving throughout the city		\$200,000.00
	Paving Projects	Increased Paving throughout the city		\$230,057.00
				\$1,125,057.00

Pay Increases				
4/19/2022	Pay Increases-FY22	Increase pay to \$15/hr minimum or bonus		\$136,000.00
				\$136,000.00
				Total Approved
				\$3,020,000.00

ADOPTED BY COMMISSION

Public Works ARPA List				
	Water tanker	**REMOVED**	1	\$0.00
	Storm drain cleaning		1	\$100,000.00
				\$100,000.00

Other Suggestions				
FY24 Budget	Parking Improvements	Dirt Lot Paving SW Corner of Blvd & 8th St		\$160,000.00
				\$160,000.00

Pay Increases				
	Pay Increases-FY22-FY24	**REMOVED**		\$0.00
				\$0.00

Total Adopted \$260,000.00
Total Spend \$3,280,000.00

BUDGET RESOLUTION 22-15

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: TO AMEND THE FY2023
ARPA FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2022-2023 ARPA Fund Budget as follows:

DECREASE: Account 320-4100-541-6490 (ARPA-R&B Other Equipment) in the amount of \$75,000 which will decrease the appropriation in this account to \$20,000.

INCREASE: Account 320-4100-541-6410 (ARPA R&B Vehicles) in the amount of \$44,943 which will increase the appropriation in this account to \$279,943.

INCREASE: Account 320-4100-541-6310 (ARPA R&B Paving) in the amount of \$230,057 which will decrease the appropriation in this account to \$230,057.

INCREASE: Account 320-331-510 (ARPA-Revenue Other Financial Assistance) in the amount of \$200,000 which will increase the appropriation in this account to \$2,394,065.35.

RESOLVED AND DONE, this 14th day of November 2022 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

ATTEST:

Mayor – Commissioner

City Manager

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: BUDGET RESOLUTIONS 22-16 & 22-17
DATE: 11/3/2022

The above referenced budget resolutions are requested to modify the prior year budget.

Budget Resolution 22-16 is needed for year-end adjustments to the budget prior to final close. Primarily these adjustments are due to increased wages from Hurricane Ian and they do not have a financial impact to the FY22 Budget.

Budget Resolution 22-17 is needed to remove the paving budget from ARPA for FY22 as the project was not completed by the end of the year due to Hurricane Ian. You will also be receiving a budget resolution for FY23 to add the paving project to our current year budget.

Please let me know if more information is needed.

BUDGET RESOLUTION 22-16

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: TO AMEND THE FY2022
GENERAL FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2021-2022 General Fund Budget as follows:

DECREASE: Account 001-2100-521-1200 (Law Enforcement-Regular Wages) in the amount of \$24,000 which will decrease the appropriation in this account to \$1,193,685.97.

INCREASE: Account 001-2100-521-1400 (Law Enforcement-Overtime) in the amount of \$24,000 which will increase the appropriation in this account to \$74,338.

DECREASE: Account 001-4100-541-2300 (Road & Bridge-Life & Health) in the amount of \$5,000 which will decrease the appropriation in this account to \$103,177.64.

INCREASE: Account 001-7200-572-1200 (Parks-Regular Pay) in the amount of \$3,200 which will increase the appropriation in this account to \$128,668.73.

INCREASE: Account 001-7200-572-1400 (Parks-Overtime) in the amount of \$1,800 which will increase the appropriation in this account to \$3,027.00.

RESOLVED AND DONE, this 14th day of November 2022 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

ATTEST:

Mayor – Commissioner

City Manager

BUDGET RESOLUTION 22-17

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY**

**RE: TO AMEND THE FY2022
ARPA FUND BUDGET**

The City Commission does hereby approve the transfer and appropriation from within the Fiscal Year 2021-2022 ARPA Fund Budget as follows:

DECREASE: Account 320-4100-541-6310 (ARPA-R&B PAVING) in the amount of \$200,000 which will decrease the appropriation in this account to \$0.00.

DECREASE: Account 320-331-510 (ARPA-Revenue Other Financial Assistance) in the amount of \$200,000 which will decrease the appropriation in this account to \$379,000.

RESOLVED AND DONE, this 14th day of November 2022 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

Mayor – Commissioner

ATTEST:

City Manager

MEMORANDUM

Date: November 14, 2022
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Ocean Walk Resiliency Improvements
60% Design Project Update – Matthews Design Group

DISCUSSION

Matthews Design Group will present an update on design and permitting for the following project:

- **Ocean Walk Subdivision Resiliency Improvements** – Consultant will present and discuss 60% design (permit) plans and solicit input from the Commission and public prior to moving to final project design.

ACTIONS REQUESTED

Ocean Walk - No formal action requested.

MEMORANDUM

Date: November 14, 2022
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Phase 3 LED Streetlight Conversion and New Streetlights on 11th Street

BACKGROUND

The City currently contracts with Florida Power and Light (FPL) to provide 386 existing streetlights on collector, arterial and local roadways within the City. As part of their move to energy efficient and lower maintenance lighting options, FPL has a program to convert high pressure sodium (HPS) to light emitting diode (LED) fixtures.

The City has proceeded with the streetlight conversion in phases. On May 24, 2021 the City Commission approved Phase 1 of the LED conversion, switching 183 HPS fixtures to LED on arterial and collector roadways. Phase 1 LED streetlights were installed in Fall 2021 and are shown as green dots in Figure 1.

On December 6, 2021, the City Commission approved Phase 2 of the LED conversion. As part of the Phase 2 contract an additional 79 lights were converted to LED – including 100-watt HPS lights and post top lights – bringing the total converted lights to 262 fixtures. Phase 2 LED streetlights were installed in 2022 and are shown as yellow dots in Figure 1.

Conversion of the remaining 124 70-watt HPS lights was deferred until Phase 3 in order to finalize the location of “turtle visible” streetlights and to review the appropriate wattage (28-watt versus 45-watt) for the remaining LED fixtures. At this time FPL no longer offers the 28-watt LED option and instead uses a 42-watt LED fixture to replace 70-watt HPS streetlights.

Phase 3 LED Streetlight Conversion
November 14, 2022

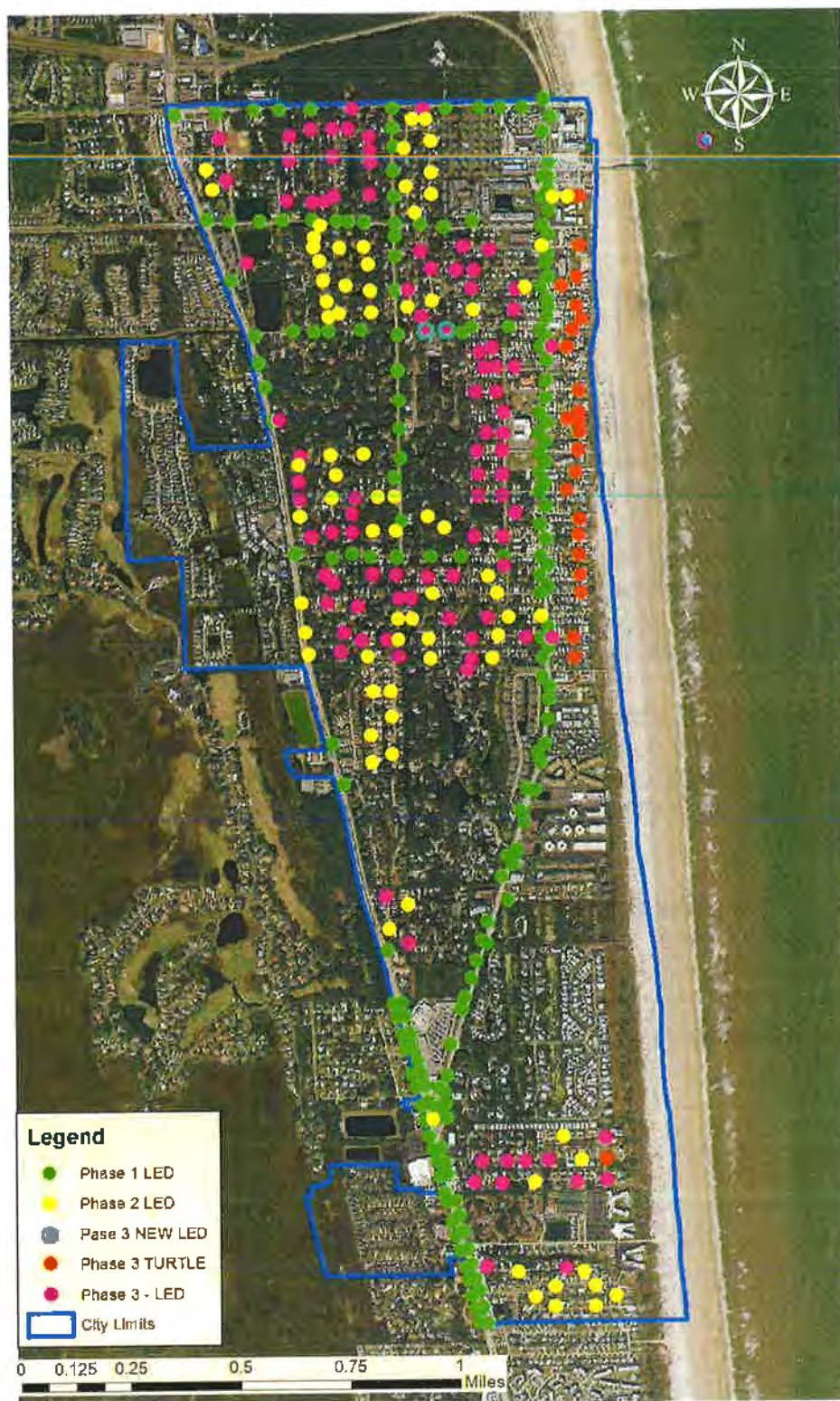


Figure 1 - LED Streetlight Conversion Phases

DISCUSSION

Staff has worked with FPL and St. Johns County to identify twenty-five (25) locations where streetlights are visible from the beach, requiring them to be turned off during the turtle nesting season (May 1st through October 31st). Turtle visible streetlights are indicated by orange dots on Figure 1.

Until recently, the only option provided for turning these lights off during turtle nesting season was to install amber "turtle friendly" streetlights. Turtles cannot detect the wavelengths emitted by turtle friendly streetlights, resulting in increased probability of successful nesting and less disorientation for hatchlings. The pros and cons of amber turtle friendly streetlights are:

Amber light pros:

- Lights can remain on during turtle nesting season
- Lights do not have to be shielded
- Larger footprint of ground illumination

Amber light cons:

- Much higher monthly cost than 42-watt LED (over 3 times higher)
- Increased energy usage (108-watt; higher than existing 70-watt HPS)
- Some may consider the appearance less desirable

With the new 42-watt LED streetlight, FPL now offers an option to install a 3" shroud, restricting the lamp's visibility from a distance. Analysis of the 25 locations currently being turned off seasonally, indicates that 42-watt LED fixtures with 3" shrouds would not be visible from the beach. The pros and cons of shrouded 42-watt 300K LED streetlights are:

Shrouded light pros:

- Lights can remain on during turtle nesting season
- Much lower monthly cost
- Lower energy usage
- Traditional streetlight color
- Less light scattering and glare
- Less light visible to adjacent properties
- Shrouding does not add to cost

Shrouded light cons:

- Small potential for reflected light visible to turtles
- Shield will reduce footprint of ground illumination

Phase 3 LED Streetlight Conversion
November 14, 2022

Based upon the above analysis staff recommends replacing the remaining 124 70-watt HPS streetlights with 42-watt LED fixtures. 25 of the 124 fixtures would be fitted with 3" shrouds to prevent their being visible from the beach. FPL has provided the following cost analysis (Figure 2) for converting all the 124 HPS 70-watt fixtures to 42-watt LED:

FPL		LED Lighting Plan																																				
City of Saint Augustine Beach																																						
		Month	Day	Year																																		
		10	28	2022																																		
<p><i>(*) Close date is inclusive of signed agreement, CIAC, permitting and easements, if required</i></p>																																						
<p>Going Green</p> <p>This plan reduces power consumption by: 22,320 kWh / year and that eliminates: 16 metric tons of CO₂ every year¹ or removing: 3 cars from the road¹</p>																																						
TOTAL		124	\$ 1,103.07	\$ 1,061.22																																		
<table border="1"> <thead> <tr> <th colspan="2">Installation Details</th> <th>Existing</th> <th>Option 1</th> </tr> </thead> <tbody> <tr> <td rowspan="3">1</td> <td>select fixture</td> <td>SL1 - HPS0070</td> <td>Roadway 6,000L</td> </tr> <tr> <td>fixture / pole</td> <td>1</td> <td>1</td> </tr> <tr> <td>select pole</td> <td>Existing</td> <td></td> </tr> <tr> <td>Quantity:</td> <td>124</td> <td>Fixture: \$ 607.60</td> <td>\$ 789.26</td> </tr> <tr> <td>FPL Non-LED Conversion:</td> <td>Yes</td> <td>Pole: \$ -</td> <td></td> </tr> <tr> <td>Full/Hybrid:</td> <td>Full</td> <td>Maintenance: \$ 248.00</td> <td>\$ 161.20</td> </tr> <tr> <td>FPL NW Area:</td> <td>No</td> <td>Energy: \$ 245.78</td> <td>\$ 110.76</td> </tr> <tr> <td></td> <td></td> <td>Monthly Total: \$ 1,101.38</td> <td>\$ 1,061.22</td> </tr> </tbody> </table>					Installation Details		Existing	Option 1	1	select fixture	SL1 - HPS0070	Roadway 6,000L	fixture / pole	1	1	select pole	Existing		Quantity:	124	Fixture: \$ 607.60	\$ 789.26	FPL Non-LED Conversion:	Yes	Pole: \$ -		Full/Hybrid:	Full	Maintenance: \$ 248.00	\$ 161.20	FPL NW Area:	No	Energy: \$ 245.78	\$ 110.76			Monthly Total: \$ 1,101.38	\$ 1,061.22
Installation Details		Existing	Option 1																																			
1	select fixture	SL1 - HPS0070	Roadway 6,000L																																			
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FPL NW Area:	No	Energy: \$ 245.78	\$ 110.76																																			
		Monthly Total: \$ 1,101.38	\$ 1,061.22																																			

Figure 2 - FPL Cost Analysis for replacement of 124 HPS 70-watt lights with 42-watt LED

Selection of this option would result in a monthly savings of \$41.85 (\$502.20 annually).

For comparison, FPL also provided the costs to convert 99 of the streetlights to 42-watt 3000K fixtures and 25 of the streetlights to amber "turtle friendly" 108-watt fixtures. The cost comparison for these options are shown in Figures 3 and 4 respectively.

Phase 3 LED Streetlight Conversion
November 14, 2022


 <h2 style="text-align: center;">LED Lighting Plan</h2> <p style="text-align: center;">City of Saint Augustine Beach</p>																																									
		Month	Day	Year																																					
		10	28	2022																																					
<p>Going Green</p> <p>This plan reduces power consumption by: 17,820 kWh / year and that eliminates: 13 metric tons of CO₂ every year¹ or removing: 3 cars from the road²</p>																																									
TOTAL		99	\$ 881.02	\$ 847.27																																					
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Installation Details		Existing	Option 1																																						
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Figure 3 - FPL Cost Analysis for replacement of 99 HPS 70-watt lights with 42-watt LED


 <h2 style="text-align: center;">LED Lighting Plan</h2> <p style="text-align: center;">City of Saint Augustine Beach</p>																																									
		Month	Day	Year																																					
		10	28	2022																																					
<p>Going Green</p> <p>This plan reduces power consumption by: (2,400) kWh / year and that eliminates: (2) metric tons of CO₂ every year¹ or removing: (0) cars from the road²</p>																																									
TOTAL		25	\$ 223.74	\$ 479.42																																					
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Installation Details		Existing	Option 1																																						
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		Monthly Total \$ 222.05	\$ 479.42																																						

Figure 4 - FPL Cost Analysis for replacing 25 HPS 70-watt fixtures with amber "turtle friendly" lamps

Converting 99 HPS 70-watt fixtures to 42-watt LED and 25 HPS 70-watt fixtures to 108-watt amber would result in a monthly cost increase to the City of \$221.93 (\$2,663.16 annually).

Considerations for conversion of existing HPS streetlights

- Both options meet the goal of maintaining illumination year round
- The option to replace all 124 fixtures with 42-watt LED – and shroud the lights visible from the beach – results in an annual overall cost reduction of \$502.20 from current costs
- The option to replace 25 of the 124 streetlights with amber fixtures results in an annual cost increase of \$2,663.16 from current costs.

11th Street New Streetlights

Staff has identified a poorly illuminated location along 11th Street, immediately east of Mickler Boulevard and has coordinated with FPL to develop a lighting plan for this location. The preliminary lighting plans is shown in Figure 5.

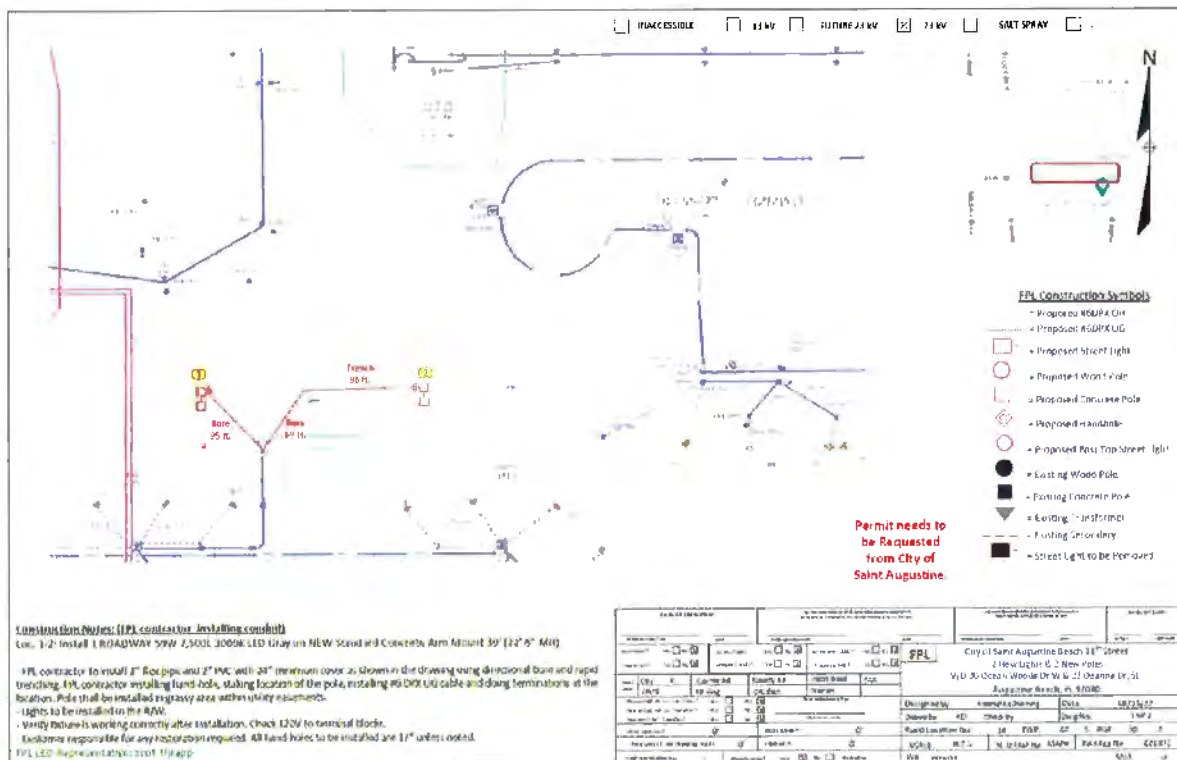


Figure 5 - 11th Street Preliminary Streetlight Plan

The plan includes two new 59-watt LED streetlights in the vicinity of the Ridge subdivision entrance. The cost to install the two new streetlights on 11th Street is as follows:

- \$1,298.43 one-time fee prior to FPL initiating the installation
- \$47.63 monthly fee (\$29.24 monthly fee plus \$18.39 additional monthly light charge for underground wiring and handholds)

Phase 3 LED Streetlight Conversion
November 14, 2022

These new streetlights will address the poorly lit area on 11th Street and will be shielded if necessary to prevent glare to surrounding properties.

ACTION REQUESTED

Authorize the City Manager to execute LED Lighting Agreements with FPL for the following:

- Conversion of one hundred twenty-four (124) 70-watt HPS lights to 42-watt 3000K LED fixtures. 25 of the 124 converted streetlights will be shrouded for turtle protection.
- Addition of two (2) new 59-watt 3000K LED streetlights along 11th Street east of Mickler Boulevard

**FPL LED Lighting Agreement
Phase 3 Conversion
(124 Streetlights)**

FPL Account Number: **8061507532**



FPL Work Request Number: _____

LED LIGHTING AGREEMENT

In accordance with the following terms and conditions, City of Saint Augustine Beach (hereinafter called the Customer), requests on this 3rd day of November, 2022, from FLORIDA POWER & LIGHT COMPANY (hereinafter called FPL), a corporation organized and existing under the laws of the State of Florida, the following installation or modification of lighting facilities at (general boundaries) Streets, located in Saint Augustine Beach, Florida.

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

Fixture Description (1)	Watts	Lumens	Color Temperature	# Installed	# Removed
HPS SCH	70				124
Roadway 5000	42	5000+	3K	124	

(1) Catalog of available fixtures and the assigned billing tier for each can be viewed at www.fpl.com/led

Pole Description	# Installed	# Removed

- (b) Installation and/or removal of FPL-owned additional lighting facilities where a cost estimate for these facilities will be determined based on the job scope, and the Additional Lighting Charges factor applied to determine the monthly rate.
- (c) Modification to existing facilities other than described above or additional notes (explain fully): FPL will install 25 front and rear shields on the turtle sensitive lights. No cost for the shields.

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

FPL AGREES:

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

THE CUSTOMER AGREES:

2. To pay a monthly fee for fixtures and poles in accordance to the Lighting tariff, and additional lighting charge in the amount of \$0. These charges may be adjusted subject to review and approval by the FPSC.
3. To pay Contribution in Aid of Construction (CIAC) in the amount of \$0.00 prior to FPL's initiating the requested installation or modification.
4. To pay the monthly maintenance and energy charges in accordance to the Lighting tariff. These charges may be adjusted subject to review and approval by the FPSC.
5. To purchase from FPL all the electric energy used for the operation of the Lighting System.
6. To be responsible for paying, when due, all bills rendered by FPL pursuant to FPL's currently effective lighting rate schedule on file at the FPSC or any successive lighting rate schedule approved by the FPSC, for facilities and service provided in accordance with this agreement.
7. To provide access, suitable construction drawings showing the location of existing and proposed structures, and appropriate plats necessary for planning the design and completing the construction of FPL facilities associated with the Lighting System.
8. To have sole responsibility to ensure lighting, poles, luminaires and fixtures are in compliance with any applicable municipal or county ordinances governing the size, wattage, lumens or general aesthetics.
9. For new FPL-owned lighting systems, to provide final grading to specifications, perform any clearing if needed, compacting, removal of stumps or other obstructions that conflict with construction, identification of all non-FPL underground facilities within or near pole or trench locations, drainage of rights-of-way or good and sufficient easements required by FPL to accommodate the lighting facilities.
10. For FPL-owned fixtures on customer-owned systems:
 - a. To perform repairs or correct code violations on their existing lighting infrastructure. Notification to FPL is required once site is ready.
 - b. To repair or replace their electrical infrastructure in order to provide service to the Lighting System for daily operations or in a catastrophic event.
 - c. In the event the light is not operating correctly, Customer agrees to check voltage at the service point feeding the lighting circuit prior to submitting the request for FPL to repair the fixture.

IT IS MUTUALLY AGREED THAT:

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

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

12. FPL will, at the request of the Customer, relocate the lighting facilities covered by this agreement, if provided sufficient rights-of-way or easements to do so and locations requested are consistent with clear zone right-of-way setback requirements. The Customer shall be responsible for the payment of all costs associated with any such Customer-requested relocation of FPL lighting facilities. Payments shall be made by the Customer in advance of any relocation.
Lighting facilities will only be installed in locations that meet all applicable clear zone right-of-way setback requirements.
13. FPL may, at any time, substitute for any fixture installed hereunder another equivalent fixture which shall be of similar illuminating capacity and efficiency.

14. This Agreement shall be for a term of ten (10) years from the date of initiation of service, and, except as provided below, shall extend thereafter for further successive periods of five (5) years from the expiration of the initial ten (10) year term or from the expiration of any extension thereof. The date of initiation of service shall be defined as the date the first lights are energized and billing begins, not the date of this Agreement. This Agreement shall be extended automatically beyond the initial ten (10) year term or any extension thereof, unless either party shall have given written notice to the other of its desire to terminate this Agreement. The written notice shall be by certified mail and shall be given not less than ninety (90) days before the expiration of the initial ten (10) year term, or any extension thereof.
15. In the event lighting facilities covered by this agreement are removed, either at the request of the Customer or through termination or breach of this Agreement, the Customer shall be responsible for paying to FPL an amount equal to the original installed cost of the facilities provided by FPL under this agreement less any salvage value and any depreciation (based on current depreciation rates approved by the FPSC) plus removal cost.
16. Should the Customer fail to pay any bills due and rendered pursuant to this agreement or otherwise fail to perform the obligations contained in this Agreement, said obligations being material and going to the essence of this Agreement, FPL may cease to supply electric energy or service until the Customer has paid the bills due and rendered or has fully cured such other breach of this Agreement. Any failure of FPL to exercise its rights hereunder shall not be a waiver of its rights. It is understood, however, that such discontinuance of the supplying of electric energy or service shall not constitute a breach of this Agreement by FPL, nor shall it relieve the Customer of the obligation to perform any of the terms and conditions of this Agreement.
17. The obligation to furnish or purchase service shall be excused at any time that either party is prevented from complying with this Agreement by strikes, lockouts, fires, riots, acts of God, the public enemy, or by cause or causes not under the control of the party thus prevented from compliance, and FPL shall not have the obligation to furnish service if it is prevented from complying with this Agreement by reason of any partial, temporary or entire shut-down of service which, in the sole opinion of FPL, is reasonably necessary for the purpose of repairing or making more efficient all or any part of its generating or other electrical equipment.
18. This Agreement supersedes all previous Agreements or representations, either written, oral, or otherwise between the Customer and FPL, with respect to the facilities referenced herein and constitutes the entire Agreement between the parties. This Agreement does not create any rights or provide any remedies to third parties or create any additional duty, obligation or undertakings by FPL to third parties.
19. In the event of the sale of the real property upon which the facilities are installed, upon the written consent of FPL, this Agreement may be assigned by the Customer to the Purchaser. No assignment shall relieve the Customer from its obligations hereunder until such obligations have been assumed by the assignee and agreed to by FPL.
20. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the Customer and FPL.
21. The lighting facilities shall remain the property of FPL in perpetuity.
22. This Agreement is subject to FPL's Electric Tariff, including, but not limited to, the General Rules and Regulations for Electric Service and the Rules of the FPSC, as they are now written, or as they may be hereafter revised, amended or supplemented. In the event of any conflict between the terms of this Agreement and the provisions of the FPL Electric Tariff or the FPSC Rules, the provisions of the Electric Tariff and FPSC Rules shall control, as they are now written, or as they may be hereafter revised, amended or supplemented.

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

Charges and Terms Accepted:

City of Saint Augustine Beach
Customer (Print or type name of Organization)

By: _____
Signature (Authorized Representative)

(Print or type name)

Title: _____

FLORIDA POWER & LIGHT COMPANY

By: Scot Thrapp
(Signature)

Scot Thrapp
(Print or type name)

Title: FPL LT-1 Representative

**FPL LED Lighting Agreement
11th Street New Streetlights**



LED LIGHTING AGREEMENT

In accordance with the following terms and conditions, City of Saint Augustine Beach (hereinafter called the Customer), requests on this 28th day of October, 2022, from FLORIDA POWER & LIGHT COMPANY (hereinafter called FPL), a corporation organized and existing under the laws of the State of Florida, the following installation or modification of lighting facilities at (general boundaries) 11th Street Streetlights, located in Saint Augustine Beach, Florida.

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

Fixture Description (1)	Watts	Lumens	Color Temperature	# Installed	# Removed
Roadway 7500 L	59	7500+	3K	2	

(1) Catalog of available fixtures and the assigned billing tier for each can be viewed at www.fpl.com/led

Pole Description	# Installed	# Removed
30' Standard Gray Concrete Pole	2	

- (b) Installation and/or removal of FPL-owned additional lighting facilities where a cost estimate for these facilities will be determined based on the job scope, and the Additional Lighting Charges factor applied to determine the monthly rate.
- (c) Modification to existing facilities other than described above or additional notes (explain fully): (2) 6' Arms and (2) 30' Standard Concrete Poles

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

FPL AGREES:

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

THE CUSTOMER AGREES:

- 2 To pay a monthly fee for fixtures and poles in accordance to the Lighting tariff, and additional lighting charge in the amount of \$18.39. These charges may be adjusted subject to review and approval by the FPSC.
3. To pay Contribution in Aid of Construction (CIAC) in the amount of \$1,298.43 prior to FPL's initiating the requested installation or modification.
4. To pay the monthly maintenance and energy charges in accordance to the Lighting tariff. These charges may be adjusted subject to review and approval by the FPSC.
- 5 To purchase from FPL all the electric energy used for the operation of the Lighting System.
- 6 To be responsible for paying, when due, all bills rendered by FPL pursuant to FPL's currently effective lighting rate schedule on file at the FPSC or any successive lighting rate schedule approved by the FPSC, for facilities and service provided in accordance with this agreement
7. To provide access, suitable construction drawings showing the location of existing and proposed structures, and appropriate plans necessary for planning the design and completing the construction of FPL facilities associated with the Lighting System.
- 8 To have sole responsibility to ensure lighting, poles, luminaires and fixtures are in compliance with any applicable municipal or county ordinances governing the size, wattage, lumens or general aesthetics.
- 9 For new FPL-owned lighting systems, to provide final grading to specifications, perform any clearing if needed, compacting, removal of stumps or other obstructions that conflict with construction, identification of all non-FPL underground facilities within or near pole or trench locations, drainage of rights-of-way or good and sufficient easements required by FPL to accommodate the lighting facilities.
10. For FPL-owned fixtures on customer-owned systems:
 - a. To perform repairs or correct code violations on their existing lighting infrastructure. Notification to FPL is required once site is ready.
 - b. To repair or replace their electrical infrastructure in order to provide service to the Lighting System for daily operations or in a catastrophic event.
 - c. In the event the light is not operating correctly, Customer agrees to check voltage at the service point feeding the lighting circuit prior to submitting the request for FPL to repair the fixture.

IT IS MUTUALLY AGREED THAT:

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

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

- 12 FPL will, at the request of the Customer, relocate the lighting facilities covered by this agreement, if provided sufficient rights-of-way or easements to do so and locations requested are consistent with clear zone right-of-way setback requirements. The Customer shall be responsible for the payment of all costs associated with any such Customer-requested relocation of FPL lighting facilities. Payment shall be made by the Customer in advance of any relocation.
Lighting facilities will only be installed in locations that meet all applicable clear zone right-of-way setback requirements
- 13 FPL may, at any time, substitute for any fixture installed hereunder another equivalent fixture which shall be of similar illuminating capacity and efficiency

14. This Agreement shall be for a term of ten (10) years from the date of initiation of service, and, except as provided below, shall extend thereafter for further successive periods of five (5) years from the expiration of the initial ten (10) year term or from the expiration of any extension thereof. The date of initiation of service shall be defined as the date the first lights are energized and billing begins, not the date of this Agreement. This Agreement shall be extended automatically beyond the initial ten (10) year term or any extension thereof, unless either party shall have given written notice to the other of its desire to terminate this Agreement. The written notice shall be by certified mail and shall be given not less than ninety (90) days before the expiration of the initial ten (10) year term, or any extension thereof.
15. In the event lighting facilities covered by this agreement are removed, either at the request of the Customer or through termination or breach of this Agreement, the Customer shall be responsible for paying to FPL an amount equal to the original installed cost of the facilities provided by FPL under this agreement less any salvage value and any depreciation (based on current depreciation rates approved by the FPSC) plus removal cost.
16. Should the Customer fail to pay any bills due and rendered pursuant to this agreement or otherwise fail to perform the obligations contained in this Agreement, said obligations being material and going to the essence of this Agreement, FPL may cease to supply electric energy or service until the Customer has paid the bills due and rendered or has fully cured such other breach of this Agreement. Any failure of FPL to exercise its rights hereunder shall not be a waiver of its rights. It is understood, however, that such discontinuance of the supplying of electric energy or service shall not constitute a breach of this Agreement by FPL, nor shall it relieve the Customer of the obligation to perform any of the terms and conditions of this Agreement.
17. The obligation to furnish or purchase service shall be excused at any time that either party is prevented from complying with this Agreement by strikes, lockouts, fires, riots, acts of God, the public enemy, or by cause or causes not under the control of the party thus prevented from compliance, and FPL shall not have the obligation to furnish service if it is prevented from complying with this Agreement by reason of any partial, temporary or entire shut-down of service which, in the sole opinion of FPL, is reasonably necessary for the purpose of repairing or making more efficient all or any part of its generating or other electrical equipment.
18. This Agreement supersedes all previous Agreements or representations, either written, oral, or otherwise between the Customer and FPL, with respect to the facilities referenced herein and constitutes the entire Agreement between the parties. This Agreement does not create any rights or provide any remedies to third parties or create any additional duty, obligation or undertakings by FPL to third parties.
19. In the event of the sale of the real property upon which the facilities are installed, upon the written consent of FPL, this Agreement may be assigned by the Customer to the Purchaser. No assignment shall relieve the Customer from its obligations hereunder until such obligations have been assumed by the assignee and agreed to by FPL.
20. This Agreement shall inure to the benefit of and be binding upon the successors and assigns of the Customer and FPL.
21. The lighting facilities shall remain the property of FPL in perpetuity.
22. This Agreement is subject to FPL's Electric Tariff, including, but not limited to, the General Rules and Regulations for Electric Service and the Rules of the FPSC, as they are now written, or as they may be hereafter revised, amended or supplemented. In the event of any conflict between the terms of this Agreement and the provisions of the FPL Electric Tariff or the FPSC Rules, the provisions of the Electric Tariff and FPSC Rules shall control, as they are now written, or as they may be hereafter revised, amended or supplemented.

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

Charges and Terms Accepted:

City of Saint Augustine Beach
Customer (Print or type name of Organization)

By: _____
Signature (Authorized Representative)

(Print or type name)

Title: _____

FLORIDA POWER & LIGHT COMPANY

By: Scot Thrapp
(Signature)

Scot Thrapp
(Print or type name)

Title: FPL LT-1 Representative

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager 

DATE: November 3, 2022

SUBJECT: Code Enforcement: Continuation of Discussion of Request to Hire Second Code Enforcement Officer

INTRODUCTION

At your October 3, 2022, meeting, Mr. Law asked you to approve the hiring of a second Code Enforcement Officer with the salary and benefit costs for the Officer being paid by an increase in the yearly transient or vacation rental license fee. The focus of your discussion was whether the vacation rental fees should pay the entire cost of the second Officer. The outcome of your discussion was for Mr. Law to provide information concerning the number of calls the Code Enforcement Officer now makes and a recommendation concerning how to pay for the costs of the second Officer. These costs will be \$69,729 for salary and benefits.

ATTACHEMENTS

Attached for your review is the following information:

- a. Pages 1-6, the minutes of that part of your October 3rd meeting.
- b. Page 7, a memo Mr. Law provided for your October 3rd meeting.
- c. Page 8, the vacation rental fees charged by St. Augustine, Palm Coast, Parkland, and Flagler County.
- d. Page 9, information from Mr. Law in response to your October 3rd discussion.
- e. Pages 10-12, a report of responses to calls by the current Code Enforcement Officer for FY 22 (October 1, 2021, to September 30, 2022).
- f. Page 13, the cost of inspections and the revenue provided by various levels of vacation rental inspection fees.
- g. Pages 14-15, which show vacation rental rates in our area.

- h. Pages 16-17, a memo from the Code Enforcement Officer, Mr. Gil Timmons, stating the Code Enforcement Board's vote at its October 19th meeting in support of a second Code Enforcement Officer, and a summary of the Board's request to the City Commission to consider at its November meeting the hiring of the second Officer and increasing the annual transient rental inspection fee to \$450.00.
- i. Pages 18-35, the minutes of the Board when it recommended the second Code Enforcement Officer.

POINTS TO CONSIDER

1. The current Code Enforcement Officer will be away on Family Medical Leave.

Starting in April 2023, the current CEO will be taking six weeks of Family Medical Leave and possibly additional sick leave because he and his wife will have a new baby. Without a second Code Enforcement Officer, there will be no City employee to respond to code enforcement complaints and prepare cases for consideration by the Code Enforcement Board.

2. With only one Code Enforcement Officer, the Code Enforcement Division has no depth, i.e., no one who can investigate code complaints when the current Officer is absent because of sickness or to take a well-deserved vacation.
3. A second Officer can handle non-vacation rental complaints and other City Code issues during the time each year when the current Officer must devote his attention to doing vacation rental inspections when the licenses for them are up for renewal.
4. Code Enforcement a major focus

Before Mr. Law was hired in late 2017, code enforcement was not one of the Building Department's main activities. Under his re-organization of the department, code enforcement became a separate division, and an employee was hired and trained to provide full time attention to code enforcement. This has resulted in quicker and more thorough responses to residents' complaints about possible code violations. A second Officer will provide the continuity and backup needed to ensure that residents' complaints are properly and expeditious handled.

5. Preparation of code violation cases requires due process, time, and uninterrupted attention

As code enforcement involves government oversight and regulation of private property, Mr. Law won't allow a code complaint to be brought to the Code Enforcement Board until all due process steps to obtain voluntary compliance have been taken and the facts of the case have been thoroughly researched to support the action recommended by the Code Enforcement Officer. Such efforts require time and attention that a single Code Enforcement Officer cannot be expected to provide when there are a number of code complaints competing for his or her attention.

ACTIONS REQUESTED

They are:

- It is that you discuss Mr. Law's request for a second Code Enforcement Officer
- That you authorize the hiring of him or her.
- That you approve funding the position by increasing the vacation rental inspection fee from \$125 a year to \$500 a year. This will help make the Code Enforcement Division self-sufficient and reduce the reliance of the Division for money from the General Fund to pay expenses.

On page 13, Mr. Law shows the full-time salary and benefit costs as being \$69,729, with the \$500 vacation rental inspection fee bringing in \$118,500 a year. The revenue between \$69,729 and \$118,500 will be used to pay expenses such as fuel for a vehicle for the two Officers, copying and postage charges, plus allow the setting aside in a reserve savings to pay for a new vehicle when the current one must be replaced.

As you can see from pages 14-15, a yearly \$500 vacation rental inspection will not burden vacation rental owners that can charge throughout the year significant rates for rooms or facilities rented by the night or week.

9. Code Enforcement: Request for Approval to Hire Second Code Enforcement Officer (Presenter: Brian Law, Building Official)

Building Official Law advised that this was discussed several months ago at the individual budget meetings, that by the time the need arose, he could not go back and change the budget. He said that he sees an opportunity to pay for a second Code Enforcement Officer out of the transient rental program because people want more Code Enforcement. He said that it is very problematic to only have one employee in a division, Mr. Timmons is overworked right now, and he would be taking FMLA leave soon. He provided a slide chart depicting the current rate of \$125 per unit along with other figures. He said that he also included other surrounding jurisdictions which shows that the numbers are all over the place, but they do demonstrate that the City is not charging what the neighboring communities are, with the exception of Palm Coast. He advised that he could house them on his side, he has extra computers, and could make this happen. He advised that if the Commission decides to do this that he would come back in December with a resolution to amend the City's fee schedule to whatever is decided, the Finance Director would amend the budget, and he would ask for a thirty-day moratorium on any increase, that way someone could appeal if they choose to, and to honor the current rate for the renewal period. He said that not everyone renews their Business Tax Receipts (BTRs) at the same time and transient rentals are late in the fiscal year. He advised that when we get through this current renewal period, we will hit a lull with the stragglers, but it would start up again with the next fiscal year's renewals in August and then he would have four to eight inspections a day, which does not leave much time for other Code Enforcement issues. He said that we must inspect the buildings unless the Commission were to decree that the buildings did not need to be inspected, but that he would strongly recommend that they continue to be inspected.

Mayor Samora asked what the fee increase would need to be to cover the cost of another Code Enforcement Officer. Building Official Law advised that Finance provided a number for the starting salary, full medical, etc. and that this is a General Fund account. He said that \$500 per year/per unit would definitely cover it all.

Commissioner George asked if the need would be there if the ordinance does not pass. Building Official Law said that there is more Code Enforcement that could be done outside of transient rental inspections, such as helping the Public Works Department with the rights-of-ways violations, illegal construction, helping Finance with overdue payments, etc. Commissioner George asked if a part-time position would be a sufficient option. Building Official Law commented it would need to be a full-time position and that he has no doubt that two Code Enforcement Officers are needed.

Commissioner Sweeny said that during past discussions, the Commission heard complaints about unlicensed transient rentals and a lot of Code violation issues, and she asked if this new position would help to better regulate the rentals. Building Official Law advised yes, and not just with the transient rentals. He said that it is harder and harder to find illegal transient rentals because they have gotten a lot smarter over the years and it could take weeks to generate a case because we cannot use someone else's pictures for the Code Enforcement Board.

Commissioner England said that his reports indicated that most Code violations were for not getting a permit. Building Official Law advised that that is usually a double-edged sword because we work between Code Enforcement and the Building Inspector and if a permit is not obtained then the eventual route would be the Code Enforcement Board.

Commissioner England asked if this would help move the cases along that seem to linger. Building Official Law said yes and that we could take the workload and divide it in half. He would like to get to the point of only sending one notice letter and if they do not comply then they would get a letter to appear with legal advertising. He said that whether they comply or not, that once it is advertised, he requires that they come before the Code Enforcement Board because the Chair may require that the City be reimbursed for the legal advertising.

Mayor Samora opened Public Comments.

Amanda Rodriguez, 32 Versaggi Drive, St. Augustine Beach, FL, said this is related to her first comment and that it is very hard to enforce the Code; Alvin's does not feel that the City can enforce it and that there are consequences; whether there are one or two officers that they need to have the authority, resources, and tools; Mr. Timmons asked for a citation and did not get it; it should have been resolved in ten days but took six weeks; the lights are back on and that asking nicely again would not happen; things cannot just sit until someone feels like complying.

Mayor Samora closed Public Comments.

Mayor Samora asked if Building Official Law feels that the Code Enforcement Officer has the authority that he needs to enforce properly. Building Official Law advised that this jurisdiction utilizes a Code Enforcement Board and that staff does not have the power to issue monetary fines, nor does he believe that it should be something that one individual staff member has the power to do, that should be handled by a panel of their peers. He advised that he has the authority to call an emergency Code Enforcement Board meeting and that he actually called for one today for a noncompliant fence. He said that he believes that they have the necessary tools and have been pretty successful with their limited staffing. He said that they have done a lot of things but that they want to do more, and the transient rentals are an avenue to generate some of the revenue.

Commissioner George asked about after hours issues, especially for the transient rentals because people feel like there is no enforcement after hours. She said that she expects that this would not change that, and she asked for suggestions. Building Official Law said that the Code gives the City Manager the right to remove a BTR, but that he would still recommend that it goes to the Code Enforcement Board so that it is not an individual affecting someone's business. He said that the police are staffed twenty-four hours a day and if there is a verifiable noise complaint that gets logged by a police officer, then Code Enforcement would contact the owner/property manager. He advised that if the complaint happens again then he would probably want to convene the Board. He said that he would caution against any one person having the ability to remove a BTR especially for transient rentals with a finite number.

Commissioner George asked if Board action could be taken based upon someone calling a report to the police. Building Official Law no. Commissioner George said that the police would have to verify the issue. Building Official Law said yes and that it was one of the big changes recently with anonymous complaints, which went away for this reason. He advised that he would want three verifiable complaints. He said that if the Commission allows for another Code Enforcement Officer that they work standard hours, or it would defeat the purpose.

Commissioner George asked how much of the new Officer's time would be spent on transient rentals vs. all the other things. Building Official Law advised that vacation rentals during this time of the year are normally one of the busiest things done and the inspections would be split once the new person is trained. He said that he would offer an internal hiring position for a few weeks, and he would want to get through the transient rental inspections before he brought in someone new because of the training.

Commissioner George said that her concern is that she would not want to fund both Code Enforcement Officers with just the short-term rental program and she is trying to get a feel for what that ratio might be. Building Official Law advised that the transient rentals are twelve-months because we regulate the amount allowable and the illegal rentals, which occur every month with the majority happening August through year end. Commissioner George asked if it would be a quarter of the year or a third of the year. Building Official Law advised that there is no way to quantify that question because Code Enforcement is complaint driven, especially with the success of the Resident Self-Service Portal. Commissioner George asked if the one Code Enforcement Officer is handling all the transient rental inspections as well as all the other Code Enforcement issues. Building Official Law said yes.

Vice Mayor Rumrell suggested that \$300-\$350 range would probably cover the full cost of another Code Enforcement Officer based on the new number because it looks like \$300 is about \$68,100 and we need to get to \$73,416. Commissioner George advised that that would be tripling the existing fee and that among the two Officers, 75% would not be going towards just the vacation rentals, and that it should be a benefit to the entire City. Mayor Samora said that he would not want to burden the transient rentals with the entire cost. Commissioner George said yes and that there should be a happy medium and that if the City's fees are too low then they should be adjusted and we have not talked about whether there would be a tiered system based on size, etc. Building Official Law advised against a tiered system based on limited staffing because every tier would be another line item for Finance. Commissioner George said that if there is three times the square footage that they would spend more time on that property. Building Official Law advised that he has a small staff in all divisions, and he would not want to complicate the fee schedules. Commissioner George said that by adding staff there would presumably be a lot more work. Building Official Law advised that a Code Enforcement Officer would not be doing that line of work. He advised that the fee schedules were based on the City of St. Augustine and the County because they are our neighbors.

Mayor Samora advised that the Commission needs to give Building Official Law some direction and would not be approving anything today. Building Official Law advised that he is asking if the Commission has the will to hire another Code Enforcement Officer and if so, to decide what an inspection cost would be because then he would have to amend the City's fee schedule, prepare a resolution, and amend the budget that was just adopted, which is why he would not bring it until December.

Mayor Samora asked for Commissioner discussion and advised that he liked the suggestion of a part-time Code Enforcement Officer. He believes that the City needs more than one and does not like the fact that there is no backup person, whether it be full-time or not.

Commissioner England suggested that the person should start out as a part-time Code Enforcement Officer and a part-time floater to do other things within the Building Department. Building Official Law

advised that could not be done because he runs three independent budgets, and the training could not be correlated between the two. Mayor Samora said that the Code Enforcement budget is one person. Building Official Law advised that he gets a portion of it because if he were not compensated then it would violate the 553 Statute of using Building Department revenue for other City purposes.

Vice Mayor Rumrell advised that there is the need especially if Mr. Timmons is going to be out on FMLA for six weeks and the City would have no one, whether it be part-time or full-time. He said that he looks at it as a business and some of the transient rentals are making \$300 a night. Commissioner George said that some are only making \$50 a night. Vice Mayor Rumrell asked how to balance that. He said there has to be a happy medium but that it sounds like we need somebody. Building Official Law advised that about two years ago there was a part-time Code Enforcement Officer in the past, but that he was still entitled to time off and that part-time is not going to suit the needs of the City.

Commissioner George asked what the other funding mechanism is for the Code Enforcement position. Building Official Law advised that the purpose of the Code Enforcement Board is not to generate revenue, it is to bring compliance, but that the Board does have a significant outstanding fine and that he believed that the Board had ordered the foreclosure on that property. City Attorney McCrea said yes that the foreclosure had been ordered but that there are still some steps to be done. Building Official Law advised that this is not the desired outcome.

Mayor Samora asked outside of fines what are other mechanisms would be used for funding. Building Official Law advised that it is funded by the General Fund and that transient rental inspections currently generate around \$28,000.

Commissioner England said that based on the report, the cases, plus the inspections, that she did not see how one person could do the job. Building Official Law advised that he would also love to be able to help other divisions such as the City Clerk's office and the Public Works Department and with an additional Officer they would be able to make contact and begin the process and if they do not get compliance then the full Code Enforcement mechanisms would begin, and the first thing would be to educate the citizens.

Vice Mayor Rumrell asked if any of the BTRs from transient rentals could go to Code Enforcement. Building Official Law advised that he looks at it in the bigger picture because it is all the General Fund and that is why he fought so hard years ago to break that division away and have the three individual divisions and three individual budgets.

Commissioner George asked if it would be okay for their funding if this individual were to do things other than Code Enforcement. Building Official Law advised that he never asks Code Enforcement to anything outside of Code Enforcement, but they do a lot of assistance with the Planning and Zoning Division. Commissioner George advised that Building Official Law stated that the new person would be able to help the City Clerk, etc. and she questioned whether that would be considered non-Code Enforcement activity. Building Official Law advised no because failure to renew a BTR and continuing to operate becomes a Code Enforcement event. Commissioner George said that the General Fund is another funding source for Code Enforcement. Building Official Law advised that he would default to the Finance Director, but that is how he understands it.

An audience member asked to make another comment. Mayor Samora advised that Public Comments have been closed and City Attorney McCrea advised not to take additional comments. Mayor Samora advised that the comments would not be taken on the advice of the City Attorney.

Mayor Samora said that it sounds like the City needs another Code Enforcement Officer, but that he does not necessarily want to triple the transient rental fees and that he would like to see it come back with a resolution and a recommendation of where Building Official Law feels the transient rental fee would need to be. He suggested providing information about other duties and/or a definition of what they would assist the City with. Building Official Law advised there isn't really any more information to provide and that the Code Enforcement Officer is the Officer for the City and that they enforce the entirety of the Land Development Code and City Code and operate outside of the Planning and Zoning Board and essentially operate outside of the City Commission. He advised that they operate to the Code Enforcement Board and that their job is to enforce any and all code as written. He advised that \$400 would be needed for the transient rental fee and that it is \$300 just for an application with the County.

Commissioner George said that she does not have a problem having additional Code Enforcement, but she has concerns for burdening one small segment of the community and doing it in a way that would not be representative of all the transient rentals. She said that she would be more comfortable with a tiered system and if an oceanfront home is undervalued than it should be charged more but not to triple it. She said that we cannot do it with the BTRs, which are only allowed a 5% max increase because it would be impacting the business owner. She is not opposed to hiring another officer but that they would need to figure out where the money is coming from. Mayor Samora asked for clarification regarding the 5% BTR increase. City Clerk Fitzgerald advised that the 5% increase could only be done every two years. Commissioner George said that this is not a BTR it is a BTR inspection fee. Building Official Law advised that there are three fees that go with BTRs. Commissioner George said that she is just using it as an analogy and that it is kind of similar. Building Official Law said that he has no problem with a tiered system, he could come up with something to make it work, and it would be based on the Property Appraiser's site.

Commissioner George asked if some cities hire out Code Enforcement. Building Official Law advised that the economy is really good right now and there are not a lot of people sitting around waiting to come and do a very hard job. Commissioner George said that she remembers once that the City hired from St. Augustine, or the County, to fill in during vacancy periods. Building Official Law said to try to bring someone in to learn two new books of codes and the way this government works is not viable. Commissioner George asked if the City has ever had more than one. Building Official Law said no but that he could only speak for the last five years. Commissioner George asked the City Manager if the City has ever had to bring someone in for such things as medical leave, etc. City Manager Royle advised that medical leave has been used more recently than in the past but that he does remember the City being loaned a Building Inspector once when things were a lot simpler. He said that his concern is that when Mr. Timmons goes on FMLA leave that there would be no one to do Code Enforcement. Commissioner George said that we all agree that it is a real concern. City Manager Royle said that he lives in a neighborhood with a transient rental that is a duplex, and it is well maintained and there is never a problem. He said that he does not know what they charge but that they are obviously making money. Commissioner George said that if it is rented every weekend that they are probably making the equivalent of a long-term rental or less.

Commissioner England asked the Commission to focus first on whether we all agree that we need another Code Enforcement Officer and then talk about how to fund it. Commissioner Sweeny said that if the Commission does not approve another position then what would be done to cover it. Building Official Law advised that you would not have any Code Enforcement, that you cannot ask the Building Official to go out and do Code Enforcement because we are already getting dinged on Federal audits because staff is doing too many building inspections. He said that this is what happens when you have a one-man division. Commissioner George said that by splitting the divisions and increasing medical leave, we have created a situation where we have to have even more overhead. Building Official Law said yes, but that Mr. Timmons could also get hurt at any time.

Mayor Samora advised that it is never good to have just one person and that the need is there whether it would be full or part-time. He said that he would like to see the number of calls coming in brought back next time. He said that he thinks the Commission needs to move this forward and to bring it back in a resolution with a funding proposal. Building Official Law advised that he is ok adopting the City's fee schedule and that he would hate to write a resolution to just tear apart the financial number. Mayor Samora asked Building Official Law to take a stab at covering the costs and that the Commission needs to have more discussion about it. Building Official Law said that for future comments for the month while the Commission dwells on it that he would bring it back with a \$400.00 inspection fee to cover the cost.

Mayor Samora moved on to Item XIII.10.



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Code Enforcement Officer

DATE: 9-19-2022

Currently the City employs one Code Enforcement Officer, Mr. Gil Timmons. Mr. Timmons has been employed since August 3, 2020. The current workload for the code enforcement has exceeded what is possible for one individual to perform correctly and efficiently. The immense workload will more than likely lead to employee fatigue. The transient rental program currently includes approximately 230 unit inspections per year during the business tax renewal period. This volume of inspections leaves the code enforcement officer with little to no time to continue normal code enforcement duties. There is no additional support for the code enforcement division in the event of FMLA leave, vacation, separation of employment, etc., to continue code enforcement operations. At recent city commission meetings, several citizens have mentioned the lack of enforcement regarding the short term transient rentals that are legally and illegally in the city. One potential solution to address this issue and provide the city with an adequately staffed code enforcement division is to increase the transient rental fee annual inspection fees to a value commensurate with the surrounding jurisdictions. Attached to this memo is a unit inspection sheet with different costs per inspection and short term rental fees from surrounding jurisdictions.

I ask that the City Commission consider increasing the transient rental fees for the annual inspection to fund the additional code enforcement officer for the city. In the event the City Commission decides to increase fees to hire a second code enforcement officer a resolution to adjust the fee schedule to include the updated fee decided upon by the City Commission would be presented at the December 5th meeting with a 30 day moratorium. In addition to this resolution the Finance Director would need to prepare a budget resolution to amend the adopted budget for the additional staff.

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

St. Augustine, FL :

Registration Fees

The City Commission adopted the following *tiered rate fee schedule* with Resolution 2020-27: a Base Rate of \$294.48 + \$73.81 per rental bedroom. A late renewal fee is \$100 and re-inspection fee is \$50.

- Studio* - \$294.48
- One Bedroom - (\$294.48 + \$73.81) = \$368.29
- Two Bedrooms - (\$294.48 + \$147.62) = \$442.10
- Three Bedrooms - (\$294.48 + \$221.43) = \$515.92
- Four Bedrooms - (\$294.48 + \$295.24) = \$589.73
- Five or more Bedrooms - (\$294.48 + \$369.05) = \$663.54

* - Studio/Efficiency spaces are limited to 2 occupants. A studio/efficiency is "A dwelling unit containing only one habitable room."

Registration is required annually. What is the registration period?

The registration period follows our fiscal year, October 1 - September 30. Renewals are to be submitted by October 1st each year, or a late renewal fee of \$100 will be assessed.

If a new registration is submitted outside of the October 1st deadline for renewals, registration fees will not be prorated.

Palm Coast, FL:

The cost of registering residential properties is \$5.00 per unit. A single family dwelling is one unit and a duplex dwelling is two units.

Flagler County:

Initial: \$400.00 ◦ Renewal: \$200.00 ◦ Transfer: \$50.00 ◦ Modifications: \$50.00

The owner is required to obtain an annual short-term vacation rental certificate for each dwelling unit

Parkland, FL:

Vacation Rental Registration Certificate

\$500.00 application fee

\$100.00 re-inspection, no-show inspection



City of St. Augustine Beach Building and Zoning Department

TO: Max Royle

FROM: Brian Law

SUBJECT: Requested information from FY'22 Code Enforcement Officer

DATE: 10-7-2022

Max

Please see information requested below:

Approximate quantity of code enforcement activities:

- Transient Rental inspections for FY'22: 251
- Tree Inspections for FY'22: 18
- Code Enforcement requests outside the resident self-service portal: 33
- Code Enforcement requests through resident self-service portal: 7
- Code Board Meetings FY'22: 5

Typical time frames associated with code enforcement activities:

- A typical transient rental inspection including the application review, updating software and performing the inspection is about 2 hours.
- A typical tree inspection is approximately 1 hour.
- Code Enforcement has no approximate time to demonstrate compliance as they are dependent on the willingness of the resident to comply with the minimum city codes.

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

October 7, 2022
09:53 AM

CITY OF ST. AUGUSTINE BEACH
Permit Activity Report Totals

Page No: 1

Range: First to Last
Activity Date Range: 10/01/21 to 09/30/22 Activity Type Range: T-TREE REMOVAL to T-TREE REMOVAL
Range of Building Codes: First to Last

Application Id	Parcel Id	Property Location		Owner Name		Phone	Permit No
Building Code	Activity Type	Inspector	Date	Start Time	End Time	Actual Time	Status

Activity Type Totals:

T-TREE REMOVAL: 18

Building Code Totals:

TREE: 18

Total Activities: 18

Total Permits: 18

Inspector Totals:

GIL T: 17

GLENN: 1

October 7, 2022
09:51 AM

CITY OF ST. AUGUSTINE BEACH
Rental Activity Report Totals

Page No: 1

Range: First to Last
Activity Date Range: 10/01/21 to 09/30/22 Activity Type Range: TLF-INSPECTION to TLF-RE-INSP Range of Rental Types: First to Last

Rental Id	Parcel Id		Property Location	Owner Name				Phone
Activity Type	Inspector	Date	Start Time	End Time	Actual Time	Status	Rental Type	

Activity Type Totals:

TLF-INSPECTION: 247 TLF-RE-INSP: 4

Total Activities: 251 Total Rentals: 148

Inspector Totals:

GIL T: 245

JENNIFER: 6

October 7, 2022
11:16 AM

CITY OF ST. AUGUSTINE BEACH
Rental Activity Report Totals

Page No: 1

Range: First to Last Range of Rental Types: First to Last
Activity Date Range: 10/01/21 to 09/30/22 Activity Type Range: TLF-INSPECTION to TLF-RE-INSP
Statuses: PASS, PASS REINSPECT
Inspector Id Range: First to Last

Rental Id	Parcel Id	Property Location		Owner Name	Phone	
Activity Type	Inspector	Date	Start Time	End Time	Actual Time	Status

Activity Type Totals:

TLF-INSPECTION: 233 TLF-RE-INSP: 4

Total Activities: 237 Total Rentals: 144

Inspector Totals:

GIL T: 231
JENNIFER: 6

UNITS		UNIT INSPECTION COSTS				
COST PER UNIT		\$125.00	\$250.00	\$300.00	\$400.00	\$500.00
TOTAL UNIT INSPECTIONS	237 (FY 22 statistics pass or pass reinspect)	\$29,625.00	\$59,250.00	\$71,100.00	\$94,800.00	\$118,500.00
DIFFERENCE IN REVENUE		\$0.00	\$29,625.00	\$41,475.00	\$65,175.00	\$88,875.00

EXISTING CODE ENFORCEMENT OFFICER PROJECTED SALARY AND BENEFITS IS \$69728.92

ADDITIONAL EMPLOYEE WITH MAX BENEFITS IS APPROXIMATELY \$73,416 INCLUDING FULL FAMILY INSURANCE FRS AND TAXES STARTING SALARY AT \$42,450

TOTAL STAFFING FOR TWO CODE ENFORCEMENT OFFICERS IS \$143,144.92

Max Royle

From: Dariana Fitzgerald
Sent: Tuesday, October 18, 2022 1:21 PM
To: Max Royle
Subject: FW: Vacation Rental Rates

If you have any additional questions, feel free to contact me.

Dariana A. Fitzgerald, CMC
City Clerk
City of St. Augustine Beach
2200 A1A South, St. Augustine Beach, FL 32080
(904) 471-2122; FAX (904) 471-4108
www.staugbch.com

***PLEASE NOTE:** Under Florida law, most communications to and from the City are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. (F.S. 668.6076)*

From: Melissa Keenan <jkeen@cityofsab.org>
Sent: Monday, October 17, 2022 8:45 AM
To: Dariana Fitzgerald <dfitzgerald@cityofsab.org>
Subject: RE: Vacation Rental Rates

Dariana,

This is what I sent Max last week on vacation rentals for this area. It varies from the length of stay and time of year. This there something he's looking for in more detail than this?

Max,

I've looked up several local vacation rentals and here is what I found.
Most require several nights of stay and won't allow one-night rentals.

Endless Summer Vacation Rentals

521 A1A Beach Blvd
Dates: October 16 – October 22
Price Range: \$1140.00 Weekly (\$190.00 a night) - \$2353.00 Weekly (\$392.00 a night)

Island South Vacation Rentals

620 A1A Beach Blvd
Date: October 16 – October 22
Price Range: \$1410.00 Weekly (\$235.00 a night)

Vacasa Vacation Rental Management

30 E Magnolia Ave

Date: October 16 – October 22

Price Range: \$1001.54 Weekly (\$166.92 a night)

Date: June 4 – June 10

Price Range: \$4745.00 Weekly (\$790.83 a night)

Airbnb

Date: October 16 – October 22

Price Range: From \$97.00 to \$275.00 per night

Date: June 4 – June 10

Price Range: \$122.00 to \$499.00 per night

From: Dariana Fitzgerald <dfitzgerald@cityofsab.org>

Sent: Monday, October 17, 2022 8:30 AM

To: Melissa Keenan <jkeenan@cityofsab.org>

Subject: Vacation Rental Rates

Can you look at vacation rental sites like VRBO, AirBnB, etc. and see what kind of rates people are charging for this area? Max is looking for it since the Commissioners brought it up.

If you have any additional questions, feel free to contact me.

Dariana A. Fitzgerald, CMC

City Clerk

City of St. Augustine Beach

2200 A1A South, St. Augustine Beach, FL 32080

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MEMO

To: Max Royle, City Manager; Jacob McCrea, City Attorney
From: Gil Timmons, Code Enforcement Officer
Subject: Hiring of Additional Code Enforcement Officer
Date: Monday, October 24, 2022

Please be advised that at the City of St. Augustine Beach Municipal Code Enforcement Board meeting held Wednesday, October 19, 2022, a quorum of the Code Enforcement Board voted 5-0 with the motion made by Mr. Sweeny and seconded by Mr. Pritchett to generate a letter in support of the hiring of an additional code enforcement officer to be supplemented by an increase in the annual transient rental inspection fee to \$450.00.



City of St. Augustine Beach

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CITY MGR. (904) 471-2122
FAX (904) 471-4108

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

October 25, 2022

City of St. Augustine Beach City Commissioners,

On 10/19/2022, the Code Enforcement Board Convened. A quorum of five members sat for the meeting and heard various agenda items. The second agenda item was in regard to a request for the addition of a second code enforcement officer. The item was presented by staff member Brian Law.

After presentation, the board asked for public comment and had a board discussion. Upon the conclusion of comment and discussion a motion was made and seconded to recommend City Attorney Jacob McCrea draft a recommendation letter to the City Commission. The recommendation is as follows:

Support of the hiring of an additional code enforcement officer to be supplemented by an increase in the annual transient rental inspection fee to \$450.00

After the motion was seconded a vote was held and passed unanimously by the Board. Each of the Board members in the quorum approves and hereby request the Commission consider the agenda item during the November Commission meeting.



MINUTES

MUNICIPAL CODE ENFORCEMENT BOARD MEETING

Wednesday Oct 19th, 2022, 2:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080

I. CALL TO ORDER

Chairman Kevin Mr. Sweeny called the meeting to order at 2:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairman Kevin Mr. Sweeny, Vice-Chair Ed Pritchett, Marshall Schneider, Nick Binder, Berta Odom

STAFF PRESENT: Code Enforcement Officer Mr. Timmons, Building Official Mr. Law, City Attorney Mr. McCrea, Recording Ms. Pierotti Ms. Pierotti

IV. APPROVAL OF MINUTES OF May 25th, 2022, MEETING

Motion: to approve the minutes of the June 29th, 2022, meeting. **Moved** by Mr. Prichett, seconded by Mr. Binder **passed 5-0** by unanimous voice-vote.

V. NEW BUSINESS

- A. Notice to Appear issued to Kuhlmann Christopher, property owner of parcel 1668800000 for notice of violation **2018 International Property Maintenance Code (IPMC) Sec. 304.2: Protective treatment**
- B. Discussion of the proposed addition of a second Code Enforcement Officer.

Mr. Sweeny: new business, a notice to appear was issued to Kuhlmann, Christopher, property owner, and is in violation of the 2018 International Property Maintenance Code, Section 304.2. Mr. Timmons, will you be handling this one?

Mr. Timmons: Yes, sir.

Mr. Sweeny: Mr. Timmons, you are recognized.

Mr. Timmons: Thank you, Sir. Good afternoon, Board. So, as you can see, I have taken the liberty to put dates on these pictures for you. The pictures themselves have detailed dates on them, but I just went ahead and made it easier and just put it on there with Adobe. You can see the range that this has been going on. So, it first started about a year ago on

December 29. It is when the first notice went out. And then there are some pictures of the fence from the neighbor's yard. I spoke to the neighbor recently, and he's the one that put up the post there to try and prevent the fence from falling. I know there are page numbers on here, but it's very hard to distinguish. For some reason, it makes it very small. But it goes all the way back to June. There were some pictures in June, and then recently. So recently is when I put out the notice of violation and gave them time to fix the issue, which would be October 1st. Since it was not completed by the 1st, that is when we did the notice of summons to the code board and have them appear before you all here. And that's kind of where we're at. There's been enough reaching out and notice that there is a violation, but unfortunately, the issue still exists, so we had to come here.

Mr. Sweeny: Thank you, Mr. Timmons. Members, any questions for Mr. Timmons? Okay. Seeing none, Mr. Timmons, are you complete at this point?

Mr. Timmons: I'm all set.

Mr. Sweeny: Okay. Sir, I'll need your name and address for the record.

Christopher Kuhlmann: Christopher Kuhlmann. 499 Acacia Street.

Mr. Sweeny: Okay. You're recognized, please.

Mr. Kuhlmann: Yeah, I received this, and as ironic as this is going to sound it has no stamp on it. That's how I got it. Everything else, there are a few other items that I did receive from you, I believe, on the garage. I got that copy as well. I never got anything else. As far as my neighbor was concerned, she was satisfied with the posts that were on that side because I own that side of the property too. Now, I'm not saying it's in disrepair after this last hurricane...

Mr. Schneider: You're talking to the board, not to the...

Mr. Kuhlmann: Yes. I apologize. It's in need of repair. After this last hurricane, for sure. But she had no issue with it on the other side with the post being put... She had no issues with it. She had more of an issue with the tree that's dead in the side of the yard. I have a series of health issues. My wife has cancer, so that's a little bit of a setback for me and some personal issues. But I have area interest in having the fence repaired. The one copy that I have, and I don't have it with me. My wife had it. I don't know where it is. It was a request to tear it down. The problem I have with that is that's very vague, just blatantly state tear it down without any intention to say, "Hey, take a look at it, see what needs to be repaired, and then proceed forward from that point of view." So, I think the best forum is here so that you as a board can establish what needs to be done specifically. And I would be willing to comply without question.

Mr. Sweeny: Okay. Mr. Schneider, you are recognized.

Mr. Schneider: When did you first know about this?

Mr. Kuhlmann: Know about the fence?

Mr. Schneider: Yeah. Don't you live there?

Mr. Kuhlmann: Yes, of course, I do.

Mr. Schneider: Do you see that the fence was falling down?

Mr. Kuhlmann: Well, it's not falling down. I think that's very vague. It hasn't fallen down. It's in a state of disrepair. I'm not stating that it's not. What I'm stating is that...

Mr. Schneider: Well, what's the difference between a fence leaning and a fence falling down?

Mr. Kuhlmann: A fence falling down is on the ground.

Mr. Schneider: Or on the way down, right?

Mr. Kuhlmann: Well, it's possible, yes.

Mr. Schneider: Okay, so when did you first get a notice from the city about this problem?

Mr. Kuhlmann: First time I ever got a notice may have been...

Mr. Schneider: A year ago, almost.

Mr. Kuhlmann: It may have been. Here's the thing I don't always get as strange as this sounds. A lot of my mail ends up going to 49 Florida Avenue, and sometimes Mr. Kochanski used to bring that mail to me. And it got so bad at one point we just said we'll send it back to the post office, and maybe get it. Only the other day did I get a copy.

Mr. Schneider: I don't want to hear about the post office. I don't want to hear about that. You've been notified about this a year ago, correct? Almost a year ago.

Mr. Kuhlmann: My wife had contacted. I don't know who she contacted. And he said, "Don't worry about it." In fact, that's what I understand.

Mr. Schneider: Okay, so this problem has been ongoing for at least ten months if not longer.

Mr. Kuhlmann: Well, I don't know what you mean by an ongoing. What's ongoing?

Mr. Sweeny: Well, let me help. Here's why it's ongoing. I see by my pictures that have been provided by staff that you got the first notice and it's on your garage. It has nothing to do with a mailbox on December 29, 2021, it appears you got another one on your garage, and it looks like your car was there, or someone's car is there on June 23, 2022. There's another one. Okay, so you obviously were made aware of a problem...

Mr. Kuhlmann: That looks like my car. And that's possible that my wife contacted somebody here.

Mr. Sweeny: Okay, hold on. I'm going to get there. Let me help you. Let me try to help. So, Mr. Timmons, do we have or anybody on staff who can answer this? Do we have anything noted where the claimant or his wife contacted City Hall?

Mr. Timmons: No, I personally have not made any contact.

Mr. Sweeny: But do we have anything on record where this gentleman or his wife called City Hall?

Mr. Timmons: No.

Mr. Sweeny: Okay. So, there's nothing.

Mr. Timmons: Correct.

Mr. Sweeny: There's been zero contact, even though we know we've sent mail and maybe the mail got lost. But we know certainly this sitting in his driveway, one picture with his car there. Certainly, they must have gotten something. Is that correct?

Mr. Timmons: Correct.

Mr. Sweeny: Okay, thank you. All right, so that's why I think some of the members here, including myself, we're not following along when you say you don't know what the problem is because obviously, the city notified you that there was a problem. Your car is there. Somebody certainly took that off. Otherwise, it'd still be there when we've gone back a couple of times to put it there in your driveway. Help us understand why you didn't call, email, text, or walk in to City Hall.

Mr. Kuhlmann: My wife contacted someone here at City Hall and they said that's fine.

Mr. Sweeny: Did someone from City Hall said it is fine?

Mr. Kuhlmann: She had a series of health issues in the whole day. She went through a cold, she's got cancer, and she just had surgery. So, she's been an up-and-down deal with that trying to focus on...

Mr. Sweeny: And I'm very sorry that all that has happened. But as you can imagine, that is not an excuse for not contacting or at least someone following up with City Hall. Now, I understand that if your wife tells you something, you must go along with it. But obviously, between December 2021 and seven months later, you get another one. Someone hasn't been contacted, so there should have been some follow-up. I think that is why some of us here today are having trouble with you not understanding that there was a problem.

Mr. Kuhlmann: As an example, I received yesterday in the mail certified letters requesting to pick them up from the post office yesterday. And I assume that was over this. This is the only one that I have. It has no stamp on, so I'm assuming somebody put it in the mailbox.

Mr. Sweeny: But I know you've gotten at least two.

Mr. Kuhlmann: Yes. I'm not going to deny that that was there. I took that. No. Is that the one from the 5th of October? Because I did take that one off.

Mr. Sweeny: This one's from June. Now, there is one from October. There's one from last December as well. So, you admit you've gotten something.

Mr. Kuhlmann: Yes, I'm not denying that.

Mr. Sweeny: Alright, so you know that there must be a problem.

Mr. Kuhlmann: Right.

Mr. Sweeny: It hasn't been handled. Stop. I'm trying to help you here. Okay? Before I move on with any other questions, I'm going to try to make this easy. Mr. Timmons, what needs to be done?

Mr. Timmons: Well, so I stated in the notice of violation the certified letter there that stated it needs to be repaired or removed, which was...

Mr. Sweeny: Okay, help him understand by your definition what repair means because I think that goes back to Mr. Schneider's question earlier. Help him understand what repair, the word repair means to the city of St. Augustine Beach.

Mr. Timmons: Sure. So, sir, I spoke to your neighbor and those posts that are supporting your fence are your neighbor's posts. Your neighbor also said that he used to park his car there. Due to the nature of the fence, he was worried the

fence would fall on the vehicle. So, you can't just have a fence being supported by your neighbor's post. We need the fence to be in operable condition, structurally sound. We don't necessarily do permits for fences, but it would be advisable to get a contractor to set up your fence or for you to get it fixed.

Mr. Kuhlmann: I'd be willing to meet with Mr. Timmons if it's possible, and he can point out specifically what meets if there's sections of the fence...

Mr. Schneider: Mr. Timmons is not going to come out, and he's not going to tell you what must be done. That's not his job. Whether it's putting more screws in here or pouring concrete or putting up a new post. That's not for him to decide. That's for the homeowner to make it right. Correct, Mr. Law?

City Attorney McCrea: Yes. That is correct. Our city staff cannot go and advise on anything of that nature.

Mr. Sweeney: And quite frankly, sir, we only have one Mr. Timmons. We only have one code enforcement officer. If he were to spend his time going out to each individual resident and stand there and saying this would need to be done, we would never get anything done. I'm ready to move on if everyone else is ready to move on with the board. I'm open to a motion to move this along quickly. We're all very reasonable people. We all know what a functioning fence should look like. A safe fence looks like where our children, our grandchildren, or our great-grandchildren if they're out playing in the yard, we have no fear that the fence is going to fall on them. So, whatever that may be, repair a fence and get it done quickly with perhaps a fine attached if it's not done within a certain time. I think, as Chair, that's where I would like to see us go. But I'm open to the board for a motion.

Mr. Schneider: Mr. Chairman.

Mr. Sweeney: You're recognized.

Mr. Schneider: Okay. I'm recommending that we allow him 30 days to get the fence repaired into first-class condition or replaced. And if it isn't done in 30 days, we will start imposing fines at a rate of \$200 a day.

Mr. Sweeney: Okay, members, we've got a motion on the floor that we have 30 days from today. Do you want to start the clock today?

Mr. Schneider: Yes.

Mr. Sweeney: Thirty days from today, the fence must be repaired in proper working order under city code or replaced.

Mr. Kuhlmann: Or removed, I would assume.

Mr. Sweeney: Please. And if not, a \$200 per day fine begins 31 days from today. Is that your motion?

Mr. Schneider: Yes.

Mr. Sweeney: Okay, so let me get a second. I heard a second. Okay. All members who vote in favor of the motion say aye.

Everyone: Aye.

Mr. Sweeney: I'm going to start the debate since I've got the second. Marshall, you're recognized. I apologize.

Mr. Schneider: I just want to clarify the reason that there must be a fine imposed if this doesn't get corrected immediately is because, first, the safety hazard. Secondly, because you just blew off the code enforcement board. You blew off the code enforcement officer by not responding, and that just doesn't cut it.

Mr. Kuhlmann: You're making a widespread out again... [crosstalk] I'm here right now.

Mr. Sweeny: Sir, we're just discussing this now. Ms. Odom, you are recognized. Yes, ma'am.

Ms. Odom: Mr. Schneider, I don't know whether we said to remove the fence. Should that be amended so he can replace it, correct it, or remove it?

Mr. Sweeny: Are you amiable to add the word remove?

Mr. Schneider: Yes.

Mr. Sweeny: Okay. All right. So now I'm going to go backward on the motion. We're going to amend it to 30 days. He must repair the fence in proper working order up to code, or it can be replaced, or it can be removed. After 30 days, a fine of \$200 per day will be imposed. So that's the motion. I need a second.

Mr. Pritchett: Second.

Mr. Sweeny: Hearing a second. All right let's move to debate and staff comment. You're recognized, Mr. Law.

Mr. Law: Thank you, sir. My question is, as you amended it to or remove it, we must ensure there's not an inground swimming pool or an above-ground swimming pool in the backyard.

Ms. Odom: Right. Sorry.

Mr. Kuhlmann: I have no pool.

Mr. Sweeny: Okay. Members, do you have any further comments? I'm going to give you a minute. Go.

Mr. Kuhlmann: I don't appreciate Mr... Is it Schneider? I don't appreciate the way you spoke.

Mr. Schneider: I can't hear you.

Mr. Kuhlmann: I don't appreciate the way you spoke to me. No member here has spoken to me that way.

Mr. Schneider: Well, you know what?

Mr. Kuhlmann: I have not flocked you off intentionally in no manner or shape. I'm here now amongst a bunch of people that can have the same type of agreement, and I have no issues with...

Mr. Sweeny: Okay, members, we've got a motion on the floor, so I'm going to call the question. All those members in favor of the motion say aye.

MOTION: Mr. Kuhlmann must replace, repair or remove the fence surrounding his property within 30 days. After which a fine of \$200.00-a-day will be instituted until the violation has been brought into compliance. **Moved** by Mr. Schneider, **seconded** by Vice-Chair Mr. Pritchett. **Passed 5-0** by unanimous voice-vote

Mr. Sweeny: Sir, you now have 30 days to replace, repair, or remove your fence. Otherwise, a \$200-a-day fine will begin in 31 days.

Mr. Kuhlmann: I appreciate it, sir.

Mr. Sweeny: Thank you very much. Have a good day.

City Attorney McCrea: Mr. Christopher. I just want to tell you one thing. If you complete this, you don't have to come back in 30 days. You must show proof to our staff that it's been done, what has been ordered of you, and there will not be another meeting, which is what we all hope for. This is not a board that is trying to punish. They're just trying to correct it.

Mr. Kuhlmann: Thank you, sir.

Mr. Sweeny: Okay, members, we're going to move on to new business B and I will be quite honest. I called Mr. Timmons and Mr. Law and asked for this to appear on our agenda. We were fortunate that we just had the property owner in front of us who had some new business, so we didn't have to call a special meeting. For those of you who didn't watch the last City Commission meeting, there was a discussion about a second code enforcement officer. I will state ahead of time, because we are to me, certainly, Mr. Timmons is the front line. Mr. Law is the front line of code enforcement. I feel like we are the second line and probably the second most knowledgeable people about the needs of code enforcement. So, I thought it was important that Mr. Law come to speak to us today about the proposed addition of a second code enforcement officer. And perhaps we can discuss sending a letter to our city Commission, helping them to understand what is going on day to day and perhaps the need for a second code enforcement officer. With that, Mr. Law, you are recognized. You have the floor.

Mr. Law: Yes, sir. If you look at your packets on page 20, this is the memo that was sent to the City Commission at this month's meeting. It discusses that there's a good possibility that the city will be without a code enforcement officer for several months, as Mr. Timmons is expecting.

Mr. Sweeny: His wife.

Mr. Timmons: Yes, my wife.

Mr. Law: His wife's expecting, God willing, he'll have a nice, healthy set of twins. This is what the city said or what the city had to look at, and we went into an hour-long discussion to discuss it. The fact is, with the Transient Rental Program performing about 250 inspections a year, it leaves very little time for code enforcement. As this board is very aware, a code enforcement case isn't a snap of a finger. It takes weeks of research. You saw this one goes all the way back to October or December of last year. These are long cases. It's just the way it works. On page 21, the city manager asked for more quantifiable data, and this is what the city's computer system can put out.

Now, the system is only as good as the entry. That doesn't account for all the walk-ins, or all the phone calls code enforcement officers get. Single-handedly, the code enforcement officer is the busiest person in the city. I personally think he's the most liked, but some people would disagree with me. I have given you some typical time frames, a two-hour transient rental. That's assuming they get their paperwork right more times than not, it's not right. They're not licensed properly through the state. They don't have the right addresses. They can't get inspections scheduled. We do regulate tree inspections. That's become a little more challenging with the new state laws. We're managing. But the last one is the important one. There is no time to demonstrate compliance. As I just said, these cases could go on for ten months. We currently have one that's going on since 2018.

On page 22, you see, this is what's proposed. Let the transient rental program pay for the code enforcement officer. I believe St. John's County did it when they brought in their program, they charged \$300 for an application to help fund this. So currently we charge \$125 per unit per inspection. I provided different levels to fund this position. And if you can read at the bottom, it talks about, this is the worst-case scenario for cost. One brand new code enforcement position, plus full benefits. That's full family, children, and spouse, including, their retirement system and all the taxes, workers'

compensation, and all that. That comes up to about \$73,400. I would like to see a \$500 annual inspection charge of transient rentals per unit to fund this position.

What we've also done on the last page, that is number three. It has all the surrounding jurisdictions and what they're charging. As you can see, a three-bedroom in the city of St. Augustine is \$515. Four bedrooms, \$589. Five or more bedrooms, \$663. St. John's County charges \$300 per application per year. Bradford County charges \$400 for the initial, \$200 for the renewal, and so on. We can see that we're clearly undercharging for the level of service we provide. There's a big movement we've seen in the last commission meeting, especially with the ordinance that was turned down at the final reading to increase the number to 123, which was directed to staff by the city commission. We saw numerous citizens come up and complain that we can't enforce the program. And on record, I agree with them. The amount of time it takes to find an illegal transit rental, you're looking at weeks of research. These companies that advertise online have gotten a lot smarter. They used to take pictures of the front of the house. Well, that gave us their address, and it gave us a good point of view to look at. Now, we see the inside of the house, the sides, or the backyard, making it almost impossible for us. Unless we just happen to know that entire street and everything that goes on around there. He just can't do it. It's too much for one person. He's going to have employee fatigue. We are on our third code enforcement officer in three years, I believe. Like I said, in April, we expect Mr. Timmons to utilize the FMLA procedure. For his first Child at that point, because it's a separate budget. I'm partially funded through that about 11% of my salary. Well, I'm not going out and knocking on doors to do code enforcement. I'm the Director of Building. I'm the Director of Zoning. I'm the Director of Planning. I have a lot to do. And I can't ask the city's building inspector to go out and do regular code enforcement because that's a violation of the 553 Statute.

This is where we sit now. The City Commission has asked that this be brought back at the November meeting with this information for them to discuss it some more.

Mr. Sweeny: Thank you, Mr. Law. Members, questions for Mr. Law. Berta, you're recognized.

Ms. Odom: If he's going out in April, how soon would you need one?

Mr. Law: If the commission decides this, my plan would be in November. They would say yes hire a second code enforcement officer. They would instruct the city manager to amend the city's budget and the city's fee schedule at the same time. So that would occur at the December meeting. I would then begin internal hiring because I would offer positions to all the departments in the city. And we hope for 2 weeks if somebody wants it. If not, we go external. I would like to see a new code enforcement officer starting after the New Year, at the beginning of a pay week. That way he or she has several months to train with the current officer and learn the software and the phones.

Ms. Odom: Thank you.

Mr. Sweeny: Mr. Binder, you're recognized.

Mr. Binder: I've attended a lot of city commission meetings over the last 16 years. I was at the meeting that discussed the short-term rentals. I was one of the people speaking against increasing the number to 123 because I recalled how the number of 100 was established a decade or so before that. I agree, if we're going to enforce short-term transient rentals, which obviously we would not, with all the complaints and with past city commissioners coming in and saying he's the only one living on the street full time, everything else is a transient rental, it makes it very difficult not to do anything but to support your request.

Mr. Law: Thank you.

Mr. Binder: In terms of the dollar amounts, that's for discussions. But in terms of the need, if you're going to enforce short-term rental, you must have adequate staffing.

Mr. Law: I agree. Yes, sir.

Mr. Sweeny: Thank you, Mr. Binder. Mr. Vice Chairman, you're recognized.

Mr. Pritchett: The only problem I have, and I agree you probably do need another person. But you're comparing Palm Coast and Flagler County for what you think you want. I wouldn't compare those because I know Flagler County is probably going to be bigger than what we got here. So what they charge has no bearing on what you are trying to find or to get another man. Like I said, I do agree you do need somebody, because I have worked in the Building Department before, and I know how it is.

Mr. Law: Yes. So these numbers are when we present things in the commission with other avenues of funding, they usually request all the surrounding jurisdictions. We just try to give them anything we can get a hand up that's close. There were whispers that we should contact Miami-Dade. So, we stuck with the surrounding jurisdictions, and these are just points of reference for the Commission to consider because they would have to approve the revised fee schedule by resolution.

Mr. Sweeny: Yes, sir, you're recognized.

Mr. Binder: I would also suggest maybe contacting Jacksonville Beach, Atlantic Beach, and Neptune Beach, which are real vacation areas, to see what their charges are.

Mr. Law: I can have a code enforcement officer look into that.

Mr. Sweeny: Recognized.

Mr. Schneider: First, Brian, it doesn't surprise me that you brought this request forward. It really doesn't, because I try to work with Mr. Timmons. He's very, very busy. I know he's loaded right up to the hilt. And with the transient rentals, we can't afford to let that slip and try to take care of things like fences, roofs with tarps on them, overbuilding on site plans, and things like that. We need to be able to take care of it all, and with all the building activity in St. John's County and right here on the beach. This staff is loaded. When I first moved here 19 years ago and they were building my house, there were like three building inspectors, plus Gary Larson, plus a code enforcement person, I believe, plus Bonnie, and I don't know who else was behind the scenes. So, your group right now is getting close to what it really needs to be at. As far as I'm concerned, it's short. If Mr. Timmons is going to be out, there's no way we can be without a code enforcement officer.

Mr. Law: I agree. The goal is to be, as Mr. Timmons uses the phrase, about being proactive.

Mr. Timmons: Being proactive instead of reactive. Because the current situation is so inundated with transient rentals, I really don't have time to do code enforcement. I'm doing eight to ten inspections a day, and everything falls to the wayside, it creates a very reactive environment for the code enforcement officer. And I just feel like you want a proactive code enforcement officer that goes out and finds things, and brings things back into code, and brings things forward and fixes the city. But when you're reactive, especially in a city like this, where most people don't know that a complaint must be signed. It must be a formal complaint now for it to be taken seriously. It just restricts the whole department.

Mr. Sweeny: I want to make sure that we're all agreed on the need. All members agreed on the need. Agreed? All right, so we're all agreed on the need. So, I want to move forward now, and this is going to be the tough part. I'd like to have a sensible discussion on the fee structure. Because my hope here is members, in the end, is that we agree on sending a letter to the city commission to be read at their meeting that we see the need for a second code enforcement officer. But also provide them with what we feel might be the best way to pay for that code enforcement officer. I'd like some debate here today and come up with a fee schedule. Brian has given us some unit inspection costs, and some short-term

rental ideas of what some municipalities surrounding us charge, whether their size is big enough and compatible or however we want to discuss it. But I'd like to see if we can come up with some agreement on where or how we should update our fee schedule. I open that to anyone on the board who might want to take a crack at it first.

Ms. Odom: Mr. Chairman?

Mr. Sweeny: Yes, ma'am, recognized.

Ms. Odom: Just before we get into that, I think that if we do all that you're asking us to do, the commission will be more agreeable to us because they have enough to do. And so, if we bring the plan and the plan makes sense, then they're more than likely to agree.

Mr. Sweeny: Yes, ma'am, that is my hope. Yes.

Ms. Odom: I think that's a very smart idea, that if we can come up with a complete plan that makes sense, as you've requested, we shouldn't have a problem for Mr. Law to get his person.

Mr. Sweeny: So, Berta, what is your fiscal idea? If you were to take a crack at this first, what do you think makes the most sense? I'll put you on the spot first.

Ms. Odom: Okay. Correct me if I'm not going in the direction that you are thinking we should. I think Mr. Law is giving this to us to be able to see what we have and what the increase should be to make the salary at the proposed salary of \$73,000. Is that correct, Mr. Law?

Mr. Law: Yes. These are just random numbers I chose, and obviously [crosstalk]. If you look at how they're structured, it's very simple. We currently charge \$125.

Ms. Odom: And that's it? But where you have a broken-down studio, one bedroom, two bedrooms

Mr. Law: Oh, no, that's the surrounding city of Saint Augustine.

Ms. Odom: Oh, I apologize.

Mr. Sweeny: On page 22 is our current inspection cost.

Ms. Odom: Oh, well, that's new. I like the way that the city has it broken down.

Mr. Law: Our concern with that is they have a good software system that does these calculations.

Mr. Sweeny: And how many code enforcement officers do they have? Any idea?

Mr. Law: I know they have more than one, because Mr. Barry Fox oversees it, and that's what his whole job and then they have the staff, but I couldn't give you that exact number.

Mr. Sweeny: Okay, I'm going to make a big jump. Mr. Binder. Yes?

Mr. Binder: Mr. Chairman. Clarification. When you're talking about the cost of \$125, is that for tree inspection, too, or is it for short-term rentals?

Mr. Law: That is solely for annual transient rentals per unit. For tree inspections, we charge \$45.

Man 1: Actually, the tree permit costs \$45. The tree inspection is free.

Mr. Law: What we do and the reason we do that is if we go to your house and we are not going to let you take the tree down. It's been my opinion, and I'm the director, so my opinion counts on this one, that it's kind of rude to take your money. It's not like we're driving 50 miles. We're driving a mile.

Mr. Sweeny: And people probably, I would guess, are more open and honest about their tree if it's free. If you get to come out.

Mr. Law: And we only did, fiscal year 22, we basically charge for 18 trees. So, \$720 if it's \$45. It's a service we provide to enforce a tree code.

Mr. Binder: And I asked that question only for clarity that when you're presenting anything to the commissioners that it makes it clear that you're talking about the cost increase for transient rentals and not for other items.

Mr. Law: Yes, sir. One thing that did come up was code enforcement fines. And this board has heard me say many times, the purpose of code enforcement is not to generate revenue, it's to bring the properties into compliance. We don't want to generate code enforcement fines.

Mr. Sweeny: Brian, can you tell me what year we came up with \$125 per unit?

Mr. Law: When I first got here, they were charging \$50.

Mr. Sweeny: Which was what year?

Mr. Law: I got here in '17, so in '18. We were basically paying them to have a transient rental. Then the next year I took it to I believe \$80 or something like that. And we were still not covering our operational costs. It went to \$125, about two years ago. Then that was the time I broke the code enforcement division completely out of the building division's pay. Before, the building department paid for the code enforcement officer. But that was somewhat problematic with the 553 statutes, because they enforce local laws and not state laws.

Mr. Sweeny: You're recognized, Vice Chairman.

Mr. Pritchett: The only thing that I look at, Brian, is you can price yourself out of business.

Mr. Law: Well, we must come up with how to fund this position because it wasn't budgeted. This is just one avenue for the commission to consider. This is the avenue that doesn't impact any other operational budget. This fee is very secluded just to the transient rental, whether right or wrong, the fee needs to be adjusted to match our surrounding jurisdictions. Let's say the city said we're going to do \$300. That's going to generate an additional \$41,500. There's still going to be a shortfall, and that must come from another department. The planning and zoning budget can't lose any more money. Code enforcement can't lose any more money. So, the option is for the city to pull it out of the reserve, which could be an option, but that's a decision by the mayor and the commission. This is just one avenue of something I can control that affects no other department, and it's still seen in a public forum.

Mr. Pritchett: The only thing I'm looking at is a small builder. He's not going to pay. He is going to do stuff that'll be illegal to do. And that's going to drive you guys to work more.

Mr. Law: No, sir, this has nothing to do with construction. This fee is just simply the transient rental fee. This fee has nothing to do with the state building code or the building code prices. I haven't altered those prices other than reducing them in the last four years.

Mr. Sweeny: This is probably just going to be passed on to whoever rents the Airbnb.

Mr. Law: Whatever property management company schedules with Mr. Timmons or anybody that's renting their house out for 30 days or less.

Mr. Sweeny: And Bobby Joe from Michigan is going to pay it to come down and stay on our business.

Mr. Law: This does not affect building permits. It has nothing to do with building permits.

Mr. Pritchett: Okay. This is not a building permit.

Mr. Law: No, this is not a building permit. I know what you're saying, though, but no, we're prohibited from raising building permit fees right now because of our reserve money.

Mr. Sweeny: Mr. Schneider, you are recognized.

Mr. Schneider: I heard a comment early on when we first were talking about this. Somebody said that they wanted to raise the transient numbers to, like, 125 or something.

Mr. Law: If I may?

Mr. Schneider: Yes.

Mr. Law: The city commission ordered city staff about five months ago to create an ordinance and a policy to raise it to 123. It was based on a request by a resident to utilize I believe with 80% or 70% rule of the total houses in the medium-density sector. Mr. Timmons looked at all the new houses in the last ten years based on the property appraiser site, and we came up with 23 additional as a pure linear ratio of what it was and what it is now. That has died. That is off the table. It died at the final reading.

Mr. Schneider: Okay, so the other question I have is how long does it take Mr. Timmons to do a transient rental inspection from the time you start, give them the notice to the time you get done, and write the report?

Mr. Timmons: From the ground up, I'm guessing you mean talking to the property management group, setting up what documents I need, verifying the documents are accurate, which most of the time are not. I would say about 80% of the time the documents are inaccurate. Then there's a correspondence and explanation of trying to get those. To make it short, I'd say two hours on average. It's difficult because there are a lot of different situations. Some units and some properties have multiple units, right? If you take into consideration a duplex or a quadplex, it takes a larger amount of time.

Mr. Schneider: Just a single unit takes you, what, four or six hours in a day to get it done?

Mr. Law: If I may?

Mr. Schneider: Yes.

Mr. Law: It's not actually in one day that is the problem. It's broken out where we must schedule. Some of these property management companies are good, and things work awesome. Then we go to other ones. There are holes in the side of the buildings, and no window screens. All the minimum requirements of the International Property Maintenance Code, which is adopted by resolution here, has not been adhered to. So now Mr. Timmons must turn them down to generate the report, then we have to come back. We can never assume it's just one inspection. But what we don't do is we don't charge for the second re-inspection. We consider it a learning phase, the same as we do with the

building code. Now, if we go back out there a third time and then it's not done, then we charge a reinspection fee of \$53. But it's at least 2 hours per unit that works.

Mr. Schneider: Okay for the inspection. But then plus all the office time and research time. I'm trying to get to a number. I'm saying 6 hours a unit, maybe? Okay, let's be generous. Say a day over the year, it takes on average a day, that's 100 days. That's a lot of time.

Mr. Law: We had about 160. Yeah, something because of the commercial sector, all single-family houses in their account, they just don't count towards 100. And then a Duplex is two units, triplex, obviously, three, quad, four. So, if everything goes perfectly and we get a good property manager the house is in pristine shape. It's safe - fire extinguishers are good, smoke detectors are good, and windows are good. Two to three hours, probably. But now, keep in mind, sometimes, Mr. Timmons may have to wait 40 minutes because there's not enough time to do anything else while we must wait for property management to get in there and let us in. So, yes, I know exactly what you're saying, and I agree with you. Its fluidic in nature is what it is.

Mr. Schneider: Yes, it is. And the person's car breaks down that's coming to let you in, and you're sitting there waiting for an hour.

Mr. Timmons: If I may, when transient rental renewal season starts, it's all I do. I don't have time to do anything else because of phone calls, and people coming in. It's transient rental renewal season., so you have people looking to get permits. I educate them on the whole process. I'm scheduling inspections, checking paperwork, and dealing with property management. The whole renewal period is transient rentals.

Mr. Schneider: Okay, so the other thing that I want, and this is my last comment, then we can move on. We live in the city of St. Augustine beach. We have nice beaches. The city is well-managed, and we want to keep it that way. And we want to get rid of anything that isn't in keeping with the building codes, fences falling, so forth, et cetera. And we want to make sure that we have a well-run transit program. It's that simple.

Mr. Law: I agree.

Mr. Schneider: That's simple, and if the commissioners can't see that, then they got a problem. Secondly, as far as the dollars go, you know someplace around \$400 in an inspection. You can't imagine how much we paid to rent a house for a week in Destin, Florida at the end of August. And it was over \$10,000 total for my family. And they have gone up that much. They're making money on these houses. You know it, I know it. They should be able to afford the \$400 at least.

Mr. Sweeny: I hear \$400? You're recognized, Mr. Binder.

Mr. Binder: This also my suggestion about checking Jax Beach and Neptune Beach, Atlantic Beach, Saint John's County, I would assume they also do short-term.

Mr. Law: Yes. St. John's County charges \$300 for an application every year. They do not perform inspections that I'm aware of. They are more complaint driven just because of the sheer volume and the sheer size of the county. The county is charging \$300.

Mr. Binder: That's a one-shot?

Mr. Law: It's every year.

Mr. Binder: Every year.

Mr. Sweeny: Okay, so we've got need. It appears we're somewhere near \$400, perhaps this is a discussion point for us. Four hundred fifty dollars gets us near to \$77,000, which pays the way for an additional person.

Mr. Law: If I may?

Mr. Sweeny: You're recognized.

Mr. Law: Keep in mind, this is just a staffing of the employee. He or she will be included in the overall software programs. There will be a tad additional cost. But that's also something that could be looked at more in the budget. Just to get the program up and running as transient rental money, most of it comes at the end of a fiscal year. Now, Mr. Timmons is nearing his completion. We're going to have stragglers all for the next couple of months. But most of the money comes at the end of the fiscal year because BTR renews about August 1. And that's when we start trying to get the property management companies. But we can't make them do their inspection on our time. We do it on their time.

Mr. Sweeny: Okay. So, members, how do we feel about \$400 or \$450 to update our fee schedule?

Mr. Binder: What will \$400 or \$450 do in terms of having a balance for two code enforcement?

Mr. Sweeny: Four hundred dollars gets us to \$65,000. It costs, according to the math in front of me, \$73,416 to hire an additional employee and give them full FRS and taxes. So, there is a need, it appears, for about \$73,000. Four hundred dollars gets us to \$65,000. If we update the fee schedule to \$450, that gets us to about \$77,000.

Mr. Binder: Which covers?

Mr. Law: Which covers, and there's \$3000-\$4,000 for miscellaneous.

Mr. Sweeny: So that's the difference between \$400 and \$450. What's the temperature for \$450?

Mr. Schneider: Four hundred fifty dollars works for me.

Mr. Binder: Four hundred fifty dollars works for me.

Mr. Sweeny: Okay. This side?

Ms. Odom: Works for me because I figured, if we go in at the \$450, they're okay.

Mr. Sweeny: That's right. It can make up the difference.

Ms. Odom: And I think to your point, Mr. Chairman, is that first of all, the person with the license are making a lot of money. And second, the cost is going to be passed on to the tenants.

Mr. Sweeny: Yes.

Mr. Schneider: That's right. And if the owner of the building thinks it's too much and wants to get out of the rental program, somebody else is waiting.

Ms. Odom: Waiting in line.

Mr. Sweeny: Right. I am going to motion, and help me here, City Attorney McCrea. I would like to direct City Attorney McCrea just working in the scope for the Code Enforcement Board to put together a letter to the City Commission.

City Attorney McCrea: I'm going to be honest, I'm not sure if that's prudent for me to do. Since I'm with the commission, too, and I answer to both.

Mr. Sweeny: Sure. But I would think that even you could still be directed to write a letter for us.

City Attorney McCrea: If you direct me to do it, I will. I would not prefer to do it, would be my position. But if you direct me to do it, I will absolutely do it.

Mr. Sweeny: And you could certainly say you disagree at the meeting with these people.

City Attorney McCrea: It has nothing to do with disagreeing or agreeing at all.

Mr. Sweeny: Well, I think it's just easiest to help us make sure we don't cross any bridges that perhaps we have no business crossing. So, what I would like to do is have City Attorney McCrea help the Chairman write a letter that is from the Code Enforcement Board letting the City Commission understand that we believe that there is a true need for another code enforcement employee and that the Code Enforcement Board recommends we update our fee schedule to \$450 cost per unit.

City Attorney McCrea: Yes, sir.

Mr. Sweeny: You okay with that? All right, members, that's my motion.

City Attorney McCrea: I just need you guys to be unanimous on that.

Mr. Sweeny: Of course. That's what I'm trying to drive this train. So, members, that's the motion. Mr. Binder?

Mr. Binder: Specifying it towards short-term or transient rentals?

Mr. Sweeny: Short term. Transient rentals.

Ms. Odom: Inspection?

Mr. Sweeny: Inspection, correct. That's where we're going. That's the motion.

City Attorney McCrea: And sir. Just one other thing. With your letter, who do you want to sign that? Is that going to be yourself, sir?

Mr. Sweeny: Let me get this motion off the floor, and then we can discuss that. Is that okay?

City Attorney McCrea: Yes, sir.

Mr. Sweeny: No problem. We've got a second. So now I'm going to open it up to debate, but I'm going to first punt it down to City Attorney McCrea.

City Attorney McCrea: No, sir, I only have one question. I completely understand the task at hand. I just want you to or you all to tell me who is going to be signing the letter.

Mr. Sweeny: Ideally, how I would like for this to play out is that the letter is written and then, quite frankly, it's first sent to the group who's here because we are the ones who, if this moves forward, have agreed. So, I want to make sure that this group is comfortable with the letter and that the letter comes from the code enforcement board.

City Attorney McCrea: And that's fine, but you might need to come back so everybody can approve the letter.

Mr. Sweeny: After this group looks at the letter because we're the ones who are voting and we are agreed and are comfortable, I should say, with the letter. Then we would give it to the code enforcement members general. Hopefully, they would agree so that they are aware that this letter is going out on behalf of code enforcement and then allow, whatever happens, debate, phone calls must happen after that happened.

City Attorney McCrea: Yes, sir.

Mr. Sweeny: Is that okay for your record.

Ms. Odom: Just for maybe your clarity, if the way the letter is written. Is it on behalf of and then have our chair sign it, if you're comfortable with that, Mr. Chairman?

Mr. Sweeny: I've got no problem with that. I just want it to be from all of us.

Ms. Odom: Right. As I said, on behalf of.

Mr. Sweeny: I want them to see that the entire code enforcement board is for this, not that it was driven or that we were 4-3 or 3-1. I want them to understand and feel the gravity of what we're trying to do.

Mr. Schneider: Should we have Mr. Law and you take a rough cut at this and run it by the attorneys so it takes him out of the loop?

City Attorney McCrea: I do not mind doing it. I would prefer to do it at this point. The only thing is, and I was just speaking with Mr. Law, and I agree with him, I'm going to send it to all of you. If anybody has an objection to anything, then the letter can't go out. So, it's just all of you will have to sign it. And then if everybody signs it, then we send it up and we're done.

Mr. Sweeny: My question is this if there are a few, there's verbiage that someone doesn't like, can that be changed, and then we try to agree on that? Do we only get one bite at the apple?

City Attorney McCrea: I think you only get one bite at the apple.

Mr. Sweeny: Okay. If we're all aware of one bite at the apple.

Mr. Schneider: Mr. Chairman?

Mr. Sweeny: Recognized.

Mr. Law: We can't do that. This is a public forum. I can't even be in another meeting without proper advertising.

Mr. Sweeny: Well, I will just question that. And because we are not elected, there are some things the Sunshine Law doesn't allow. We can debate that, certainly.

City Attorney McCrea: Well, the other issue with this is the people who are passing this are the quorum here today. Putting their names on something they're not even involved with creates a whole other mess of problems. And you have a quorum that can pass this. And a quorum would defeat any minority who if they said, no, we don't want it, we're voting against it. So that's the other issue.

Mr. Sweeny: They will be made aware. They could have been here today.

City Attorney McCrea: That is correct.

Mr. Sweeny: I would prefer not to have who's present.

City Attorney McCrea: I'll put it that there's a quorum.

Mr. Sweeny: There's a quorum. That's perfect. So, members, that is the motion. It's been seconded. I like to call the question unless there are any more comments. Okay. All those in favor of the motion say aye.

MOTION: Generation of a letter from the Code Enforcement Board in support of the hiring of an additional Code Enforcement Officer. Additionally showing support by advocating for the increase of the Transient Rental inspection fees to \$450.00 per unit to help fund the creation of the position. The letter is to be generated with the assistance of City Attorney McCrea to facilitate the appropriate communication process needed to represent the interests of the Code Enforcement Board to the Board of Commissioners. **Moved** by Chair Mr. Sweeny, **seconded** by Vice-Chair Mr. Pritchett. **Passed 5-0** by unanimous voice-vote.

Mr. Sweeny: All right, since we got that cleaned up, I'd like to move on to the boardwalk at Ocean Park Hammock, next. [laughter] It's a joke. I'm just kidding. All right, Marshall, you don't know what's going on with the Ocean Hammock. Somebody better bring Marshall up to speed on that old business. Okay. Coming up next, is old business. You're recognized, Mr. Binder.

Mr. Binder: My question on old business. Where do we stand with the lien for the property that we've been dealing with, the 200 and some thousand dollars lien?

City Attorney McCrea: Oh, yes, sir. I didn't know that would come up. I will have to talk with Rusty Collins. He's the one handling that. I can get that information.

Mr. Sweeny: Okay, so we'll get that. Can you send us an update via email? In case we don't meet for another many months.

City Attorney McCrea: Absolutely. I know there have been some filings in it and I think it's progressing.

Mr. Sweeny: Good. Any other old business?

Ms. Odom: None.

Mr. Sweeny: Okay. I'm seeing neither public comment nor board comment. With that, Berta Odom moves, and we rise.

[END]

VI. BOARD COMMENT

There was no board comment.

VII. ADJOURNMENT

The meeting adjourned at 2:26 p.m.


Kevin Mr. Sweeny, Chairman

Lacey Pierotti, Recording Ms. Pierotti

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO RECORDING CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager 

DATE: October 18, 2022

SUBJECT: Ordinance 22-13, First Reading, to Vacate the Alley between 1st and 2nd Streets,
West of 2nd Avenue, Block 32, Chautauqua Beach Subdivision

At your September 12, 2022, you held a public hearing on the request to vacate this alley, and you approved the vacating of it. The Comprehensive Planning and Zoning Board at its August 25, 2022, recommended that it be vacated.

The City Attorney has prepared the attached ordinance.

ACTION REQUESTED

It is that you approve Ordinance 22-13 on first reading. It will then be scheduled for a public hearing and final reading at your December 5th meeting.

ORDINANCE NO. 22-13

AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; VACATING A PORTION OF THE PUBLIC ALLEY LOCATED ON THE WEST SIDE OF THE RIGHT-OF-WAY OF 2ND AVENUE BETWEEN 1ST AND 2ND STREETS ADJOINING LOTS 1-16, BLOCK 32, CHAUTAUQUA BEACH SUBDIVISION, WITHIN THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WITNESSETH:

WHEREAS in May of 2022, Mr. Paul Crage, of Lots 8, 10 & 12, Block 32, Chautauqua Beach Subdivision, Saint Augustine Beach, Florida, submitted an application for the vacation of the public alley located on the West Side of 2nd Avenue between 1st and 2nd Streets adjoining lots 1-16, Block 32, Chautauqua Beach Subdivision, within the City of Saint Augustine Beach, Florida.

WHEREAS a condition of the vacation of the alley is the creation of a perpetual utility and drainage easement to the City over the full width of the vacated public alley.

WHEREAS all property owners agree by accepting this vacation of the City's public alley that any grading modifications within the easement are subject to the review and approval by the Public Works Department of the City of Saint Augustine Beach, no adverse drainage impacts shall be made to adjacent or upstream properties, planting of any large shrubs or trees within the easement must be approved by the Public Works Department of the City of Saint Augustine Beach. All vegetation placed within the easement is subject to removal for construction or maintenance purposes, and the cost of moving or replacing any items, which can include but are not limited to fences, trees, plants, and retaining walls may be removed by the City at the cost of the property owner and the City is not responsible for any cost of replacement.

WHEREAS the property owners agree that by accepting this vacation of the City's alley that no part of the easement may be deeded into any conservation easement which would prevent the construction, maintenance, and use of the vacated alley for the purposes of utility and drainage improvements.

WHEREAS the Planning and Zoning Board reviewed the application at its August 25, 2022, meeting and, by unanimous vote recommended to the Commission that the alley be vacated subject to the condition that the standard utility and drainage easement for maintenance and future use of utility and drainage facilities be included in the ordinance to vacate the alley.

WHEREAS, on September 12, 2022, the City of Saint Augustine Beach heard a request to vacate the Alley on the West Side of 2nd Avenue between 1st and 2nd Streets adjoining lots 1-16, Block 32, Chautauqua Beach Subdivision.

WHEREAS the City Commission finds that it is in the best interests of the citizens of Saint Augustine Beach, Florida that the alley on the West Side of 2nd Avenue between 1st and 2nd Streets adjoining lots 1-16, Block 32, Chautauqua Beach Subdivision be vacated, subject to the reservation of a public utility and drainage easement over the entire alley to be vacated.

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

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

SECTION 2. The City Commission does hereby find that the alley on the West Side of 2nd Avenue between 1st and 2nd Streets adjoining lots 1-16, Block 32, Chautauqua Beach Subdivision, within the city limits of Saint Augustine Beach, Florida, as more particularly described and shown on **Exhibit "A"**, attached hereto and made a part hereof, is hereby vacated, subject to the reservation by the City of Saint Augustine Beach of a public utility easement over the entire alley to be vacated.

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

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

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

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this 14th day of November 2022.

MAYOR

ATTEST:

CITY CLERK

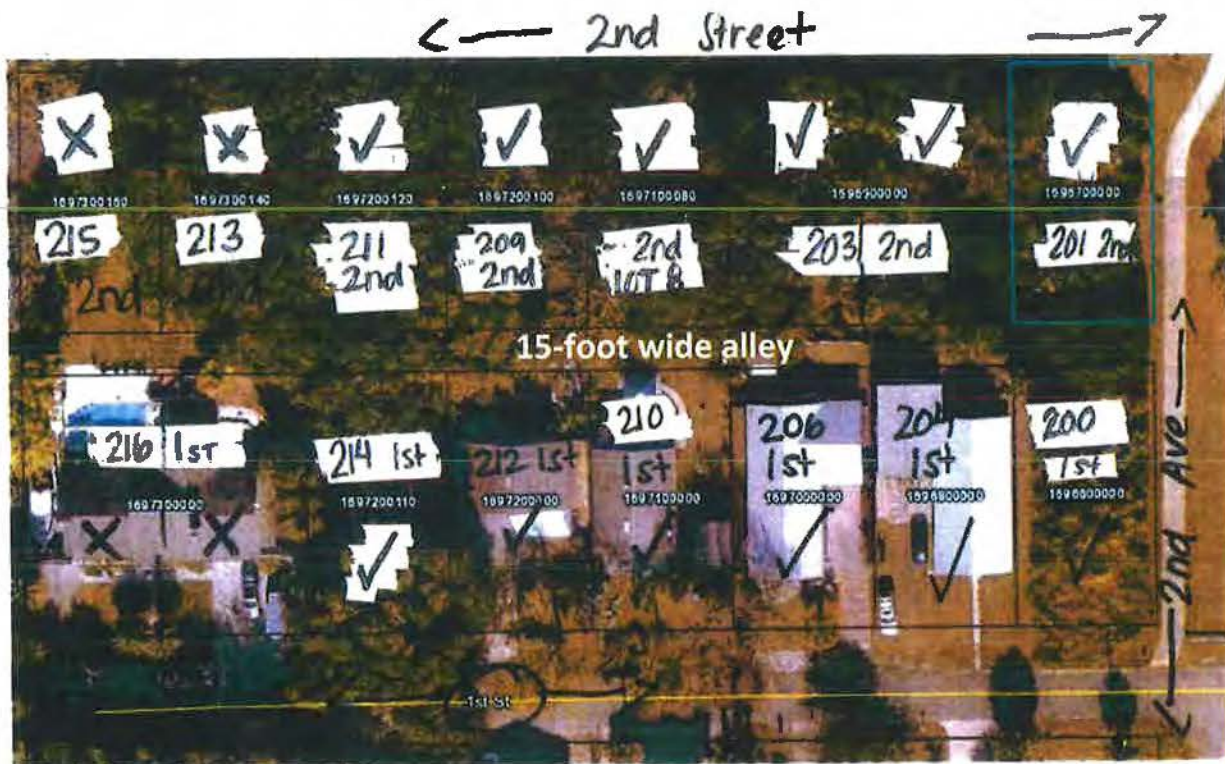
EXAMINED AND APPROVED by me this ____ day of _____, 2022.

MAYOR

Published in the _____ on the _____ day of _____, 2022. Posted on www.staugbch.com on the _____ day of _____, 2022.

EXHIBIT "A" – PROPERTY DESCRIPTION

A portion of parcel _____ shown in the map below: the fifteen (15) foot wide Alley on the West Side of 2nd Avenue between 1st and 2nd Streets adjoining lots 1-16, Block 32, Chautauqua Beach Subdivision.



MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager 

DATE: October 10, 2022

SUBJECT: Memento of City: Review of Options for City Coin

INTRODUCTION

As shown on page 1 (attached), you discussed this topic at your September 12th meeting. The consensus was for the staff to come back with some suggestions.

Attached as page 2 is an email from the City Clerk, Ms. Dariana Fitzgerald, in which she describes some types of mementos, their size and cost. You'll also see her comments concerning a City hat, which are the result of a suggestion Mayor Samora made to the City Manager that a City hat could be provided to each Commissioner.

QUESTION

It is: What is the purpose of the City memento? Is it meant to be passed out to citizens and officials of other cities at conferences, or to be given by the Mayor and/or Commission only to selected citizens or officials in recognition of their significance or a good deed done on behalf of the City?

As you can see from the prices Ms. Fitzgerald has found, the cost of a memento could range from \$4.29 to \$7.05. Thus, handing out them at conferences over a year to several or many persons at each conference could be costly.

ACTION REQUESTED

It is that you decide what the purpose of the City memento will be? If it's to be a token of the City given out at meetings or conferences, then we suggest you not have a special memento made. The small pins that the City has can be given out. They cost \$1.25 each.

Or, if the memento is meant to honor someone in recognition of their position or an act that they've done on the City's behalf, then you could have a special memento made. Ms. Conlon suggests that the memento have the City seal on one side and a sea turtle on the other, as the

sea turtle has become the City's unofficial symbol or mascot. Ms. Fitzgerald says that a minimum order would be 50 mementos and the more ordered, the cheaper the cost of each.

CONCERNING THE HAT

We will have one for you to see at your November meeting. A hat can be ordered for those Commissioners who want one.

Excerpt from the minutes of the September 12, 2022, regular Commission meeting

8. Memento of City: Consideration of Having a City Coin Made (Presenter: Max Royle, City Manager)

City Manager Royle said that Vice Mayor Rumrell had asked for staff to research more substantial gifts other than the lapel pins. He advised that Chief Carswell gave him six mementos from the Police Department, and he passed them around for the Commission to see. He said that there are photos of different types of mementos and prices in the agenda books that City Clerk Fitzgerald provided. He asked the Commission for guidance on what should be the next step.

Mayor Samora said that the coin seemed to be the way to go, and he asked if anyone had any suggestions for what should be on it or a design preference. City Manager Royle suggested that the City Seal be included on one side. Commissioner England suggested the palm tree logo that is used for City event marketing and that maybe the Art Council could come up with a proposal for it.

City Clerk Fitzgerald advised that the screen shot is from the site that St. Johns County uses and that the price is determined by whether it is going to be one- or two-sided, color, and the size.

Discussion ensued regarding the different samples being passed around, the photos, the sizes, etc.; that the last Police Department order were two inches; that it should be two-sided; asked what was on the time capsule cube; that the County made theirs specific to each Commissioner; that they seem affordable; does the City have a mission statement.

Mayor Samora opened Public Comments. Being none, he closed Public Comments.

Vice Mayor Rumrell suggested for staff to come back with a couple ideas. Mayor Samora suggested to get with the City's Events Coordinator, Ms. Conlon. He suggested maybe the key or the mission statement on one side. Commissioner George suggested to use the rope band detail from the Commission Room on one side. Mayor Samora asked the City Manager if he had enough information to bring back something. City Manager Royle said yes.

Mayor Samora moved on to XI.9.

Max Royle

From: Dariana Fitzgerald
Sent: Friday, October 7, 2022 2:56 PM
To: Max Royle
Subject: RE: Two Matters

The City orders ballcaps from a local company, American Crossroads Apparel Company. These are a standard "trucker" style snapback cap and the embroidered city seal on the front. The last orders for Public Works and the Building Department were in 2019 at the rate was \$15.00 per hat at that time. I would expect a small increase now, but probably still under \$20 each. There's a range of colors, but we've usually gone with a standard tan, black, navy, or safety neon. I would recommend staying with that company since they already have our seal pattern, have been very reliable, and produce quality work.

For the coins, it's hard to price without definites from the Commission. We would roughly be looking at \$150.00 for a mold fee, then \$4.29 to \$7.05 per coin depending on quantity (for a 2" diameter coin, two-sided color, with a rope edge, either gold, silver, bronze, or nickel finish). Any extras would add to the price, such as a hard case instead of soft plastic envelope, glow-in-the-dark or glitter paint, cut-outs, spinners, and many more.

The cost could be reduced if they went with a smaller coin size or only had color on one side instead of both. I would recommend going with a 1.75" coin with the color seal on one side and a no-color text message on the back, perhaps something like "Presented with Appreciation from the Commission of the City of St. Augustine Beach". That would take costs down to \$3.51 to \$5.85 per coin with a \$125.00 mold fee.

If you have any additional questions, feel free to contact me.

Dariana A. Fitzgerald, CMC
City Clerk
City of St. Augustine Beach
2200 A1A South, St. Augustine Beach, FL 32080
(904) 471-2122; FAX (904) 471-4108
www.staugbch.com

PLEASE NOTE: Under Florida law, most communications to and from the City are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. (F.S. 568.6076)

From: Max Royle <mroyle@cityofsab.org>
Sent: Tuesday, September 27, 2022 11:31 AM
To: Dariana Fitzgerald <dfitzgerald@cityofsab.org>
Subject: Two Matters


First, Mayor Samora asked this morning about city hats. Pls. look into prices. Suggest a baseball cap with the city logo and name. Get some prices and ideas what various caps would look like.

Second, pls. check minutes when Commission last discussed city mementos. See what the suggestions were and then get prices.

Both topics will be on the agenda for the Commission's Nov. meeting.

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager 

DATE: October 13, 2022

SUBJECT: Resolution 22-13, to Amend the City Commission's Policies and Procedures Manual Regarding When City Commission Meetings are to End

BACKGROUND

For many years, the Commission's policy was that the end time for Commission meetings was 9:30 p.m., with the option that by motion and vote a meeting could be extended to 10 p.m. and, if necessary, for the Commission to continue a meeting to the next day.

At your October 3, 2022, regular meeting, Vice Mayor discussed with you changing this policy. The outcome of that discussion was not to have a specific end time for Commission meetings but for the Commission to have the flexibility to extend meetings to a later time if such was desired. Attached as pages 1-2 are the minutes of that discussion.

Attached as page 3 is a resolution that the City Clerk, Ms. Dariana Fitzgerald, prepared. You will note that while 9:30 p.m. is still the time for a Commission meeting for a Commission meeting to end, there is no set time to how long the Commission can extend the meeting beyond 9:30 p.m.

ACTION REQUESTED

It is that you discuss the resolution and then decide whether or not to approve it.

10. Request by Vice Mayor Rumrell to Discuss Changing Policy on When Commission Regular Meetings are to End

Vice Mayor Rumrell advised that tonight is probably a good night to have this discussion because we are already rolling into the 9:00 p.m. hour and a lot of this was under the Consent Agenda. He said that he and Commissioner England probably have the most flexible schedules and in consideration of everyone that he would rather finish the meetings in one night vs. a continuation because sometimes it is not possible for all of the Commissioners to convene the next day, which could save money for staffing. He said that it could also help with Public Comments because if people attend and then the meeting gets continued, that they would have to come back the next day or the Commission would need to change the order of topics on the agenda. He said that evening meetings work better for the public and that he believes that finishing the meetings in one day would be the best option.

Commissioner George asked the City Manager if it was prior Commissioner Snodgrass that asked to shorten the meetings and if the meetings used to be allowed to go until 10:00 p.m. City Manager Royle advised that he believed it was during Commissioner Snodgrass's reign as Mayor. He said that the time was 9:30 p.m. and then the Commission would need to take a vote to continue the meeting to 10:00 p.m. Commissioner George asked if this was a proposal to bring it back to what it used to be. City Manager Royle advised that it used to be that there was no limit. Commissioner George said that she recalls some other rule that was not like a policy. Commissioner England said that it was the previous Clerk that cited some rule. City Manager Royle said that there is nothing in the Charter. Commissioner George said that we used to be told that we did not have authority to extend it after a certain time and that she thought it was 10:00 p.m. City Manager Royle advised that he did not believe that was correct because he remembers Commission meetings going until midnight.

Commissioner George said that at some point she gets worn out, does not mind coming back, and does not have a problem going until 10:00 p.m. She said that we have not had this issue so far and she commended the City Manager for creating agendas that were not burdensome.

Mayor Samora said that it sounds like we can set our own rules. City Manager Royle said yes. Mayor Samora advised that he would not be opposed to trying to finish up by 10:00 p.m. but could extend it by vote for another thirty minutes. He would hate to say that we would finish in one night because he does not want to be here until midnight, and it is counterproductive to stay two hours after 10:00 p.m. Commissioner George said that is how you lose Public Comments too.

Commissioner Sweeny said that Public Comments are her main concern and that she is in favor of the current rules because she feels like it discourages public participation to go much later and to ask the public to stay up until midnight.

Mayor Samora said that it would be nice to have the flexibility to stay to finish up one more item. Vice Mayor Rumrell said that we start looking at the clock and could be rushing our decisions and that he would like to finish in one night for those who do not have flexible schedules.

Commissioner George said that she likes the suggestion of bringing back the rule that if the meeting is not finished, that it would be finished the next business day for planning purposes and to always keep that Monday and Tuesday open. She said that the only reason we got away from that was because of Commissioner Torres, so it could be brought back.

Vice Mayor Rumrell said that if the meeting can continue on and end at 10:45 p.m. vs. coming back for thirty minutes next day.

Commissioner Sweeny advised that she would rather come back the next day because at that point she has been at work since 8:00 a.m., then the meeting, and that her brain is fried. She said that she would rather come back with a fresher mind the next day. City Manager Royle advised that the Commission has the flexibility to change the order of topics to accommodate a room full of people that are there to speak on a certain topic. Commissioner George agreed and said that it would depend on what the issue is and whether the meeting would run late.

Mayor Samora suggested having both the flexibility to extend the meeting for a half an hour by vote and also to leave the next day open. Commissioner George said that is the function of it being at 9:30 p.m. but to also have the option to vote and consider each other's mental state and what the issue is. City Manager Royle advised that you could vote to extend it forty-five minutes in order to finish up the business.

Mayor Samora asked if a resolution would be needed to make this change. City Manager Royle said that it is a policy. City Clerk Fitzgerald advised that it is in the Policies and Procedures Manual, and it would take a simple resolution to make any changes. She suggested that the 10:00 p.m. limit could be removed, then they would have the freedom to continue that night and end at whatever time or continue it the next day.

Commissioner England said that the policy would be much more general and allow the Commission the ability to extend the meeting or come back the next business day. City Clerk Fitzgerald advised that removing that definitive end time would allow the Commission the flexibility to either continue on or stop and continue the next day.

Mayor Samora opened Public comments.

Virginia Morgan, 208 Bluebird Lane, St. Augustine Beach, FL, said that going really late discourages engagement from everyone; she has attended many of the meetings and that none have gone past 10:00 p.m. and thanked the City Manager for that; she liked the idea of either voting if it is going to go past 10:00 p.m. or reorder the agenda topics to accommodate audience participation in the hot topic; you do not want to be quick or not put in the amount of time it needs.

Vice Mayor Rumrell said that we are the only jurisdiction that does not finish in one day. He said that the Mayor and the City Manager have done great jobs.

Mayor Samora said that Commissioner England summed it up well and he asked for it to be brought back as a resolution. City Manager Royle agreed.

Mayor Samora closed Public Comments and moved on to Item XIII.11.

RESOLUTION 22-13

**CITY OF ST. AUGUSTINE BEACH
ST. JOHNS COUNTY
FLORIDA**

**RE: TO AMEND THE POLICIES AND
PROCEDURES MANUAL**

The City Commission, of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on November 14, 2022, resolves as follows:

That the Policies and Procedures Manual for the City of St. Augustine Beach is hereby amended as shown below and such language shall be incorporated into the Policies and Procedures Manual as follows:

COMMISSION MEETINGS

3. Commission meetings are to begin at 6:00 p.m. and will end at 9:30 p.m. unless a vote to extend the meetings is approved by the Commission ~~until 10:00 p.m.~~ Regular Commission meetings will be on the first Monday of every month and, if necessary, will continue to the next business day. Standard length of Commission meetings shall be 3 ½ hours, unless a vote to extend the meeting is approved by the Commission ~~for an additional 30 minutes.~~

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, amends the above Section of the City of St. Augustine Beach Policies and Procedures Manual to read as set forth above, with the remainder of the policies remaining as adopted previously.

RESOLVED AND DONE, this 14th day of November 2022, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.


Mayor Donald Samora

ATTEST:

Max Royle City Manager

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner England
Commissioner George
Commissioner Sweeny
Commissioner-Designate Morgan

FROM: Max Royle, City Manager 

DATE: October 18, 2022

SUBJECT: 4th Street between 2nd Avenue and A1A Beach Boulevard: Consideration of Assessment to Pay for Paving and the Undergrounding of Power Lines

INTRODUCTION

The section of 4th Street that is the topic of this agenda item is located between vacant property on its north side and the Tides Oyster Company and vacant lots along its south side. About 100 feet of the street westwards from A1A Beach Boulevard is paved with concrete that was laid decades ago. The remainder of the street is either dirt or vegetation. The concrete would be removed so that the entire street will have asphalt pavement.

Mr. James Whitehouse of the St. Johns Law Group represents some of the owners of lots adjacent to 4th Street. He has told the City Manager that these owners want to pave 4th Street so that they can develop their lots. He has asked that the topic of opening and paving 4th Street be on the agenda for your November 14th meeting.

OWNER OF LOTS

There are 16 platted lots in Blocks 18 and 19 of the Chautauqua Beach subdivision along this section of 4th Street. The odd numbered lots in Block 18 are on the north side, the even numbered lots in Block 19 are on the south side. The owners are:

- a. Block 18, Lots 1, 3 and 5: Ginn and Patrou Holdings*
- b. Block 18, Lots 7 and 9: HVG Properties
- c. Block 18, Lots 11, 13 and 15: Eric Kenney
- d. Block 19, Lots 2, 4, 6, 8, 10, 12, 14 and 16: Kevin and Jo Ann Vahey**

*These are the lots where the owner wants to build a 10,000 square foot mixed used building adjacent to the Boulevard.

**Lots 2, 4, 6 and 8 are where the Tides Oyster Company and its parking lot are located. Lots 10, 12, 14 and 16 are vacant.

QUESTIONS

They are:

1. How to pay the costs to open this section of 4th Street?
2. Should the undergrounding of power lines be included in the costs?
3. Should this section of 4th Street end in a cul-de-sac east of 2nd Avenue or be opened to connect to 2nd Avenue and 4th Street west of 2nd Avenue?

ANSWERS

1. As it is too late to have a resolution prepared for a public hearing to levy a non-ad valorem assessment in 2023 to pay the costs to open this section of 4th Street, the only other method is a special assessment of the lot owners to pay two-thirds of the costs with the City paying the remaining third from impact fees.

Attached as pages 1-8 is Chapter 170, Florida Statutes, which states the requirements for levying a special assessment.

2. We suggest that the undergrounding be included in the costs.
3. We suggest that you treat 4th Street just as you did 2nd Street, meaning have 4th Street connect to 2nd Avenue. Both 2nd and 4th Streets have a 40-foot right-of-way, which makes it difficult to have a cul-de-sac wide enough for fire and sanitation trucks to turn around. Eighth Street west of the Boulevard is the only numbered street between 1st and 10th that ends in a cul-de-sac. This section of 8th has a 60-foot right-of-way.

ACTIONS REQUESTED

They are:

- a. That the City Attorney review Chapter 170 and advise you of the steps the City needs to take to levy an assessment and a timetable for the assessment. Possibly, by the time the assessment is levied, the City will have received enough revenue from road impact fees to pay its share of the project's costs. At this time, the City has very limited road impact fee revenue.
- b. That you decide whether to include the costs to underground power lines in the project's cost.
- c. That you decide whether 4th Street is to be connected to 2nd Avenue or end in a cul-de-sac.
- d. That the Public Works Director prepare an estimate of the project's cost, based on your decisions whether to underground the power lines and connect 4th Street to 2nd Avenue.



Select Year: 2022 ▾ Go

The 2022 Florida Statutes

[Title XII](#)
MUNICIPALITIES

[Chapter 170](#)
SUPPLEMENTAL AND ALTERNATIVE METHOD OF MAKING LOCAL
MUNICIPAL IMPROVEMENTS

[View Entire Chapter](#)

CHAPTER 170 SUPPLEMENTAL AND ALTERNATIVE METHOD OF MAKING LOCAL MUNICIPAL IMPROVEMENTS

- 170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.
- 170.02 Method of prorating special assessments.
- 170.03 Resolution required to declare special assessments.
- 170.04 Plans and specifications, with estimated cost of proposed improvement required before adoption of resolution.
- 170.05 Publication of resolution.
- 170.06 Preliminary assessment roll.
- 170.07 Publication of preliminary assessment roll.
- 170.08 Final consideration of special assessments; equalizing board to hear complaints and adjust assessments; rebate of difference in cost and assessment.
- 170.09 Priority of lien; interest; and method of payment.
- 170.10 Legal proceedings instituted upon failure of property owner to pay special assessment or interest when due; foreclosure; service of process.
- 170.11 Bonds may be issued to an amount not exceeding the amount of liens assessed for the cost of improvements to be paid by special assessment.
- 170.14 Governing authority of municipality required to make new assessments until valid assessment is made if special assessment is omitted or held invalid.
- 170.15 Expenditures for improvements.
- 170.16 Assessment roll sufficient evidence of assessment and other proceedings of this chapter; variance not material unless party objecting materially injured thereby.
- 170.17 Denomination of bonds; interest; place of payment; form; signatures; coupons; and delivery.
- 170.18 Notice required where no newspaper is published in county in which municipality is situated.
- 170.19 Construction and authority of chapter.
- 170.20 Bonds negotiable.
- 170.201 Special assessments.
- 170.21 Provisions of chapter supplemental, additional, and alternative procedure.

170.01 Authority for providing improvements and levying and collecting special assessments against property benefited.—

- (1) Any municipality of this state may, by its governing authority:
- (a) Provide for the construction, reconstruction, repair, paving, repaving, hard surfacing, rehard surfacing, widening, guttering, and draining of streets, boulevards, and alleys; for grading, regrading, leveling, laying,

relaying, paving, repaving, hard surfacing, and rehard surfacing of sidewalks; for constructing or reconstructing permanent pedestrian canopies over public sidewalks; and in connection with any of the foregoing, provide related lighting, landscaping, street furniture, signage, and other amenities as determined by the governing authority of the municipality;

(b) Order the construction, reconstruction, repair, renovation, excavation, grading, stabilization, and upgrading of greenbelts, swales, culverts, sanitary sewers, storm sewers, outfalls, canals, primary, secondary, and tertiary drains, water bodies, marshlands, and natural areas, all or part of a comprehensive stormwater management system, including the necessary appurtenances and structures thereto and including, but not limited to, dams, weirs, and pumps;

(c) Order the construction or reconstruction of water mains, water laterals, alternative water supply systems, including, but not limited to, reclaimed water, aquifer storage and recovery, and desalination systems, and other water distribution facilities, including the necessary appurtenances thereto;

(d) Pay for the relocation of utilities, including the placement underground of electrical, telephone, and cable television services, pursuant to voluntary agreement with the utility, but nothing contained in this paragraph shall affect a utility's right to locate or relocate its facilities on its own initiative at its own expense;

(e) Provide for the construction or reconstruction of parks and other public recreational facilities and improvements, including appurtenances thereto;

(f) Provide for the construction or reconstruction of seawalls;

(g) Provide for the drainage and reclamation of wet, low, or overflowed lands;

(h) Provide for offstreet parking facilities, parking garages, or similar facilities;

(i) Provide for mass transportation systems;

(j) Provide for improvements to permit the passage and navigation of watercraft; and

(k) Provide for the payment of all or any part of the costs of any such improvements by levying and collecting special assessments on the abutting, adjoining, contiguous, or other specially benefited property.

However, offstreet parking facilities, parking garages, or other similar facilities and mass transportation systems must be approved by vote of a majority of the affected property owners. Any municipality which is legally obligated for providing capital improvements for water, alternative water supplies, including, but not limited to, reclaimed water, water from aquifer storage and recovery, and desalination systems, or sewer facilities within an unincorporated area of the county may recover the costs of the capital improvements by levying and collecting special assessments for the purposes authorized in this section on the specially benefited property; however, collections of the special assessment shall not take place until the specially benefited property connects to the capital improvement.

(2) Special assessments may be levied only for the purposes enumerated in this section and shall be levied only on benefited real property at a rate of assessment based on the special benefit accruing to such property from such improvements when the improvements funded by the special assessment provide a benefit which is different in type or degree from benefits provided to the community as a whole.

(3) Any municipality, subject to the approval of a majority of the affected property owners, may levy and collect special assessments against property benefited for the purpose of stabilizing and improving:

(a) Retail business districts,

(b) Wholesale business districts, or

(c) Nationally recognized historic districts,

or any combination of such districts, through promotion, management, marketing, and other similar services in such districts of the municipality. This subsection does not authorize a municipality to use bond proceeds to fund ongoing operations of these districts.

(4) Notwithstanding any other provision of law, a municipality may not levy special assessments for the provision of fire protection services on lands classified as agricultural lands under s. 193.461 unless the land

contains a residential dwelling or nonresidential farm building, with the exception of an agricultural pole barn, provided the nonresidential farm building exceeds a just value of \$10,000. Such special assessments must be based solely on the special benefit accruing to that portion of the land consisting of the residential dwelling and curtilage, and qualifying nonresidential farm buildings. As used in this subsection, the term "agricultural pole barn" means a nonresidential farm building in which 70 percent or more of the perimeter walls are permanently open and allow free ingress and egress.

History.—s. 1, ch. 9298, 1923; CGL 3022; s. 1, ch. 59-396; s. 1, ch. 67-552; s. 1, ch. 78-360; s. 32, ch. 79-164; s. 1, ch. 82-198; s. 32, ch. 83-204; s. 1, ch. 83-337; s. 1, ch. 87-103; s. 39, ch. 91-45; s. 1, ch. 92-156; s. 2, ch. 94-344; s. 4, ch. 95-323; s. 2, ch. 2016-89.

170.02 Method of prorating special assessments.—Special assessments against property deemed to be benefited by local improvements, as provided for in s. 170.01, shall be assessed upon the property specially benefited by the improvement in proportion to the benefits to be derived therefrom, said special benefits to be determined and prorated according to the foot frontage of the respective properties specially benefited by said improvement, or by such other method as the governing body of the municipality may prescribe.

History.—s. 2, ch. 9298, 1923; CGL 3023.

170.03 Resolution required to declare special assessments.—When the governing authority of any municipality may determine to make any public improvement authorized by s. 170.01 and defray the whole or any part of the expense thereof by special assessments, said governing authority shall so declare by resolution stating the nature of the proposed improvement, designating the street or streets or sidewalks to be so improved, the location of said sanitary sewers, storm sewers, and drains, the location of said water mains, water laterals, and other water distribution facilities, the location of the utilities, the location of the recreational facilities, the location of the seawalls, the location of the drainage project, or the location of the retail or wholesale business districts or nationally recognized historic districts to be improved, and the part or portion of the expense thereof to be paid by special assessments, the manner in which said assessments shall be made, when said assessments are to be paid, what part, if any, shall be apportioned to be paid from the general improvement fund of the municipality; and said resolution shall also designate the lands upon which the special assessments shall be levied, and in describing said lands it shall be sufficient to describe them as "all lots and lands adjoining and contiguous or bounding and abutting upon such improvements or specially benefited thereby and further designated by the assessment plat hereinafter provided for." Such resolution shall also state the total estimated cost of the improvement. Such estimated cost may include the cost of construction or reconstruction, the cost of all labor and materials, the cost of all lands, property, rights, easements, and franchises acquired, financing charges, interest prior to and during construction and for 1 year after completion of construction, discount on the sale of special assessment bonds, cost of plans and specifications, surveys of estimates of costs and of revenues, cost of engineering and legal services, and all other expenses necessary or incident to determining the feasibility or practicability of such construction or reconstruction, administrative expense, and such other expense as may be necessary or incident to the financing herein authorized.

History.—s. 3, ch. 9298, 1923; CGL 3024; s. 2, ch. 59-396; s. 2, ch. 67-552; s. 1, ch. 78-330; s. 2, ch. 87-103; s. 40, ch. 91-45; s. 2, ch. 92-156; s. 3, ch. 94-344.

170.04 Plans and specifications, with estimated cost of proposed improvement required before adoption of resolution.—At the time of the adoption of the resolution provided for in s. 170.03, there shall be on file with the town or city clerk, or like officer, of the municipality adopting said resolution, an assessment plat showing the area to be assessed, with plans and specifications, and an estimate of the cost of the proposed improvement, which assessment plat, plans and specifications and estimate shall be open to the inspection of the public.

History.—s. 4, ch. 9298, 1923; CGL 3025; s. 3, ch. 59-396.

170.05 Publication of resolution.—Upon the adoption of the resolution provided for in s. 170.03, the municipality shall cause said resolution to be published one time in a newspaper of general circulation

published in said municipality, and if there be no newspaper published in said municipality, the governing authority of said municipality shall cause said resolution to be published once a week for a period of 2 weeks in a newspaper of general circulation published in the county in which said municipality is located.

History.—s. 5, ch. 9298, 1923; CGL 3026.

170.06 Preliminary assessment roll.—Upon the adoption of the resolution aforesaid, the governing authority of the municipality shall cause to be made a preliminary assessment roll in accordance with the method of assessment provided for in said resolution, which assessment roll shall be completed as promptly as possible; said assessment roll shall show the lots and lands assessed and the amount of the benefit to and the assessment against each lot or parcel of land, and, if said assessment is to be paid in installments, the number of annual installments in which the assessment is divided shall also be entered and shown upon said assessment roll.

History.—s. 6, ch. 9298, 1923; CGL 3027; s. 3, ch. 67-552; s. 4, ch. 87-103.

170.07 Publication of preliminary assessment roll.—Upon the completion of said preliminary assessment roll, the governing authority of the municipality shall by resolution fix a time and place at which the owners of the property to be assessed or any other persons interested therein may appear before said governing authority and be heard as to the propriety and advisability of making such improvements, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property so improved. Thirty days' notice in writing of such time and place shall be given to such property owners. The notice shall include the amount of the assessment and shall be served by mailing a copy to each of such property owners at his or her last known address, the names and addresses of such property owners to be obtained from the records of the property appraiser or from such other sources as the city or town clerk or engineer deems reliable, proof of such mailing to be made by the affidavit of the clerk or deputy clerk of said municipality, or by the engineer, said proof to be filed with the clerk, provided, that failure to mail said notice or notices shall not invalidate any of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by two publications a week apart in a newspaper of general circulation in said municipality, and if there be no newspaper published in said municipality the governing authority of said municipality shall cause said notice to be published in like manner in a newspaper of general circulation published in the county in which said municipality is located; provided that the last publication shall be at least 1 week prior to the date of the hearing. Said notice shall describe the streets or other areas to be improved and advise all persons interested that the description of each property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the clerk of the municipality. Such service by publication shall be verified by the affidavit of the publisher and filed with the clerk of said municipality.

History.—s. 7, ch. 9298, 1923; CGL 3028; s. 4, ch. 59-396; s. 1, ch. 77-102; s. 5, ch. 87-103; s. 914, ch. 95-147; s. 1, ch. 98-52.

170.08 Final consideration of special assessments; equalizing board to hear complaints and adjust assessments; rebate of difference in cost and assessment.—At the time and place named in the notice provided for in s. 170.07, the governing authority of the municipality shall meet and hear testimony from affected property owners as to the propriety and advisability of making the improvements and funding them with special assessments on property. Following the testimony, the governing authority of the municipality shall make a final decision on whether to levy the special assessments. Thereafter, the governing authority shall meet as an equalizing board to hear and consider any and all complaints as to the special assessments and shall adjust and equalize the assessments on a basis of justice and right. When so equalized and approved by resolution or ordinance of the governing authority, a final assessment roll shall be filed with the governing authority of the municipality, and such assessments shall stand confirmed and remain legal, valid, and binding first liens upon the property against which such assessments are made until paid; however, upon completion of the improvement, the municipality shall credit to each of the assessments the difference in the assessment as originally made, approved, and confirmed and the proportionate part of the actual cost of the improvement to

be paid by special assessments as finally determined upon the completion of the improvement, but in no event shall the final assessments exceed the amount of benefits originally assessed. Promptly after such confirmation, the assessments shall be recorded by the city clerk in a special book, to be known as the "Improvement Lien Book," and the record of the lien in this book shall constitute prima facie evidence of its validity. The governing authority of the municipality may by resolution grant a discount equal to all or a part of the payee's proportionate share of the cost of the project consisting of bond financing costs, such as capitalized interest, funded reserves, and bond discount included in the estimated cost of the project, upon payment in full of any assessment during such period prior to the time such financing costs are incurred as may be specified by the governing authority.

History.—s. 8, ch. 9298, 1923; CGL 3029; s. 5, ch. 59-396; s. 1, ch. 78-330; s. 73, ch. 81-259; s. 6, ch. 87-103.

170.09 Priority of lien; interest; and method of payment.—The special assessments shall be payable at the time and in the manner stipulated in the resolution providing for the improvement; shall remain liens, coequal with the lien of all state, county, district, and municipal taxes, superior in dignity to all other liens, titles, and claims, until paid; shall bear interest, at a rate not to exceed 8 percent per year, or, if bonds are issued pursuant to this chapter, at a rate not to exceed 1 percent above the rate of interest at which the improvement bonds authorized pursuant to this chapter and used for the improvement are sold, from the date of the acceptance of the improvement; and may, by the resolution aforesaid and only for capital outlay projects, be made payable in equal installments over a period not to exceed 30 years notwithstanding any special act to the contrary, to which, if not paid when due, there shall be added a penalty at the rate of 1 percent per month, until paid. However, the assessments may be paid without interest at any time within 30 days after the improvement is completed and a resolution accepting the same has been adopted by the governing authority.

History.—s. 9, ch. 9298, 1923; CGL 3030; s. 6, ch. 59-396; s. 1, ch. 61-349; s. 4, ch. 67-552; s. 3, ch. 80-318; s. 74, ch. 81-259; s. 5, ch. 82-195; s. 2, ch. 82-198; s. 33, ch. 83-204; s. 29, ch. 99-378.

170.10 Legal proceedings instituted upon failure of property owner to pay special assessment or interest when due; foreclosure; service of process.—Each annual installment provided for in s. 170.09 shall be paid upon the dates specified in said resolution, with interest upon all deferred payments, until the entire amount of said assessment has been paid, and upon the failure of any property owner to pay any annual installment due, or any part thereof, or any annual interest upon deferred payments, the governing authority of the municipality shall cause to be brought the necessary legal proceedings by a bill in chancery to enforce payment thereof with all accrued interest and penalties, together with all legal costs incurred, including a reasonable solicitor's fee, to be assessed as part of the costs and in the event of default in the payment of any installment of an assessment, or any accrued interest on said assessment, the whole assessment, with the interest and penalties thereon, shall immediately become due and payable and subject to foreclosure. In the foreclosure of any special assessment service of process against unknown or nonresident defendants may be had by publication, as now provided by law in other chancery suits. The foreclosure proceedings shall be prosecuted to a sale and conveyance of the property involved in said proceedings as now provided by law in suits to foreclose mortgages; or, in the alternative, said proceeding may be instituted and prosecuted under chapter 173.

History.—s. 10, ch. 9298, 1923; CGL 3031; s. 7, ch. 59-396.

170.11 Bonds may be issued to an amount not exceeding the amount of liens assessed for the cost of improvements to be paid by special assessment.—After the equalization, approval and confirmation of the levying of the special assessments for improvements as provided by s. 170.08 and as soon as a contract for said improvement has been finally let, the governing authority of the municipality may by resolution or ordinance authorize the issuance of bonds, to be designated "Improvement bonds, series No. , " in an amount not in excess of the aggregate amount of said liens levied for such improvements. Said bonds shall be payable from a

special and separate fund, to be known as the "Improvement fund, series No. ,," which shall be used solely for the payment of the principal and interest of said "Improvement bonds, series No. " and for no other purpose. Said fund shall be deposited in a separate bank account; and all the proceeds collected by the city from the principal, interest, and penalties of said liens shall be deposited and held in said fund. Said bonds so issued shall never exceed the amount of liens assessed, and said bonds shall mature not later than 2 years after the maturity of the last installment of said liens. Said bonds shall bear certificates signed by the clerk of the municipality certifying that the amount of liens levied, the proceeds of which are pledged to the payment of said bonds, are equal to the amount of the bonds issued. The bonds may be delivered to the contractor in payment for his or her work or may be sold at public or private sale for not less than 95 percent of par and accrued interest, the proceeds to be used in paying for the cost of the work. Said bonds shall not be a general obligation of the city, but shall be payable solely out of said assessments, installments, interest, penalties, provided that said bonds may be secured by any other revenues that may be legally available for such purpose. Any surplus remaining after payment of all bonds and interest thereon shall revert to the city and be used for any municipal purpose. Bonds issued under this section may be refunded from time to time as provided in this section.

History.—s. 11, ch. 9298, 1923; CGL 3032; s. 8, ch. 59-396; s. 5, ch. 67-552; s. 1, ch. 78-330; s. 3, ch. 92-156; s. 915, ch. 95-147.

170.14 Governing authority of municipality required to make new assessments until valid assessment is made if special assessment is omitted or held invalid.—If any special assessment made under the provisions of this chapter to defray the whole or any part of the expense of any said improvement shall be either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the governing authority of any municipality shall be satisfied that any such assessment is so irregular or defective that the same cannot be enforced or collected, or if the governing authority of a municipality shall have omitted to make such assessment when it might have done so, the governing authority of the municipality shall take all necessary steps to cause a new assessment to be made for the whole or any part of any improvement or against any property benefited by any improvement, following as nearly as may be the provisions of this chapter and in case such second assessment shall be annulled, said governing authority of any municipality may obtain and make other assessments until a valid assessment shall be made.

History.—s. 14, ch. 9298, 1923; CGL 3035; s. 11, ch. 59-396.

170.15 Expenditures for improvements.—The governing authority of any municipality may pay out of its general funds or out of any special fund that may be provided for that purpose such portion of the cost of any improvement as it may deem proper.

History.—s. 15, ch. 9298, 1923; CGL 3036; s. 12, ch. 59-396.

170.16 Assessment roll sufficient evidence of assessment and other proceedings of this chapter; variance not material unless party objecting materially injured thereby.—Any informality or irregularity in the proceedings in connection with the levy of any special assessment under the provisions of this chapter shall not affect the validity of the special assessment where the assessment roll has been confirmed by the governing authority. The assessment roll as finally approved and confirmed shall be competent and sufficient evidence that the assessment was duly levied, that the assessment was duly made and adopted, and that all other proceedings adequate to the adoption of the assessment roll were duly had, taken, and performed as required by this chapter, and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. However, nothing in this section shall relieve the governing authority from notifying the affected property owners of the special assessments as required by this chapter.

History.—s. 16, ch. 9298, 1923; CGL 3037; s. 7, ch. 87-103; s. 41, ch. 91-45.

170.17 Denomination of bonds; interest; place of payment; form; signatures; coupons; and delivery.—All bonds issued under this chapter shall be the denomination of \$500, or some multiple thereof, and shall bear

interest as provided in s. 215.84 until paid in full, payable annually or semiannually, and both principal and interest shall be payable at such place or places as the governing authority may determine. The form of such bonds shall be fixed by resolution of the governing authority of the municipality, and said bonds shall be signed by the mayor or chief executive officer of the municipality and the clerk or other like officers thereof, under the seal of the municipality; the coupons, if any, shall be executed by the facsimile signatures of said officers. The delivery of any bond and coupon so executed at any time thereafter shall be valid although before the date of delivery the person signing such bond or coupons shall cease to hold office.

History.—s. 17, ch. 9298, 1923; CGL 3038; s. 13, ch. 59-396; s. 16, ch. 73-302; s. 6, ch. 82-195; s. 4, ch. 92-156.

170.18 Notice required where no newspaper is published in county in which municipality is situated.

—Where, by any of the provisions of this chapter, any notice is required to be given by publication in a newspaper, if there be no newspaper published in the county in which the municipality is situated, then such notice shall be posted for the prescribed period of time in at least five public places in the municipality, one of which shall be the city or town hall, or the place of meeting of the governing authority, if there be no city or town hall.

History.—s. 18, ch. 9298, 1923; CGL 3039.

170.19 Construction and authority of chapter.—This chapter shall, without reference to any other law of Florida, be full authority for the issuance and sale of the bonds by this chapter authorized, and shall be construed as an additional and alternative method for the financing of the improvements referred to herein. No ordinance, resolution, election or proceeding in respect of the issuance of any bonds hereunder shall be necessary, except such as is required by this chapter, and no publication of any resolution, ordinance, election, notice or proceeding relating to the issuance of the bonds provided for by this chapter shall be required, except such as required by this chapter.

History.—s. 19, ch. 9298, 1923; CGL 3040; s. 14, ch. 59-396.

170.20 Bonds negotiable.—Bonds issued under s. 170.11 shall have all the qualities of negotiable paper under the law merchant, and shall not be invalid for any irregularity or defect in the proceedings for the issue and sale thereof, and shall be incontestable in the hands of bona fide purchasers or holders thereof for value.

History.—s. 20, ch. 9298, 1923; CGL 3041; s. 15, ch. 59-396.

170.201 Special assessments.—

(1) In addition to other lawful authority to levy and collect special assessments, the governing body of a municipality may levy and collect special assessments to fund capital improvements and municipal services, including, but not limited to, fire protection, emergency medical services, garbage disposal, sewer improvement, street improvement, and parking facilities. Without limiting the foregoing, a municipality that has a population of fewer than 100 persons for the previous year's taxing year may also levy and collect special assessments to fund special security and crime prevention services and facilities, including guard and gatehouse facilities for the current taxing year. However, if prior to the levy of the assessment, the cost of the services and facilities are funded by ad valorem taxes, the taxes shall be abated annually thereafter, in an amount equal to the full amount of the special assessment. The governing body of a municipality may apportion costs of such special assessments based on:

- (a) The front or square footage of each parcel of land; or
 - (b) An alternative methodology, so long as the amount of the assessment for each parcel of land is not in excess of the proportional benefits as compared to other assessments on other parcels of land.
- (2) Property owned or occupied by a religious institution and used as a place of worship or education; by a public or private elementary, middle, or high school; or by a governmentally financed, insured, or subsidized housing facility that is used primarily for persons who are elderly or disabled shall be exempt from any special assessment levied by a municipality to fund any service if the municipality so desires. As used in this subsection, the term "religious institution" means any church, synagogue, or other established physical place for worship at

which nonprofit religious services and activities are regularly conducted and carried on and the term “governmentally financed, insured, or subsidized housing facility” means a facility that is financed by a mortgage loan made or insured by the United States Department of Housing and Urban Development under s. 8, s. 202, s. 221(d)(3) or (4), s. 232, or s. 236 of the National Housing Act and is owned or operated by an entity that qualifies as an exempt charitable organization under s. 501(c)(3) of the Internal Revenue Code.

History.—s. 30, ch. 96-324; s. 1, ch. 97-110; s. 5, ch. 98-167; s. 14, ch. 99-378; s. 26, ch. 2011-144.

170.21 Provisions of chapter supplemental, additional, and alternative procedure.—This chapter shall not repeal any other law relating to the subject matter hereof, but shall be deemed to provide a supplemental, additional, and alternative method of procedure for the benefit of all cities, towns, and municipal corporations of the state, whether organized under special act or the general law, and shall be liberally construed to effectuate its purpose.

History.—s. 21, ch. 9298, 1923; CGL 3042; s. 16, ch. 59-396.

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**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
NOVEMBER 14, 2022**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-20

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's August 25, 2022, are attached as pages 21-25. The Board did not meet in September.

SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE

The minutes of the Committee's October 6, 2022, meeting, are attached as pages 26-43. Also, the report from the Chair, Ms. Lana Bandy, is attached as pages 44-46.

POLICE DEPARTMENT

Please see page 47.

FINANCE DEPARTMENT

Please see page 48. Page 48A is a summary of what the City's spent of its American Rescue Plan Act allocation since April 2022.

PUBLIC WORKS DEPARTMENT

Please see pages 49-52.

CITY MANAGER

1. Complaints

A. Possible Abandoned Recreation Vehicle

It was located in the parking lot south of the Oasis restaurant and has an expired license tag. The complaint was forwarded to the Police Department and Code Enforcement Division. The owner of the property was given a verbal request and a deadline to have it removed. As it wasn't removed, the owner was given a written notice and a September 26th deadline to remove it. By October 3rd, the RV was removed.

B. Road Striping

A Sandpiper Village resident asked that the faded double yellow lines on Sandpiper Boulevard where it joins State Road A1A be repainted. His request was forwarded to the Public Works Department.

C. Dune Protection

A resident said that because of beach erosion, persons were trespassing in the dunes between 15th and 16th Street. This complaint was forwarded to the County's Environmental Supervisor, who said she would have signs posted.

D. Mowing, West End of 15th Street

A resident complained that the vegetation at the west end of 15th Street had been mowed to the dirt. He asked whether Public Works crews or other persons had done this. His question was forwarded to the Public Works Director.

E. Speeding in Sea Grove

A Sea Grove resident said one of the City's brush pickup trucks was being driven in excess of the 15 mph speed limit. His complaint was forwarded to the Public Works Director.

F. Weeds Along Right-of-Way

An Island South condo owner asked that the weeds along 4th Street east of the Boulevard be trimmed. Her request was forwarded to the Public Works Director.

2. Major Projects

A. Road/Sidewalk Improvements

1) Opening 2nd Street West of 2nd Avenue

At its March 7, 2022, meeting, the City Commission awarded the bid for this project to DB Civil Construction of Ormond Beach, Florida, for \$579,850. The contract has been executed and construction has started with clearing of the right-of-way and preparations to lay the road's base. Underground water and sewer lines are being installed.

2) Sidewalk and Drainage Improvements for A Street

A Street between the beach and State Road A1A is owned and maintained by the County. In response to a resident's suggestion that a sidewalk is needed on A Street between the beach and A1A Beach Boulevard because of vehicle traffic and the number of pedestrians and bicyclists along that section of A Street, the City and County developed a project for underground drainage to solve the flooding problem along the street's north side and for a sidewalk. After several meetings, the County staff agreed to a five-foot wide sidewalk and a two-foot wide gutter. The City Commission then approved the project. Work was supposed to start in the spring of 2022, but because the contractor experienced delays in getting materials, the project will start in November 2022, according to the County's Public Works Director.

3) A1A Beach Boulevard Crosswalk Improvements

As of the end of February 2022, the County had been put up flashing signals for the crosswalks on A1A Beach Boulevard between Sea Colony and the shopping center, and between the beach walkway at Ocean Hammock Park and the Whispering Oaks subdivision. In early August, flashing signals were erected at the

16th and 11th Street crosswalks. The fifth and final crossing will be a raised median in the middle of the Boulevard by the pier park. This will most likely be constructed before the end of 2022.

B. Beach Matters

1) Off-Beach Parking

At this time, the only parking project is improvements to the two parkettes on the west side of A1A Beach Boulevard between A and 1st Streets. The City Commission appropriated \$45,000 in the Fiscal Year 2022 budget for this project. The next step is to select a consultant to do the design. The Public Works Director has selected a consultant from the County's list of civil engineering consultants. The consultant, the Matthews Design Group, is now doing the design work. Money for the improved parking area will come from American Rescue Plan Act funds. At the Commission's July 11th meeting, Matthews provided an update report on the design. The Commission selected the second option: Vehicles will enter the parking area from 1st Street and exit it to the Boulevard near A Street. The conceptual design is complete; work on permits is underway; construction will be done in 2023.

Other possible areas for parking improvements will be the north side of 4th Street between the Boulevard and the beach, the north side of 5th Street between the Boulevard and 2nd Avenue, and the plaza at the southwest corner of the Boulevard and 8th Streets.

Concerning parking along Pope Road: At its August 11th meeting: As Pope Road is owned and maintained by the County, it may include the parking project in a five-year plan.

There is no discussion at this time concerning paid parking anywhere in the City.

2) Beach Restoration

The next restoration project is scheduled to be done from June 30 to December 30, 2023. Two million cubic yards of sand will be put on the beach from the middle of the state park to Sea Colony's boundary with Ocean Hammock Park.

C. Parks

1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer at the time, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the

Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill.

A condition of the two grants is that the City implement the management plan that was part of the applications for the grants. The plan includes such improvements as restrooms, trails, a pavilion and information signs. The Public Works Director applied to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms, which the City received. At its March 7, 2022, meeting, the City Commission approved the Public Works Director's recommendation that the one bid received to construct the restrooms be rejected because of its very high price and authorized negotiating with the bidder to lower the cost. As these negotiations did not result in significant savings, the Director has decided to purchase prefabricated restrooms. He showed a photo of the restrooms to the Commission at its April 4th and May 2nd meetings. The Commission approved the restrooms, which have been ordered. They should be in place in December 2022 or January 2023.

Also, to implement the management plan, the City has applied for funding from a state grant and for a Federal grant from the National Oceanic and Atmospheric Administration. The Public Works Director's master plan for improvements to the Park was reviewed by the City Commission at its October 5, 2020, regular meeting. The design and permitting work for the interior park improvements (observation deck, picnic pavilion and trails) has been done. Construction should begin in the summer of 2022.

At its August 11, 2021, meeting, the Public Works Director and a park consultant presented an update on the other improvements to the Park. The plans were submitted to the St. Johns River Water Management District during the last week in September. The permits have been approved. A request for bids will be advertised and construction of the central trail and observation deck should start in January 2023.

2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to ownership by the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it.

At this time, the City does not have the money to develop any trails or other amenities in the Park. Unlike Ocean Hammock Park, there is no management plan for Hammock Dunes Park. A park plan will need to be developed with the help of residents and money to make the Park accessible to the public may come from the American Rescue Plan Act. At its May 2, 2022, meeting, the City Commission approved the City Manager writing a Request for Qualifications for a park planner to prepare a plan for improvements to Hammock Dunes Park. The City Commission at its June 6th meeting approved the wording for a Request for Qualifications from park planners. However, because other projects, especially drainage ones, require attention, advertising the REQ has been delayed.

3. Finance and Budget

A. Audit Report for Fiscal Year 2022 Budget

Fiscal Year 2022 ended on September 30, 2022. The auditor will present the report to the City Commission in the spring of 2023.

B. Fiscal Year 2023

The financial report for the fiscal year's first month, October, will be provided with this Report in November.

C. Alternative Revenue Sources

The City Commission has asked the administration to suggest potential sources of money. The Public Works Director proposed a stormwater utility fee. The Commission discussed this proposal at two meetings in 2021 and decided not to authorize the staff to proceed to the next step in the process to adopt the fee in the future. However, at its October 3, 2022, meeting, the Commission approved holding a public hearing on November 14, 2022, to discuss whether to continue the process of levying the fee, which, if adopted, would go into effect in 2024.

D. Additional One-Cent Sales Tax

The County Commission will ask the voters at the November 8, 2022, general election whether they'll approve the additional sales tax to be levied for 10 years. It is estimated that the City would receive yearly \$1.3 million from the year. At its September 12th meeting, the City Commission discussed possible projects that could be done with money from the additional tax. They include drainage, road paving, equipment for the Police Department, public transportation improvements to pier park, the River-to-Sea bicycle/pedestrian loop, etc. County and the votes in its two cities will be decided at the November general election whether to approve the additional tax.

4. Miscellaneous

A. Permits for Upcoming Events

In October, no applications for permits were submitted to the City Manager.

B. Vision/Strategic Plan

The Strategic Plan may be replaced by the Vision Plan, which was prepared by Commissioner England during her term as Mayor. She developed the draft of the Vision Plan, presented it to the Commission at its May 2, 2022, meeting. The draft was reviewed by the Sustainability and Environmental Protection Advisory Committee at its June 2nd meeting and by the Comprehensive Planning and Zoning Board at its June 21st meeting. The Planning Board continued its review at its July 19th meeting and discussed such topics as services related to the beach, pedestrian safety on A1A Beach Boulevard and use of the City's plazas for beautification and public parking. The Board recommended moving forward with the Plan and for the City Commission to have a joint meeting with the Board and with the Sustainability and Environmental Planning Advisory Committee. The joint meeting was held on October 5th and changes were suggested for the Plan. SEPAC will discuss further changes at its November 17th meeting. The next review of the Plan will likely be at the Commission's January regular meeting.

C. Workshops

On Wednesday, March 23, 2022, the City Commission held a workshop to discuss possible uses for the former city hall, which is located on the south side of pier park. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, informed the Commission that the City has received \$500,000 historic grant to renovate windows and other features in the building and a \$25,000 grant for interpretative signage. The outcome of the workshop was that the building would be renovated for use as an arts center with the second floor restored for artists' studios and possibly a small museum. Ms. Stone presented a report about the history of the former city hall and using the \$500,000 for exterior improvements to the building, such as the second floor windows and other features. The deadline for using the money from the historic grant is June 2023. The deadline for the spending of the \$25,000 grant for the civil rights monument is March 31, 2023.

At the City Commission's October 3, 2022, meeting, Ms. Stone reported that the Cultural Council has hired two local architects to provide technical expertise for the first phase, the \$500,000 grant, for exterior improvements to the building. Also, a designer has been hired to develop interpretive signage for the building.

The next step will be a visioning meeting involving the public for the next phase of the renovation of the building. No date for the meeting has been scheduled.

COSAB NEW SFR CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
2598	7 6TH ST	P2100089	SFR-D	1/28/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2956	31 VERSAGGI DR	P2002022	SFR-D	1/26/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3070	115 D ST	P2100133	SFR-D	2/4/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3103	129 5TH STREET	P2100711	SFR-D	6/3/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3176	129 14TH ST	P2101217	SFR-D	9/24/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3693	370 OCEAN FOREST DR	P2100618	SFR-D	5/18/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3747	529 RIDGEWAY RD	P2100925	SFR-D	7/15/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3897	15 SABOR DE SAL RD	P2200622	SFR-D	3/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4186	13 13TH LN	P2200376	SFR-D	1/24/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4332	2472 A1A S	P2200573	SFR-D	2/22/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4411	110 RIDGEWAY RD	P2200064	SFR-D	10/18/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4634	301 S FOREST DUNE DR	P2201349	SFR-D	8/2/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4657	135 13TH ST	P2200427	SFR-D	1/20/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4665	171 RIDGEWAY RD	P2200670	SFR-D	3/10/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4723	282 RIDGEWAY RD	P2200346	SFR-D	1/3/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4734	23 OCEAN PINES DR	P2200462	SFR-D	1/28/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4828	106 F ST	P2200648	SFR-D	3/31/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4852	800 TIDES END DR	P2200394	SFR-D	1/11/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4894	107 E ST	P2201127	SFR-D	6/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
4983	3 LISBON ST	P2200629	SFR-D	3/2/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5016	103 WHISPERING OAKS CIR	P2200667	SFR-D	3/10/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5018	507 F ST	P2201176	SFR-D	6/15/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5058	1 LISBON ST	P2200704	SFR-D	2/17/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5193	937 DEER HAMMOCK CIR	P2200808	SFR-D	4/6/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5346	5 15TH ST	P2201519	SFR-D	9/1/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5470	386 OCEAN FOREST DR	P2201087	SFR-D	5/25/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5644	399 OCEAN FOREST DR	P2201148	SFR-D	6/16/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5662	129 WHISPERING OAKS CIR	P2201164	SFR-D	7/5/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5666	105 KINGS QUARRY LN	P2201335	SFR-D	7/26/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5724	254 RIDGEWAY RD	P2201288	SFR-D	7/12/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
5839	133 ISLAND HAMMOCK WAY	P2201408	SFR-D	8/4/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
6076	16 5TH ST	P2300034	SFR-D	10/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
4891	3920 A1A S UNIT 4	P2200457	COM BUILD OUT	1/27/2022	COMMERCIAL BUILDING ALT.-- BUILD OUT UNIT 4 - BEACH NAIL BAR	COM
5363	3920 A1A S UNIT 1&2	P2200978	COM BUILD OUT	5/10/2022	COMMERCIAL BUILDING ALT.-- BUILD-OUT UNITS 1 & 2 COUSTEAU ICE CREAM	COM
5719	2100 A1A S	P2201295	COM BUILD OUT	7/11/2022	INITIAL BUILDOUT FOR AMARA MED SPA	COM
5728	3920 A1A S UNIT 3	P2201245	COM BUILD OUT	6/30/2022	INTERIOR BUILD OUT -- UNIT 3 -- PROPOSED DRY CLEANER DROP OFF & ALTERATIONS	COM
5989	1015 A1A BEACH BLVD	P2201480	COM BUILD OUT	8/25/2022	COMMERCIAL BUILDING ALT.-- TMOBILE - TENANT BUILDOUT	COM
6012	3930 A1A SOUTH UNIT 8	P2201526	COM BUILD OUT	9/2/2022	COMMERCIAL BUILDING ALT.-- TENANT BUILD-OUT--THE ART HOUSE	COM

Application Id Range: First to Last

Issue Date Range: First to 10/28/22

Expiration Date Range: First to 09/19/25

Applied For: N Open: Y

Application Date Range: First to 10/28/22

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: COM ADDITION to COMMERCIAL NEW

User Code Range: COM to COM

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

COSAB FY'23 TREE INSPECTIONS

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description
6216	402 B ST	P2300062	TREE REMOVAL	10/13/2022		RESIDENTIAL-TREE REMOVAL INSPECTION

Application Id Range: First to Last

Issue Date Range: 10/01/22 to 10/28/22

Expiration Date Range: First to 09/19/25

Applied For: N Open: Y

Application Date Range: First to 10/28/22

Use Type Range: First to Last

Hold: N

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: N

Work Type Range: TREE REMOVAL to TREE REMOVAL

User Code Range: First to M

Denied: N

Void: N

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

Activity Date Range: 10/01/22 to 10/28/22

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

Inspector Id Range: First to Last

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

COSAB FY'22 REPORT

Application Id	Parcel Id	Property Location	Owner Name	Building Code	Activity Type	Inspector	Date	Status
4509	1724911210	1101 LAUGHING GULL LN	ML CONNER CONSTRUCTION LLC	ZONING	Z-TREE REMOVAL	BONNIE M	11/11/2021	APPROVED
4629	1629610970	467 HIGH TIDE DR	MC GEE PATRICK,ELISABETH	ZONING	Z-VARIANCE	JENNIFER	12/21/2021	APPROVED
4632	1642400640	8 BEACH ST	PARENT DONAH M	ZONING	Z-VARIANCE	JENNIFER	12/21/2021	DENIED
4638	1642350170	412 OCEAN DR	PINTO RICHARD S, MARY D	ZONING	Z-VARIANCE	JENNIFER	12/21/2021	DENIED
4785	1678700120	135 13TH ST	LAW, BRETT	ZONING	Z-VARIANCE	BONNIE M	1/16/2022	APPROVED
4810	1696200060	203 3RD ST	PATTERSON JOSHUA T, TIFFANY P	ZONING	Z-VACATE ALLEY	BONNIE M	2/15/2022	APPROVED
4810	1696200060	203 3RD ST	PATTERSON JOSHUA T, TIFFANY P	ZONING	Z-VACATE ALLEY	BONNIE M	3/7/2022	APPROVED
4854	1726800000	225 MADRID ST	31 COQUINA AVE LLC	ZONING	Z-CONCEPT REV	JENNIFER	3/15/2022	PERFORMED
4896	1688300110	12 2ND ST	ADAMS RHONDA, CHARLES	ZONING	Z-COND USE	BONNIE M	2/15/2022	APPROVED
4896	1688300110	12 2ND ST	ADAMS RHONDA, CHARLES	ZONING	Z-COND USE	BONNIE M	3/7/2022	APPROVED
4993	1698900180	16 5TH ST	BURDA, JOHN FRANCIS ET AL	ZONING	Z-COND USE	JENNIFER	3/15/2022	APPROVED
4993	1698900180	16 5TH ST	BURDA, JOHN FRANCIS ET AL	ZONING	Z-COND USE	JENNIFER	4/4/2022	APPROVED
4997	1686400000	570 A1A BEACH BLVD	BEACHFRONT AVENUE LLC	ZONING	Z-COND USE	JENNIFER	3/15/2022	APPROVED
4998	1686400000	570 A1A BEACH BLVD	BEACHFRONT AVENUE LLC	ZONING	Z-COND USE	JENNIFER	3/15/2022	APPROVED
5124	1629611250	400 HIGH TIDE DR	HEDRICK ROBERT T, DEBORAH B	ZONING	Z-VARIANCE	BONNIE M	4/15/2022	APPROVED
5170	1718500045	507 F ST	904 VENTURES LLC	ZONING	Z-VARIANCE	BONNIE M	4/15/2022	APPROVED
5205	1705200010	2-B F ST	CANEEL CAPITAL GROUP LLC	ZONING	Z-VARIANCE	BONNIE M	4/15/2022	APPROVED
5470	1724911150	386 OCEAN FOREST DR	DEAN, SCOTT, CYNTHIA	ZONING	Z-TREE REMOVAL	BONNIE M	5/11/2022	APPROVED
5490	1628100000	2198 A1A SOUTH	Sa1a LLC	ZONING	Z-COND USE	BONNIE M	6/21/2022	APPROVED
5558	1692400000	4TH AND 5TH STREETS	HVG PROPERTIES LLC	ZONING	Z-COND USE	BONNIE M	6/21/2022	APPROVED
5558	1692400000	4TH AND 5TH STREETS	HVG PROPERTIES LLC	ZONING	Z-COND USE	BONNIE M	7/11/2022	APPROVED
5559	1692400000	621 A1A BEACH BLVD	HVG PROPERTIES LLC	ZONING	Z-MIXED USE	BONNIE M	6/21/2022	APPROVED
5643	1726800000	225 MADRID ST	31 COQUINA AVE LLC	ZONING	Z-FINAL DEV	BONNIE M	7/15/2022	APPROVED
5643	1726800000	225 MADRID ST	31 COQUINA AVE LLC	ZONING	Z-FINAL DEV	BONNIE M	8/1/2022	APPROVED
5670	1687700000	14 6TH ST	KAIN JEFFREY, MARCIA	ZONING	Z-COND USE	BONNIE M	7/19/2022	APPROVED
5670	1687700000	14 6TH ST	KAIN JEFFREY, MARCIA	ZONING	Z-COND USE	BONNIE M	8/1/2022	APPROVED
5698	1697200120	211 2ND ST	CRAGE, PAUL	ZONING	Z-VACATE ALLEY	BONNIE M	8/25/2022	APPROVED
5698	1697200120	211 2ND ST	CRAGE, PAUL	ZONING	Z-VACATE ALLEY	BONNIE M	9/12/2022	APPROVED
6119	1711000000	201 B ST	BOYLAN PATRICK J ET AL	ZONING	Z-VARIANCE	BONNIE M	10/18/2022	APPROVED
6133	1725610250	103 WHISPERING OAKS CIR	ESPINOSA PETER A	ZONING	Z-VARIANCE	BONNIE M	9/19/2022	APPROVED

Application Id Range: First to Last Range of Building Codes: First to Last
 Activity Date Range: 10/01/21 to 12/01/22 Activity Type Range: Z-APPEAL to Z-VARIANCE

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

Sent Letter: Y

Range: First to Last
Violation Date Range: 10/01/21 to 09/30/22
Ordinance Id Range: First to Last

Use Type Range: First to Last
User Code Range: First to Last

Open: Y
Completed: Y
Void: Y
Pending: Y

Customer Range: First to Last

Inc Violations With Waived Fines: Yes

violation Id: V2200001 Prop Loc: 214 7TH ST
Viol Date: 10/05/21 Status: Completed Status Date: 11/03/21
Comp Name: DeBlasio, Patrick Comp Phone: (305)469-9134
Comp Email: pdeblasio@littler.com

Ordinance Id	Description
CC 6.02.03	Sec. 6.02.03. - Rights-of-way.

Description: Recieved E-mail from a Patrick DeBlasio stating that his neighboring house (214 7th St.) has been installing an excessive amount of pavers, as well as up to 6 trucks worth of fill. See Attachments for E-mail.

Violation Id: V2200002 Prop Loc: 1 E ST
Viol Date: 10/05/21 Status: Completed Status Date: 10/05/21 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
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Description: Recieved complaint about illigal parking under a no parking sign and noise issues after hours

Violation Id: V2200003 Prop Loc: 135 13TH ST
Viol Date: 10/06/21 Status: Completed Status Date: 11/02/21
Comp Name: Tim & Sally Shirley Comp Phone:
Comp Email: timothyshirley2619@comcast.net

Ordinance Id	Description
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Description: Recieved a complaint from a Tim and Sally Shirley about an unpermitted shed that resulted in a fire at the residence of 135 13th St.

Violation Id: V2200004 Prop Loc: 510 A ST
Viol Date: 10/18/21 Status: Completed Status Date: 11/12/21
Comp Name: IRA, BILLIE JEANETTE MEDLEY Comp Phone: (904)599-1429 Comp Email:

Ordinance Id	Description
CC 7.01.01	Sec. 7.01.01. - Accessory Sturctures General standards and requirements.

Description: Shed in front setback.

Violation Id: V2200005 Prop Loc: 12 WILLOW DR
Viol Date: 10/19/21 Status: Completed Status Date: 11/15/21
Comp Name: ISOBEL FERNANDEZ Comp Phone: (720)341-5725 Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Received written complaint from Isobel Fernandez at 5 Willow Dr. about the care of premises at 12 Willow Dr.

Violation Id: V2200006	Prop Loc: 8 BEACH ST	Status: Completed	Status Date: 03/17/22	Comp Name:
Viol Date: 11/09/21				
Comp Phone:	Comp Email:			

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.
6.01.03	Building Setback Requirements

Description: Construction without a permit.
Section 105 - Permits
[A] 105.1 Required

Violation Id: V2200007	Prop Loc: 2580 A1A S	Status: Completed	Status Date: 12/08/21	Comp Name:
Viol Date: 11/12/21				
Comp Phone:	Comp Email:			

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Construction of retaining wall without a permit. Issued STOP WORK order 11/12/2021

Violation Id: V2200008	Prop Loc: 5 COQUINA BLVD	Status: Completed	Status Date: 11/19/21	Comp Name: GINO MARIUTTO
Viol Date: 11/19/21				
Comp Phone: (305)951-0194	Comp Email: GINOMARIUTTO@GMAIL.COM			

Ordinance Id	Description
6.03.09	Parking of commercial vehicles, trailers, and heavy vehicles.

Description: Case #: 49
Cpmplaint of commerical vehicles parked outside singlefamily residence

Violation Id: V2200009	Prop Loc: 890 A1A BEACH BLVD UNIT 49	Status: Completed	Status Date: 12/10/21	Comp Name:
Viol Date: 12/01/21				
Comp Phone:	Comp Email:			

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Work without permits. Stop work Order posted.

Violation Id: v2200010 Prop Loc: 414 D ST
Viol Date: 12/08/21 Status: Completed Status Date: 04/07/22 Comp Name: Brain Law
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Work done without permits

Violation Id: v2200011 Prop Loc: 3848 A1A S
Viol Date: 12/14/21 Status: Completed Status Date: 02/08/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
10-3 PLACEMENT	GARBAGE & TRASH-PLACEMENT

Description: Failure to construct a fencing around the two dumpsters located on the property. As required in Sec. 10-3(b)

Violation Id: v2200012 Prop Loc: 8 OAK RD
Viol Date: 12/29/21 Status: Completed Status Date: 01/24/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Work without permits
Permits required:
-Plumbing
-Window/Door
-Possible Interior Remodel

Violation Id: v2200013 Prop Loc: 421 NIGHT HAWK LN
Viol Date: 12/30/21 Status: Completed Status Date: 12/30/21
Comp Name: Margaret England Comp Phone: (904)461-3454
Comp Email: commengland@cityofsab.org

Ordinance Id	Description
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Description: Request to investigate a large mound of dirt at 421 Night Hawk Ln.

Violation Id: v2200014 Prop Loc: 850 A1A BEACH BLVD UNIT 36
Viol Date: 01/19/22 Status: Completed Status Date: 02/08/22
Comp Name: Glenn Brown (Building Inspector) Comp Phone:
Comp Email: Gbrown@cityofsab.org

Ordinance Id	Description
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FBC 105.1 PERMITS 105.1 Required.

Description: Upon routine inspection Building Inspector Glenn Brown noticed windows that had been installed incorrectly at 850 A1A Beach Blvd Unit 36

Violation Id: V2200015 Prop Loc: 42 JOBIL DR
Viol Date: 02/25/22 Status: Completed Status Date: 04/11/22 Comp Name: GLENN BROWN
Comp Phone: Comp Email: GBROWN@CITYOFSAB.ORG

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Second story deck being rebuilt without a permit

Violation Id: V2200016 Prop Loc: 56 WILLOW DR
Viol Date: 03/01/22 Status: Completed Status Date: 03/03/22 Comp Name: Public Works
Comp Phone: Comp Email:

Ordinance Id	Description
SEC.5.00.00	Removal of Trees

Description: Public Works reported a tree had been cut down at this adress.

Violation Id: V2200017 Prop Loc: 114 14TH ST
Viol Date: 03/03/22 Status: Completed Status Date: 03/17/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Received report that siding was being repaired without a permit.

Violation Id: V2200018 Prop Loc: 3848 A1A S
Viol Date: 03/04/22 Status: Completed Status Date: 03/15/22 Comp Name: Meg O'Connell
Comp Phone: (704)840-6174 Comp Email: meg@globaldisabilityinclusion.com

Ordinance Id	Description
6.03.10	Parking of semi-trailers, storage containers and storage units

Description: Storage of a large container southeast of building.

Violation Id: V2200019 Prop Loc: 15 2ND ST
Viol Date: 03/08/22 Status: Completed Status Date: 07/15/22 Comp Name: GLENN BROWN
Comp Phone: Comp Email:

Ordinance Id	Description
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FBC 105.1 PERMITS 105.1 Required.

Description: Work without permits

Violation Id: V2200020 Prop Loc: 860 A1A BEACH BLVD
Viol Date: 04/06/22 Status: Completed Status Date: 04/06/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id Description
FBC 105.1 PERMITS 105.1 Required.

Description: Mechanical work being done without permits

Violation Id: V2200021 Prop Loc: 14 C ST
Viol Date: 04/11/22 Status: Completed Status Date: 07/15/22 Comp Name: Glenn Brown
Comp Phone: Comp Email:

Ordinance Id Description
FBC 105.1 PERMITS 105.1 Required.

Description: Second story deck construction without permits.

Violation Id: V2200022 Prop Loc: 43 ATLANTIC OAKS CIR
Viol Date: 04/21/22 Status: Completed Status Date: 05/24/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id Description
FBC 105.1 PERMITS 105.1 Required.

Description: window replacement, change to kitchen floor plan. No permits

Violation Id: V2200023 Prop Loc:
Viol Date: 04/26/22 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id Description
FBC 105.1 PERMITS 105.1 Required.

Description: Report of construction without permits. Upon arrival, work being done was installation of pavers.

work included renewing the stairs in front of 609 Bowers. Permit is needed for the stair work.

Violation Id: V2200024 Prop Loc: 31 VERSAGGI DR
Viol Date: 05/04/22 Status: Completed Status Date: 05/11/22

Comp Name: THERESE MARSHALL

Comp Phone: (703)944-9249

Comp Email:

Ordinance Id Description

6.07.06 Sec. 6.07.06. - Care of premises.

Description: Multiple Complaints stating the condition of the lot under construction is in degradation.

-Pool not fenced

-Port-a-potty unserviced

-Dumpster and trash overflowing

Violation Id: V2200025

Prop Loc: 702 16TH ST

Viol Date: 05/06/22

Status: Completed

Status Date: 06/10/22

Comp Name:

Comp Phone:

Comp Email:

Ordinance Id Description

IRRIGATION Article V. -water Conservation Ordinance for Landscape Irrigation

Description: Irrigation is flooding sidewalks and street

Violation Id: V2200026

Prop Loc: 494 ACACIA ST

Viol Date: 06/10/22

Status: Completed

Status Date: 07/15/22

Comp Name: Teri Ard

Comp Phone:

Comp Email: ma_foi04@yahoo.com

Ordinance Id Description

6.07.06 Sec. 6.07.06. - Care of premises.

Description: Unregistered Vehicle, and trash located in front yard.

Violation Id: V2200027

Prop Loc: 12 LEE DR

Viol Date: 06/29/22

Status: Completed

Status Date: 10/10/22

Comp Name:

Comp Phone:

Comp Email:

Ordinance Id Description

6.07.06 Sec. 6.07.06. - Care of premises.

Description: Fence at SW corner of lot in disrepair.

Violation Id: V2200028

Prop Loc: 312 D ST

Viol Date: 06/29/22

Status: Open

Comp Name: Public Works

Comp Phone:

Comp Email:

Ordinance Id Description

CC 18-7 Sec. 18-7. - Construction within rights-of-way.

Description: Paver wall withing rights of way

Violation Id: V2200029 Prop Loc: 108 SANDPIPER BLVD
Viol Date: 06/29/22 Status: Completed Status Date: 10/10/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
19-30	Sec. 19-30. - Standing or parking prohibited in specified places.

Description: Camper parked within the south end of the parking lot.

Violation Id: V2200030 Prop Loc: 203 SEVILLA ST
Viol Date: 06/29/22 Status: Completed Status Date: 07/11/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Second Story deck rebuilt without permits.

Violation Id: V2200031 Prop Loc: 31 VERSAGGI DR
Viol Date: 06/30/22 Status: Completed Status Date: 08/17/22 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Abandoned construction site.

Violation Id: V2200032 Prop Loc: 3848 A1A S
Viol Date: 07/11/22 Status: Completed Status Date: 09/14/22 Comp Name: Amanda Rodriguez
Comp Phone: (202)280-4869 Comp Email: rodriguez.amanda.lucia@gmail.com

Ordinance Id	Description
CC 9.02.10	Sec. 9.02.10. - Noise

LDR 6.08.00 OUTDOOR LIGHTING STANDARDS

Description: AC Unit and New light fixtures causing noise and light pollution East of Alvins Island

Violation Id: V2200033 Prop Loc: 201 3RD ST
Viol Date: 07/25/22 Status: Completed Status Date: 10/10/22
Comp Name: JOSHUA PATTERSON Comp Phone: (904)557-5252 Comp Email: JTP@G-ETG.COM

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

Description: Transient Rental usage without permit or BTR

October 28, 2022
02:13 PM

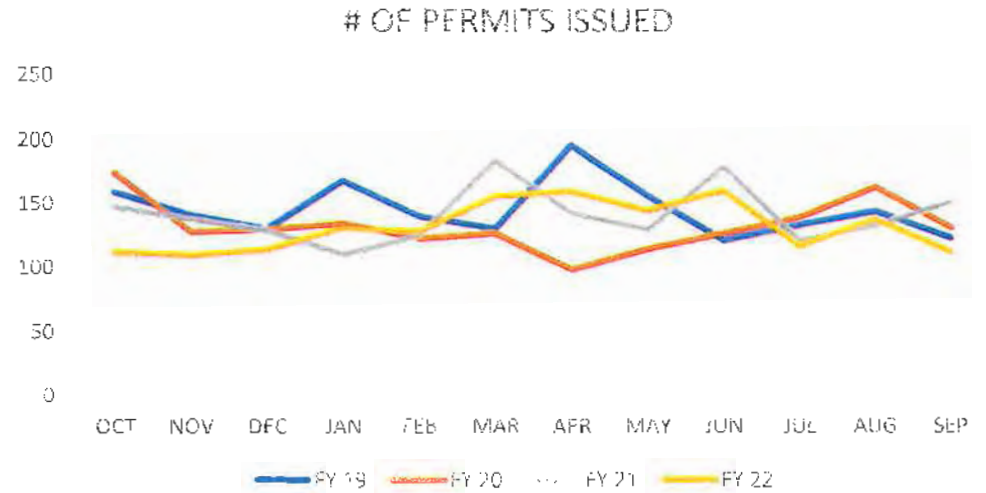
CITY OF ST. AUGUSTINE BEACH
Custom Violation Report by Violation Id

Page No: 8

CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

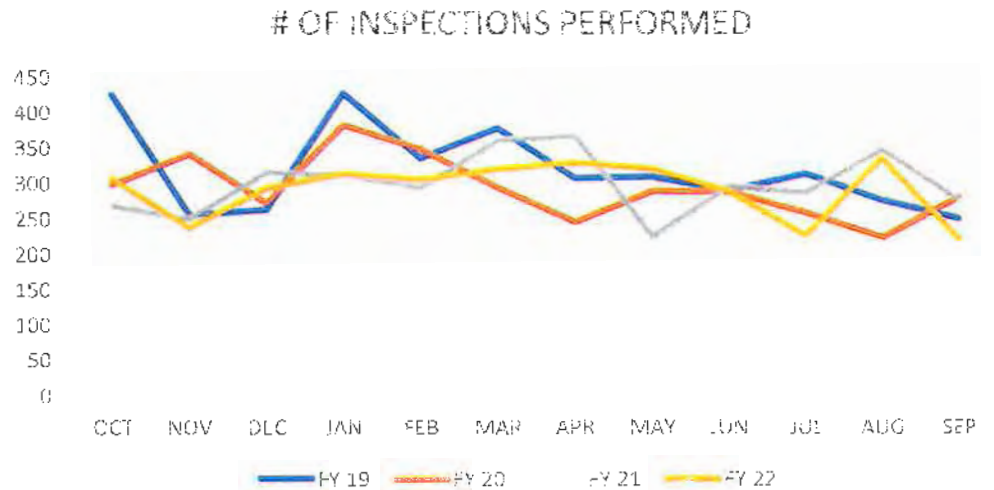
OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22
OCT	158	174	147	111
NOV	140	127	137	109
DEC	129	129	128	113
JAN	167	134	110	130
FEB	139	122	124	127
MAR	129	126	184	155
APR	195	98	142	159
MAY	155	114	129	144
JUN	120	126	179	160
JUL	132	139	120	116
AUG	143	163	132	137
SEP	122	131	151	112
TOTAL	1729	1583	1683	1573



OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22
OCT	424	298	268	306
NOV	255	341	250	237
DEC	262	272	315	292
JAN	426	383	311	313
FEB	334	348	293	305
MAR	377	294	360	319
APR	306	246	367	328
MAY	308	289	226	320
JUN	288	288	295	288
JUL	312	259	287	227
AUG	275	225	347	335
SEP	250	281	277	223
TOTAL	3817	3524	3596	3493

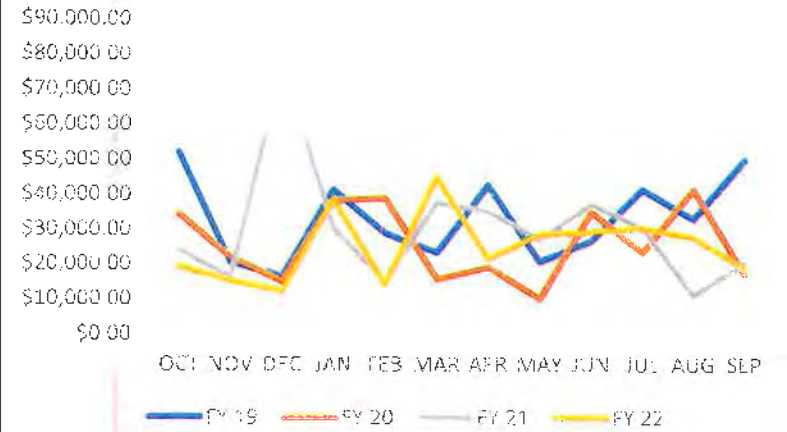


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$51,655.01	\$34,277.62	\$24,139.90	\$19,160.96
NOV	\$20,192.42	\$21,844.58	\$15,910.52	\$14,923.51
DEC	\$16,104.22	\$14,818.54	\$76,639.68	\$12,110.85
JAN	\$40,915.31	\$37,993.58	\$30,011.51	\$38,549.15
FEB	\$28,526.70	\$38,761.13	\$14,706.76	\$13,916.49
MAR	\$22,978.53	\$15,666.80	\$37,447.22	\$44,664.15
APR	\$42,292.91	\$19,092.61	\$34,884.49	\$21,386.72
MAY	\$20,391.12	\$10,194.02	\$26,753.41	\$28,447.01
JUN	\$26,445.26	\$34,939.40	\$37,149.19	\$29,198.87
JUL	\$41,120.86	\$23,555.36	\$30,368.01	\$30,368.57
AUG	\$32,714.82	\$41,455.38	\$11,236.89	\$27,845.37
SEP	\$49,543.66	\$17,169.56	\$20,329.54	\$19,118.87
TOTAL	\$392,880.82	\$309,768.58	\$359,577.12	\$299,690.52

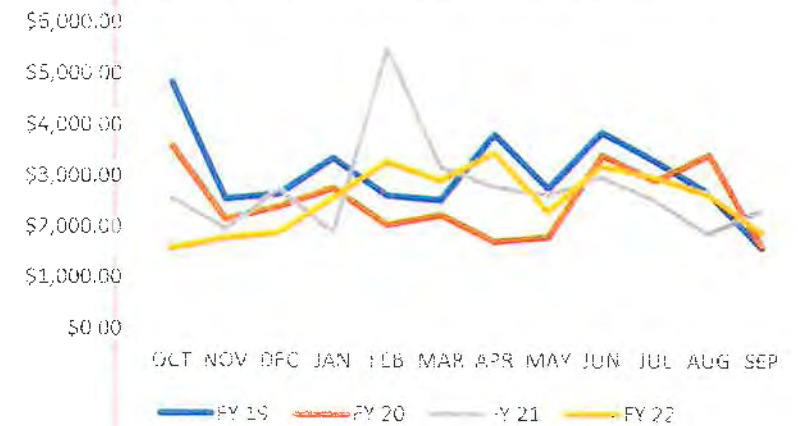
BUILDING PERMIT FEE GRAPH



MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$4,819.09	\$3,593.67	\$2,574.62	\$1,575.00
NOV	\$2,541.44	\$2,160.00	\$1,963.00	\$1,771.00
DEC	\$2,633.64	\$2,409.62	\$2,738.04	\$1,880.00
JAN	\$3,338.69	\$2,768.47	\$1,891.99	\$2,563.12
FEB	\$2,601.00	\$2,044.08	\$5,505.00	\$3,274.80
MAR	\$2,515.33	\$2,237.73	\$3,163.00	\$2,908.99
APR	\$3,801.26	\$1,716.00	\$2,784.79	\$3,452.30
MAY	\$2,736.33	\$1,809.00	\$2,637.52	\$2,308.40
JUN	\$3,844.54	\$3,417.00	\$2,978.00	\$3,204.70
JUL	\$3,286.00	\$2,917.93	\$2,535.39	\$2,981.26
AUG	\$2,663.49	\$3,430.11	\$1,870.49	\$2,642.88
SEP	\$1,579.42	\$1,621.00	\$2,352.24	\$1,902.57
TOTAL	\$36,360.23	\$30,124.61	\$32,994.08	\$30,465.02

MECHANICAL PERMIT FEE REPORT



CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$1,860.32	\$1,765.00	\$1,718.00	\$1,330.00
NOV	\$1,872.66	\$1,475.00	\$2,115.00	\$940.00
DEC	\$1,622.32	\$1,495.00	\$1,770.00	\$2,005.00
JAN	\$2,151.66	\$1,380.00	\$2,418.00	\$1,065.00
FEB	\$1,425.32	\$1,375.00	\$1,413.00	\$2,405.00
MAR	\$1,203.33	\$1,843.00	\$1,740.00	\$1,565.00
APR	\$743.00	\$600.00	\$1,553.00	\$1,495.00
MAY	\$1,805.00	\$1,215.00	\$1,628.00	\$1,255.00
JUN	\$1,065.00	\$955.00	\$2,108.00	\$1,985.50
JUL	\$690.00	\$1,443.00	\$1,505.00	\$885.00
AUG	\$1,460.00	\$1,910.00	\$2,375.00	\$1,824.00
SEP	\$1,310.00	\$895.00	\$1,520.00	\$1,245.00
TOTAL	\$17,208.61	\$16,351.00	\$21,863.00	\$17,999.50

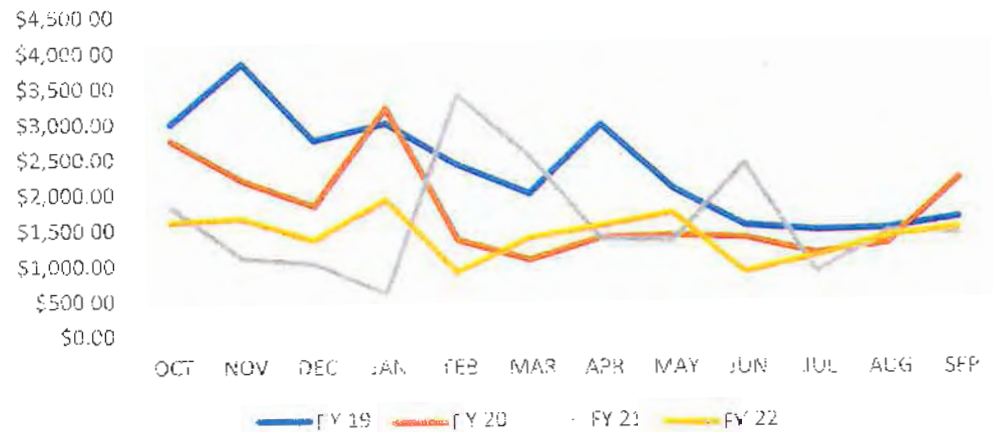
ELECTRICAL PERMIT FEE REPORT



PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$3,016.37	\$2,786.00	\$1,844.00	\$1,632.00
NOV	\$3,867.41	\$2,221.00	\$1,133.00	\$1,686.00
DEC	\$2,783.10	\$1,869.00	\$1,062.00	\$1,379.00
JAN	\$3,031.40	\$3,256.00	\$628.00	\$1,957.00
FEB	\$2,440.44	\$1,395.00	\$3,449.00	\$938.00
MAR	\$2,037.24	\$1,125.00	\$2,579.00	\$1,420.00
APR	\$3,015.00	\$1,430.00	\$1,411.00	\$1,585.00
MAY	\$2,110.00	\$1,459.00	\$1,390.00	\$1,772.00
JUN	\$1,590.00	\$1,432.00	\$2,474.00	\$943.00
JUL	\$1,525.00	\$1,218.00	\$952.00	\$1,170.00
AUG	\$1,550.00	\$1,356.00	\$1,500.00	\$1,452.00
SEP	\$1,706.00	\$2,270.00	\$1,490.00	\$1,572.00
TOTAL	\$28,671.96	\$21,817.00	\$19,912.00	\$17,506.00

PLUMBING PERMIT FEE REPORT

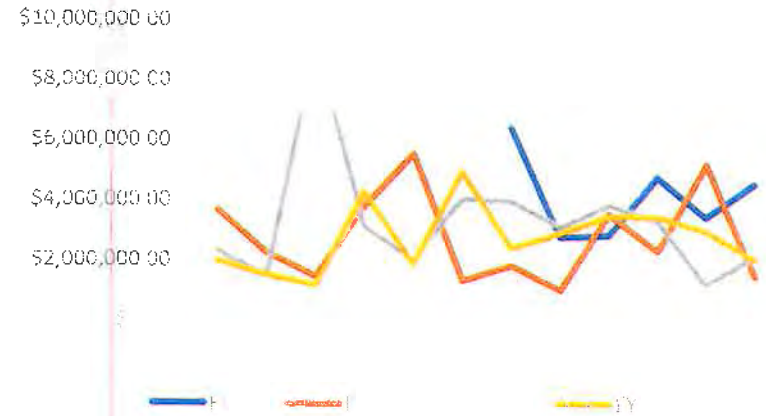


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

	FY 19	FY 20	FY 21	FY 22
OCT		\$3,657,414.56	\$2,313,298.53	\$1,961,462.00
NOV		\$2,242,421.52	\$1,440,841.88	\$1,490,891.09
DEC		\$1,449,915.40	\$9,160,479.89	\$1,165,362.58
JAN		\$3,789,363.81	\$3,088,758.57	\$4,239,155.17
FEB		\$5,519,900.00	\$2,010,259.40	\$1,847,029.62
MAR		\$1,321,570.04	\$4,010,607.80	\$4,906,297.30
APR	\$6,338,617.35	\$1,803,157.19	\$3,939,394.49	\$2,392,827.18
MAY	\$2,731,410.75	\$1,003,140.58	\$3,080,108.00	\$2,874,220.30
JUN	\$2,792,442.43	\$3,519,844.50	\$3,807,580.85	\$3,445,719.17
JUL	\$4,717,293.00	\$2,300,478.87	\$3,279,350.11	\$3,436,811.93
AUG	\$3,393,250.74	\$5,175,949.96	\$1,182,881.00	\$2,982,874.58
SEP	\$4,502,737.63	\$1,475,857.57	\$2,123,077.05	\$2,038,273.27
TOTAL	\$24,475,751.90	\$33,259,014.00	\$39,436,637.57	\$32,780,924.19

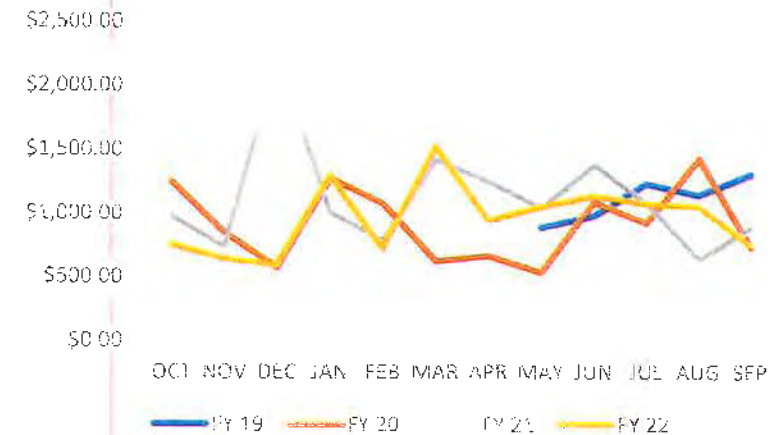
ALTERATION COST



STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT		\$1,247.45	\$973.01	\$747.36
NOV		\$845.65	\$729.40	\$635.64
DEC		\$569.37	\$2,225.95	\$589.14
JAN		\$1,277.63	\$1,006.45	\$1,293.24
FEB		\$1,079.31	\$776.87	\$721.09
MAR		\$623.46	\$1,417.90	\$1,521.83
APR		\$666.54	\$1,250.09	\$943.11
MAY	\$881.45	\$537.83	\$1,043.38	\$1,049.80
JUN	\$972.50	\$1,093.02	\$1,378.01	\$1,139.84
JUL	\$1,230.25	\$928.44	\$1,085.45	\$1,078.15
AUG	\$1,141.48	\$1,437.49	\$642.86	\$1,061.67
SEP	\$1,303.66	\$740.55	\$887.71	\$753.23
TOTAL	\$5,529.34	\$11,046.74	\$13,417.08	\$11,534.10

STATE SURCHARGE PERMIT FEE REPORT



CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT		0	0	12
NOV		0	4	14
DEC		0	3	17
JAN		0	1	14
FEB		0	2	15
MAR		5	17	1
APR		12	14	17
MAY		0	21	6
JUN		1	8	7
JUL		6	18	14
AUG		0	14	0
SEP		0	19	12
TOTAL	0	24	121	129

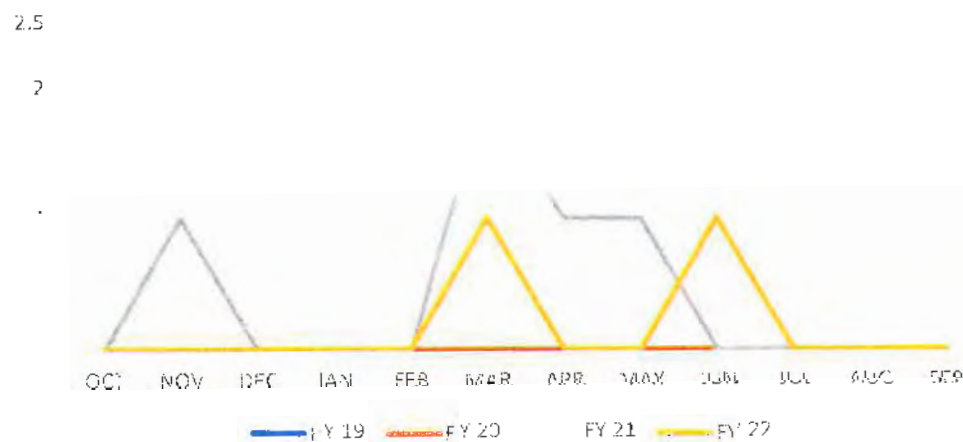
OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER



OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT	0	0	0	0
NOV	0	0	1	0
DEC	0	0	0	0
JAN	0	0	0	0
FEB	0	0	0	0
MAR	0	0	2	1
APR	0	0	1	0
MAY	0	0	1	0
JUN	0	0	0	1
JUL	0	0	0	0
AUG	0	0	0	0
SEP	0	0	0	0
TOTAL	0	0	5	2

OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

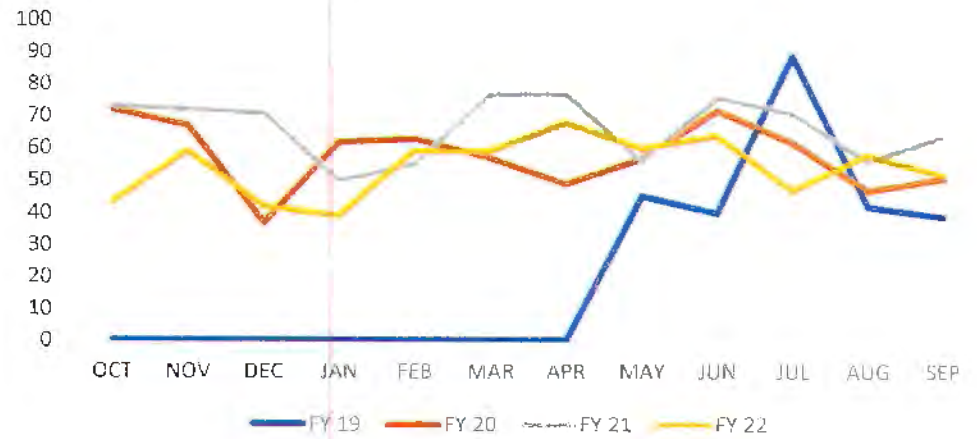


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PLAN REVIEW ACTIVITIES PERFORMED BY BLDG. DEPT.

	FY 19	FY 20	FY 21	FY 22
OCT	0	72	73	43
NOV	0	67	72	59
DEC	0	37	71	42
JAN	0	62	50	39
FEB	0	63	55	59
MAR	0	57	77	59
APR	0	49	77	68
MAY	45	57	56	60
JUN	40	72	76	64
JUL	89	62	71	47
AUG	42	47	56	58
SEP	39	51	64	52
TOTAL	255	696	798	650

OF PLAN REVIEW ACTIVITIES



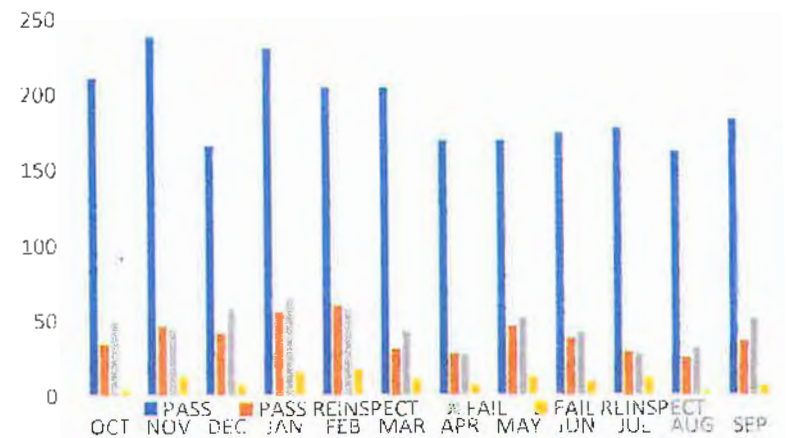
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 20 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	210	34	49	3
NOV	238	46	44	12
DEC	165	41	58	7
JAN	230	56	65	15
FEB	204	60	58	17
MAR	204	31	43	10
APR	169	28	28	7
MAY	169	46	52	12
JUN	174	38	42	9
JUL	177	29	28	12
AUG	162	25	32	2
SEP	183	36	51	7
TOTAL	2285	470	550	113

RESULTS DO NOT INCLUDE CANCELED/PERFORMED INSPECTIONS

FY 20 INSPECTION RESULTS

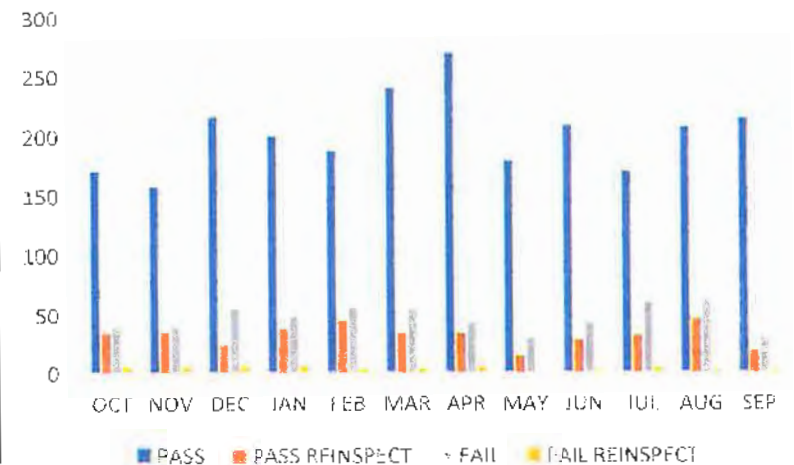


FY 21 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	170	35	40	5
NOV	157	36	41	5
DEC	216	25	56	6
JAN	200	39	49	6
FEB	187	46	57	3
MAR	240	35	55	3
APR	270	35	44	5
MAY	179	15	31	1
JUN	209	29	44	2
JUL	170	33	61	4
AUG	208	47	63	2
SEP	215	20	30	2
TOTAL	2421	395	571	44

RESULTS DO NOT INCLUDE CANCELED/PERFORMED INSPECTIONS

FY 21 INSPECTION RESULTS



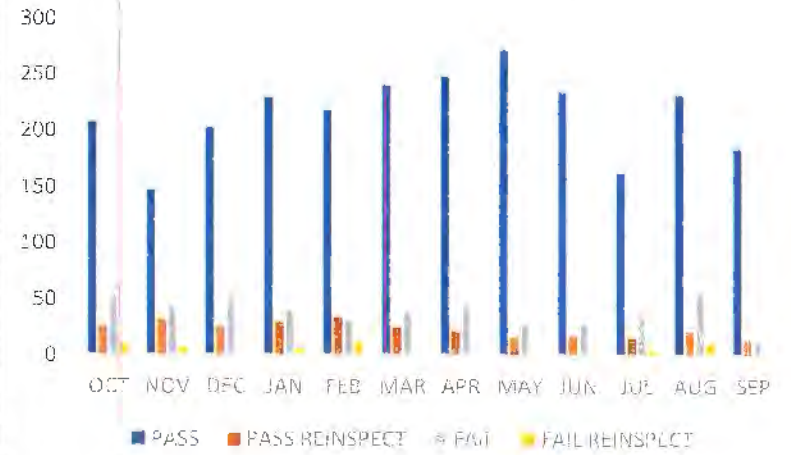
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 22 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	207	26	53	10
NOV	147	32	44	7
DEC	202	25	52	2
JAN	229	30	41	6
FEB	218	34	32	12
MAR	240	25	40	1
APR	248	22	45	1
MAY	272	16	28	2
JUN	234	18	28	2
JUL	163	16	36	5
AUG	232	22	56	11
SEP	184	15	13	1
TOTAL	2576	281	468	60

RESULTS DO NOT INCLUDE CANCELED/PERFORMED INSPECTIONS

FY 22 INSPECTION RESULTS





MINUTES

PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING
THURSDAY, AUGUST 25, 2022, 6:00 P.M.
CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

I. **CALL TO ORDER**

Chairperson Kevin Kincaid called the meeting to order at 6:00 p.m.

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice-Chairperson Chris Pranis, Scott Babbitt, Conner Dowling, Hester Longstreet, Victor Sarris, Senior Alternate Hulsey Bray.

BOARD MEMBERS ABSENT: Larry Einheuser, Junior Alternate Gary Smith.

STAFF PRESENT: Building Official Brian Law, City Attorney Jacob McCrea (via ZOOM), Recording Secretary Bonnie Miller.

IV. **APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF JULY 19, 2022**

Motion: to approve the minutes of the July 19, 2022 meeting. **Moved** by Mr. Pranis, **seconded** by Mr. Sarris, **passed 7-0** by unanimous voice-vote.

V. **PUBLIC COMMENT**

There was no public comment pertaining to anything not on the agenda.

VI. **NEW BUSINESS**

- A. First public hearing for review of draft Ordinance No. 22-__, pertaining to changes to Chapter 18, Article III, Sections 18-51 and 18-52, St. Augustine Beach City Code, regarding procedures for vacating streets, alleys, and easements

Brian Law: This is an ordinance to correct a deficiency in City Code. The "whereas" clauses in the ordinance state that on September 28, 2015, Ordinance No. 15-05 amended City Code by reducing the requirement that the written consent of 100 percent of all property

owners bounding and abutting an alley requested to be vacated be obtained to a minimum of 70 percent of property owners bounding and abutting the alley, as it was nearly impossible for applicants applying to vacate an alley to get the written consent of 100 percent of adjacent property owners. Since Ordinance No. 15-05 amended City Code, many alleys have been vacated with less than 100 percent of the written consent of adjacent property owners, even though Ordinance No. 16-02 was passed in 2016 and inadvertently reverted the Code back to the requirement that the written consent of 100 percent of all adjacent property owners be obtained to vacate an alley. There are many reasons how this could have happened, for example, maybe Municode was not updated at that time, or who knows, as none of the staff involved at the time Ordinance No. 16-02 was passed, including the former Public Works Director and former City Attorney, are here now. So, this ordinance drafted by City Attorney Jacob McCrea restores the original intent of Ordinance No. 15-05 back into City Code, with the "whereas" clauses written to specifically cater to this. This Board is tasked with reviewing this draft ordinance and making a motion to approve or deny it on first reading at its first public hearing.

Chris Pranis: Is this for the Board to approve or deny, or is it a recommendation to the City Commission?

Brian Law: The Board is actually tasked with approving or denying the ordinance on first reading. The City Commission will see this next, on second reading, and then again on third, and final reading, as it is a change to City Code.

Kevin Kincaid: Do you have to read the ordinance by title?

Brian Law: Yes, I can do that. The ordinance number will be determined later. "Ordinance 22-___, an ordinance of the City of St. Augustine Beach, Florida, correcting the City Code for original intent of Ordinance No. 16-02 correcting the City Code, Chapter 18, Streets and Sidewalks, updating same; for an effective date."

Kevin Kincaid: Any questions, comments, or public comments?

Brian Law: You may also want to ask the City Attorney, who is here via ZOOM, if he has anything to add to this discussion.

Jacob McCrea: I have nothing to add. Brian explained it exactly as we discussed it.

Motion: to approve Ordinance No. 22-___, on first reading and first public hearing, pertaining to changes to Chapter 18, Article III, Sections 18-51 and 18-52, St. Augustine Beach City Code, regarding procedures for vacating streets, alleys, and easements. **Moved** by Chris Pranis, **seconded** by Conner Dowling, **passed 7-0** by unanimous voice-vote.

B. Vacating Alley File No. V 2022-02, for vacation of the 15-foot-wide alley lying between 1st Street and 2nd Street, lying adjacent to and west of the right-of-way of 2nd Avenue and abutting Lots 1-16, Block 32, Chautauqua Beach Subdivision, to incorporate the

square footage of said alley into the square footage of the owners of real property adjacent to and abutting said alley, Danielle Gustafson and James G. Whitehouse, Agents for Paul Crage, Applicant

Brian Law: On the overhead I have put a map of the alley requested to be vacated. The map also shows the adjacent properties on both sides of the alley, along with the property owners who gave their written consent to vacate the alley, and those who did not. The applicant obtained the written consent of 12 of the adjacent 16 lot owners. The written consent of the owners of four lots was not submitted. Do we know why the written consent of the owners of these four lots was not given? Were they against the vacation of the alley, or did they just not respond to the request to submit their consent in writing?

Danielle Gustafson, 93 King Street, St. Augustine, Florida, 32084, agent for applicant: These owners were not in favor of vacating the alley.

Brian Law: There you have it. However, the applicant has submitted the signatures of 12 owners who are in favor of vacating the alley, which is 75 percent. The ordinance in the previous agenda item will be in effect before the ordinance to vacate this alley is passed by the City Commission, so City Code will be corrected to require the written consent of a minimum of 70 percent of property owners adjacent to an alley requested to be vacated. If there are no more questions for me, I would now like to turn this over to the applicant's agents, Mr. James Whitehouse, and Ms. Danielle Gustafson.

James Whitehouse, St. Johns Law Group, 104 Sea Grove Main Street, St. Augustine Beach, Florida, 32080, agent for applicant: On behalf of the applicant, I am here to ask that this alley be vacated. Ms. Gustafson has done all the groundwork in preparing everything presented to the Board in the application, and I would like to draw to the Board's attention that the application information includes emails from all of the applicable agencies, including St. Johns County Fire Review and Florida Power & Light (FP&L), who all state they do not have any problem with vacating this alley. I think this application to vacate this alley is pretty straightforward, and I would be happy to answer any questions from the Board or members of the public, if there is any public comment.

Kevin Kincaid: I assume that the four property owners who are against vacating this alley are not here tonight, as there does not appear to be anyone from the public present.

James Whitehouse: I do not see anyone here. As the Board members may know, I recently appeared before the City Commission to discuss opening up 2nd Street west of 2nd Avenue. The property owners who were against this are the same property owners who are against vacating this alley. I do not want to make any assumptions, but the fact of the matter is, 2nd Street is being opened, and I believe the property owners who oppose vacating the alley are against it because I think they are trying to keep the alley as part of their backyards. To be honest, vacating the alley will assist them, because if this alley is vacated, they will have the portion of the alley adjacent to their lots as part of their overall properties. Again, I do not want to draw any conclusions, other than the fact that they are not in favor of vacating the alley. However, the application meets the standards for

vacating an alley, and a bunch of alleys all over the City have already been vacated. There is nothing from staff or any of the agencies having jurisdiction over this to hinder the alley vacation, so on behalf of the applicant, Ms. Gustafson and I ask that the City vacate it.

Hester Longstreet: There appear to be no drainage issues that the City would have to take care of, correct?

Brian Law: There is an email in the application documents from Mr. Tredik, the City's Public Works Director, requesting the establishment of a permanent 15-foot-wide drainage and utility easement over the entire length of the alley right-of-way, if it is vacated, for any future development, drainage issues, or required maintenance. The response to the proposed alley vacation from FP&L also requests an easement to maintain facilities FP&L has in this alley. These facilities serve three homes on 1st Street, so a standard 15-foot-wide drainage and utility easement needs to be granted along the entire length of the alley, if it is the City Commission's decision to vacate the alley.

Kevin Kincaid: And no one would be allowed to build a permanent structure in the vacated alley, correct? Anything that is put there has to be removable, so the City and/or other utility companies such as FP&L can access the vacated alley if necessary.

Brian Law: Yes, with this easement in place, any permanent construction would be prohibited. Adjacent property owners would be able to put up temporary wooden fences with the approval of the Public Works Department. These fences would have to be removed, however, if FP&L or any other agency or utility company had to get their line trucks back there for infrastructure maintenance or development.

Chris Pranis: Is there any underground drainage system in this alleyway?

Brian Law: Not that I am aware of.

Kevin Kincaid: Any other comments or questions?

Chris Pranis: I know we have had concerns with safety issues with previous alleys requested to be vacated, but this does not appear to be the case with this particular alley.

Kevin Kincaid: As far as I could tell, this is not an issue, as the alley is not unkempt or anything like that.

Hester Longstreet: I looked at the alley, and there do not appear to be any safety issues with it.

Conner Dowling: Agreed. It is flat, and not a depressed area at all.

Husley Bray: It looks like most of the adjacent property owners are already taking care of the alley behind their properties, as the alley is not overgrown.

Motion: to recommend the City Commission approve Vacating Alley File No. V 2022-02, for vacation of the 15-foot-wide alley lying between 1st Street and 2nd Street, lying adjacent to and west of the right-of-way of 2nd Avenue and abutting Lots 1-16, Block 32, Chautauqua Beach Subdivision, to incorporate the square footage of said alley into the square footage of the owners of real property adjacent to and abutting said alley, subject to the condition that the standard drainage and utility easement for maintenance and future use of utility and drainage facilities be established over the entirety of the vacated alley right-of-way and included in the ordinance to vacate the alley. **Moved** by Victor Sarris, **seconded** by Husley Bray, **passed 7-0** by unanimous voice-vote.

VI. OLD BUSINESS

There was no old business.

VII. BOARD COMMENT

Chris Pranis: Is the vacated Wendy's Restaurant property within the City's jurisdiction, or is this within St. Johns County's jurisdiction?

Brian Law: Wendy's is within the City's jurisdiction. The City has not yet received any interest or had any inquiries about a future use of this property, so we are, at this time, completely in the dark as to what is going on with this property.

Conner Dowling: How is City Planner Jennifer Thompson doing?

Brian Law: She is doing well. Jennifer had a baby boy the Saturday before last, and was just in the office yesterday, to drop off a copy of the baby's birth certificate. The baby is a healthy little man who slept a lot while they were visiting.

Kevin Kincaid: Please pass on to Jennifer congratulations from the Planning and Zoning Board.

Brian Law: Yes sir, we will certainly do that.

IX. ADJOURNMENT

The meeting was adjourned at 6:13 p.m.

Kevin Kincaid, Chairperson

Bonnie Miller, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122)



MINUTES

SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING

THURSDAY, OCTOBER 6, 2022, AT 6:00 P.M.

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

I. CALL TO ORDER

Chair Bandy called the meeting to order at 6:01 p.m.

II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

III. ROLL CALL

Present: Chair Lana Bandy, Vice Chair Sandra Krempasky, and Members Craig Thomson, Karen Candler, and Edward Edmonds.

Member Nicole Miller was absent.

Also present: City Clerk Dariana Fitzgerald and Project Manager Russell Adams.

Chair Bandy thanked everyone for coming to the Vision Plan meeting and said that there were some excellent comments that should be very helpful to the Commission. She said that since SEPAC has been tasked with a few items regarding the Vision Plan she asked that it be added to the agenda. She suggested to stay focused on the topics tonight and that possibly some items could be moved to a later date. She said that she would also like to add a discussion about a Milkweed Program and the Ocean Hammock Park boardwalk controversy.

Member Edmonds said that we did not discuss any hurricane mitigation or drainage with regards to the Vision Plan. Chair Bandy advised that it could be discussed during the Vision Plan topic.

IV. APPROVAL OF MINUTES OF SEPTEMBER 1, 2022, REGULAR MEETING

Motion: to approve the minutes of September 1, 2022, with correction of typographical errors.

Moved by: Vice Chair Krempasky. **Seconded by:** Member Thomson. Motion passed unanimously.

V. PRESENTATION OF REPORTS:

1. Reforestation and Landscaping Projects

a. Mickler Boulevard

Chair Bandy advised that the plastic is still down, and that Public Works is planning to remove it this month, pull up any weeds/groundcover, and plant the seeds. She said that she and Foremen Large went to Southern Horticulture and bought \$200 worth of supplemental plants for that area. Member Candler asked what plants were purchased.

Project Manager Adams advised that there are: Blue Porterweed, dwarf Firebush, Black-eyed Susan, Twinflower, and Sunshine Mimosas.

Chair Bandy advised that she has a draft of a sign, which Dr. Kaczmarzsky did for SEPAC and that we did the same formatting that was done for the bioswales. She asked for the Members to review it and decide if it is okay. She advised that she talked with the sign company about making individual plant identification tags and that they do not have signs that are small enough to do that.

Member Candler advised that Foreman Large met with Alister several nights ago and she asked if there was an update. Project Manager Adams advised that he has notes from Foreman Large and said that Public Works bought the plants, which are stored at Public Works and that they plan to do the project after they get the hurricane debris collected possibly by the end of October. He advised that Alister has a design for the bee boxes [Exhibit A]. Chair Bandy asked if his photo could be put in the Newsletter. Vice Chair Krempasky advised to get Alister's permission first. Project Manager Adams continued reading Foreman Large's notes and advised that Public Works gave Alister the posts to mount the bee boxes and that there would be bamboo shoots in the open space above the 4x4s and that the design is meant to be interchangeable for the interior boxes. He said that Alister is planning to install the boxes on October 29th and that if any Members want to volunteer that they should email Foreman Large. Chair Bandy advised that she would ask Alister at that time if it is okay to use his photo in the City's Newsletter.

Project Manager Adams advised that Alister has asked if SEPAC plans to add informational signs on the bee box frames. Chair Bandy advised that SEPAC has not discussed that. Member Candler advised that we could ask Alister about it again and that it would be good to have something explaining why they are there. Chair Bandy asked for the spelling of Alister's full name for the Newsletter and that if he says no, then we could delete it.

Project Manager Adams provided copies of the seed mixes for Mickler Boulevard [Exhibit B]. Member Thomson asked if Manager Adams went by Mickler Boulevard after the storm. Manager Adams said no. Chair Bandy advised that she has pictures. Member Thomson advised that he also has pictures, there was flooding on both sides of the street, and that the City Manager advised there always is flooding. He asked if the plants would be able to sustain themselves over a short flood period because if it gets inundated with saltwater it would kill them. He advised that there is somewhat of a swale there and that the more susceptible plants should be closer to the sidewalk. He said that he wanted to report that there was more than twenty-four hours of standing water on both sides of Mickler Boulevard. He said that half way down Mickler Boulevard past 11th Street is high and dry sandy soil and that the signage and research SEPAC is doing could be applied elsewhere.

Member Candler said that the whole thing started when they put in the pipes. Member Thomson said that was a designated area to do something with. Chair Bandy advised that Public Works said that we needed to do it somewhere on the north end. Member Thomson said that ecologically it would have been more suitable for a rain garden vs. a flower garden. He said that it is not that flooded right now and that it is a good experiment for now until we get more data about which areas are prone to holding water. He said that the parkettes on D Street south of 2nd Avenue had standing water for several days.

Chair Bandy said that besides the wildflower list there is also the list of plants that Manager Adams read. She advised that Dr. Kaczmarzsky asked if he could donate seeds and when she gets them that they could be added to the mix.

Chair Bandy asked for everyone to look at the sign draft before she has it made [Exhibit C]. Member Thomson said that the second paragraph talks about the pollinators. Member Candler said that it is only one sentence, it does not tell the purpose of the boxes, and she questioned whether there should be another sign on the box itself. Member Thomson asked what size the sign would be. Chair Bandy advised that she has not talked to the sign company yet but that she was thinking a little smaller than the bioswale sign. Member Thomson suggested something similar to what a realtor might use, like a box with pamphlets in it for those that are interested in pollinators. Chair Bandy asked if there was anything that we got from the Wildflower Foundation and would we want to do that. Vice Chair Krempasky advised that she still has a quite a few of the catalogs left and could always request more. Member Thomson suggested to do it seasonally to let people know. Chair Bandy said that she did not think it would take long to get the sign and that we could put it up as soon as we start the plantings. Member Thomson stated that the sign has good information.

Chair Bandy said that the sign advises where to get the plants/seeds and that you would want to make sure that you are getting natives from the right source because she got some Milkweed, which turned out to not be native and would mess up the cycle of the Monarch butterflies. She asked if it is okay to have their contact information on the sign. City Clerk Fitzgerald advised that from the City's standpoint it would be better not to list businesses on the sign because it could show favoritism, so she would stick with non-profit organizations. Chair Bandy said that several of them are ".org" and should be fine. Member Edmonds suggested to direct them to the City's website where they could be listed instead. Vice Chair Krempasky said that she believes it would be okay to do it this way but that it would be nice to put this in the Newsletter with the links.

Chair Bandy said that it sounds like Native Plant Consulting should be removed and she asked if Wildflowers Growers Cooperative should be removed. Member Thomson said that it is not a particular business. Vice Chair Krempasky said that if they are a ".com" then we probably should not list them on the sign.

Vice Chair Krempasky suggested that Dr. Kaczmarzsky could remove some language from the sign to add another sentence about the pollinator houses and that she did not believe that a second sign would be necessary. Chair Bandy asked what kind of wording she was thinking. Vice Chair Krempasky read the first sentence of the second paragraph and suggested that it could be removed or that Dr. Kaczmarzsky might remove something that he feels is extraneous. Member Thomson asked if it could just be done in the Newsletter with Alister's photo so that he would get recognition.

City Clerk Fitzgerald suggested removing the business/purchasing section and leave it informational, but if SEPAC decides to leave it on the sign, then just the native nurseries and/or organizations would be best. Chair Bandy suggested to add the SEPAC logo to the sign. Project Manager Adams advised that sometimes websites change and may not be a good idea to have on the sign. Member Thomson said that the sign may not last that long either. Member Edmonds said that he agrees with the City Clerk that it should not be on

the sign and that it should be on the City's website with links for those that are interested. Chair Bandy advised that we do not want to promote businesses on the City's website.

Chair Bandy said that she believes the reason that Dr. Kaczmarsky included the business/organizations is because he thought that people may like it. Member Edmonds agreed that it is promoting it to the community and we hope that it catches on. Vice Chair Krempasky advised that you could get most of the information from the Florida Wildflower Foundation. Member Edmonds suggested to only reference that and remove the web address. Member Candler said that the sign is pretty busy. City Clerk Fitzgerald noted that the sign is being placed on Mickler Boulevard and that people may see a lot of text and keep walking or just take a picture and read it later.

Chair Bandy showed the logo that she was talking about earlier with the SEPAC name under it and said that it is being used in the Newsletter. Chair Bandy suggested to put this logo and the Florida Wildflower Foundation, and she asked if everyone was on board with that change to the sign.

It was the consensus of SEPAC to revise the sign by removing all the businesses/organizations except for the Florida Wildflower Foundation and add the SEPAC Newsletter logo. City Clerk Fitzgerald advised that it could include "for more information, visit...". Member Thomson said that the SEPAC logo used to have the words "our sustainable future" underneath and that he is an advocate for getting sustainability out there. Chair Bandy asked why it would be needed when it already has the SEPAC name.

Member Thomson said that Dr. Kaczmarsky is donating time and money and that we could indicate that donations can be made for this type of civic project just like the Avenue of Palms. Vice Chair Krempasky asked if the City could receive donations. Member Thomson said that they do it for the Avenue of Palms. Vice Chair Krempasky advised that that is a separate project that has its own fund. City Clerk Fitzgerald advised that the City takes donations from several groups that used our meeting rooms, businesses donating to Beach Blast Off, etc. Vice Chair Krempasky asked if the donations would be for SEPAC's use. City Clerk Fitzgerald advised that the donations could be earmarked for SEPAC's account. Member Thomson said that we need funding to do these projects.

Chair Bandy advised that the sign could be 24 inches wide by 18 inches high. Member Thomson asked what size the rain garden sign was and to try to match that size. He asked if the same sign company would be used. Chair Bandy said yes and said that she would show Dr. Kaczmarsky the revisions. It was the consensus of SEPAC to approve the revisions as discussed and to have the sign made.

Chair Bandy advised that we also need the plant identification tags for the wildflowers and that the University of Florida's extension office made small signs, cut them out, laminated them, and attached them to a PVC pipe, which looks pretty good and Foreman Large agreed with it. She said that she put four together and that she would like to include: the scientific name, the common name, a picture, the SEPAC and City logos, and the Native Plant Society's QR Codes that they approved SEPAC to use. Chair Bandy advised that she is working with Dr. Kaczmarsky because some of the plant names are complicated and that she has to get permission to use the pictures or try to find a site with free pictures. She showed information for the types of plants that SEPAC is getting. Manager

Adams advised that Foreman Large said that the PVC pipes would be ¼ inch in diameter and six feet long. Member Thomson said that this is an experiment but that he could see this flower garden going all over the City. Chair Bandy agreed that it is an experiment, the seeds are inexpensive, that she hopes it looks great, and that we could do the entire Mickler Boulevard area. Vice Chair Krempasky said that she believes there are seasons for the wildflowers and asked if they could overseed the winter flowers while the fall are blooming because it would be nice if it was always flowering. Member Candler said that is why we bought the other plants and that she does not think that these are fall flowering. Member Thomson said that he believed that they are spring wildflowers and that the other plants would be visible all year round. Discussion ensued regarding weeding of Mickler Boulevard; whether pine straw was going to be used, etc.

Chair Bandy advised that a discussion about Milkweed was added to the agenda and that we had discussed doing a butterfly garden. Member Thomson asked to accommodate Member Edmonds' schedule and to discuss the Vision Plan before he has to leave at 7:00 p.m. because he thinks that is going to be a two-meeting discussion. Chair Bandy said that the City Clerk advised that we have time to get it together and she agreed to move on to the Vision Plan to allow for Member Edmonds' comments. Member Candler advised that SEPAC needs an outline. Chair Bandy agreed.

Dan Lang, 453 Ocean Forest Drive, St. Augustine Beach, FL, is the owner of the building at 105 D Street, the Playa Chac Mool restaurant; that SEPAC may be discussing a rain garden at that parkette; he heard that Chac Mool was in agreement with it, but this is the first that he has heard of it; there is a language gap and the restaurateurs might not understand what people are telling them; would like notification to attend the meeting when it will be discussed or he would stay to discuss it tonight.

Chair Bandy moved on to Item V.1.b.

b. Vision Plan

Chair Bandy suggested to try to keep the discussion no longer than a half an hour and that we should go back to writing some bullet points and comments and review them next month.

Member Thomson said that the meeting book had a draft attached, which was an effort to look at SEPAC's goals, projects, and assessments of our progress on a yearly basis. He said that the Vision Plan is almost like a sales document to indicate what is important to our community, which gives us an opportunity to discuss sustainability, to organize our thoughts, and then possibly try to assess the City's achievements on a yearly basis. He said that he tried to look at the Comprehensive Plan, which talks about the natural environment, hazard mitigation, storm drainage, and it is the bible for the City's planning. He advised that SEPAC could emphasize what it thinks the City needs to be doing and have it in their Vision Plan, which is sort of an outline.

Chair Bandy agreed and she pointed out that Sustainability and Resiliency on Page 10 of the Vision Plan has three things that SEPAC could easily add more to that are relevant to the City. Member Thomson said that his main concern is that the Plan does not even define "sustainability" correctly and the first thing would be to promote the definition that we want in the Vision Plan. He said that he has looked at several sites and that

sustainability means trying to preserve the same values and quality of life that you had in the past going forward so that the natural resources can be passed on for generations, you do not want to over-pollute the environment. He suggested to say that sustainability is more commonly referred to as the ability to maintain the quality of living standards and avoid pollution of our natural resources to be passed on for generations. He advised that SEPAC is reviewing the Comprehensive Plan goals, objectives, and policy to advise the Commission of the best practices for sustainability in an oceanside community. He said the implementation of the Comprehensive Plan goals and objectives represent a more useful guide at this critical time. He advised that the goals that were looked at before were stormwater runoff, water pollution reduction, the urban tree canopy, ecological repair of the biosphere, etc. He said that under "coastal erosion management" we could add storm hazard mitigation and dune restoration and that everyone should look at the elements of the Comprehensive Plan to see if they would apply such as designating certain land use areas to conserve the natural environment. He said that there are arguments about whether Hammock Dunes Park should be passive, and the City has limited resources and should want to protect those things.

Member Thomson suggested having an outline of areas that would reference back to the policies in the Comprehensive Plan, which would be our objectives, and then we could recommend things to preserve the biosphere. Chair Bandy said that Member Thomson has the knowledge and she suggested that he correct the definition for the Sustainability and Resiliency section of the Vision Plan and to use his bullet points instead.

Discussion ensued regarding the purchasing of vehicles; that the City would consider electric vehicles when they are the same cost but that they did not take into consideration the operating cost, which is less; etc.

Vice Chair Krempasky asked if SEPAC wants to keep Commissioner England's Vision Plan the way it is because her draft would probably come back very similar. Chair Bandy suggested to match the current formatting, or they would throw it out. Member Candler asked if SEPAC would want the section to be called "Sustainability and Resiliency" or "Sustainability and Environmental Planning". Member Thomson said that both are okay. Member Candler said that Member Thomson could do the definition of sustainability. Member Thomson said that we need categories, define why those categories are important, take language from the Comprehensive Plan, and then we could propose projects. Chair Bandy suggested to leave it more basic for the first draft. Vice Chair Krempasky suggested that any portion of the Comprehensive Plan that applies to the Vision Plan could be referenced as "see Section x of the Comprehensive Plan" so that you would not have to copy the whole thing. Member Thomson said that it is a format that they might resist because a lot of it is duplicitious with what they are trying to do and that they would use the Vision Plan to see where the City is in ten years. He said that the Commission is asking for more information from SEPAC and that we could use the Comprehensive Plan as a guide.

Chair Bandy suggested putting something in about utilizing green infrastructure, which is what SEPAC has been suggesting, recycling glass, electric vehicles, more efficient buildings, along with what Member Thomson suggested. She advised that she researched a score card and that this would be a good place to do it, that it could possibly be done with each of the bullet points, and at the end we could say what has been done in that

area. Member Thomson said that we could publicize the score card and ask for public input. Vice Chair Krempasky asked how you would publicly grade a score card because at the end of the day SEPAC does what the Commission tells us to do. Member Candler suggested for everyone to write down their thoughts for the next meeting. Member Thomson said that we could revise the order from the list that he provided and that under Urban Tree Canopy, that maintenance and restoration should be number one because we are a tree board and the importance of that is huge for storm protection, etc. Member Candler said that the tree canopy is appealing to them because it is pretty.

Chair Bandy said we have the urban tree canopy, maintenance and restoration, and she asked what else SEPAC wants for bullet points. Member Thomson said that his big thing is water pollution reduction and stormwater runoff, which is the biggest problem that the City has due to flooding that would affect neighbors, because there is roughly 70% impervious surface and that water would have to runoff somewhere. Chair Bandy said that could be number two. Member Candler asked if SEPAC could pull information from Director Tredik's presentation. Member Thomson said yes and that even Director Tredik said that stopping the first half inch of runoff would collect a lot of the pollution and if we had a right-of-way plan and swales it would help. Chair Bandy asked Member Edmonds if this covered his concerns. Member Edmonds said yes.

Member Thomson said that we are killing ourselves with the cost of fuel and that there are a lot of ways to shift to clean energy. Chair Bandy advised that all SEPAC could do is recommend that the City do those things. Member Thomson said that the City of Gainesville asked all their departments to come up with a fossil fuel reduction plan and how they could be efficient in their operations such as battery powers tools, etc. and that the City should try to meet national standards. He said that the recent Comprehensive Plan adoption had to include the sea level rise and climate change element, which talks about doing an Adaptation Plan and a Climate Change Action Plan and that this is a soft way to get it started. Chair Bandy said that SEPAC could suggest that the City needs to develop a Climate Change Action Plan. Member Thomson agreed that the City should be more robust in adopting climate change initiatives by a certain date. Vice Chair Krempasky said that the Comprehensive Plan is pretty open ended and does not state "within five years". Member Thomson said that we tried to get them to do it and they would not. Chair Bandy said that that is the fourth thing as a reminder that we need to do this. Member Thomson said that he has it listed as A, B, C, and that C is the shift to clean energy. Chair Bandy said that D was developing a Climate Change Action Plan. Member Thomson said that it would go under Clean Energy because of what climate change is caused by. Chair Bandy asked if Green Infrastructure should have its own section. Member Thomson read a short paragraph from the "spongy" article and said that building mangroves, swales, and wetlands costs about 50% less than traditional infrastructure and if built well could reduce air pollution, restore carbon dioxide and boost tourism. He said that it has to do with storm hazard, pollution, and runoff reduction. He said that there is a Stormwater Master Plan being developed, but it is not using the current data. He advised that he would put it under either Stormwater/Coastal Erosion Management or Storm Hazard Mitigation. Vice Chair Krempasky asked if the "spongy" information would go under Stormwater Runoff. Member Thomson said yes and that the concept of a more natural drainage system costs less and does more. He said that the Mickler Boulevard

project started with a \$500,000 pipe and it failed because the first big storm flooded the adjacent neighborhood that had not flooded before.

Chair Bandy suggested that the next bullet point could be protecting and conserving our natural park lands and green space. Member Thomson said that it would be ecological repair and preserving natural resources that we are trying to do with the gardens and that identifying types of parks and activities would help preserve nature. Vice Chair Krempasky asked if that should go under the Parks and Recreation category. Member Thomson said it should be, but it is also a sustainability issue. Chair Bandy said that it could go under both places. Member Thomson suggested that SEPAC could do its own section and develop ideas and still comment on their section about parks and parking.

Chair Bandy asked if there should be a bullet point about recycling. Member Thomson said that reducing solid waste and increasing recycling should have incentives. He said that Gainesville has water rates that are tiered, and heavy water use residents pay more per gallon than others and that the garbage is the same way by the size of trash can. Chair Bandy agreed and said that one of her neighbors has eight people living there and she has two. Member Thomson said that it should be tiered to encourage conservation. He said that eventually a stormwater utility fee would pass and that the previous Public Works Director did not want to tier it at all even though the City of St. Augustine has theirs tiered. He said that the City would be doing a blanket fee that would not encourage conservation.

Chair Bandy advised that she had a list of approximately six categories. Member Candler asked if we want to get glass back into recycling. Member Thomson said that it would be a way of conserving and reducing waste, which would be part of what he is calling bullet point "E", Reducing Solid Waste and Increasing Recycling. He suggested to do a rough outline and have the City Clerk circulate it and everyone could come up with ideas for each category. Chair Bandy and Member Candler agreed. He said that the City has done well with the dune restoration and that we had 16-foot-high dunes everywhere except the pier area, which did erode out and is a combination of Embassy Suites and the County's old seawall property. He said that that area is a major weak point for letting the sea into the beach and that the Comprehensive Plan shows three illustrations at the end.

Chair Bandy said that Member Edmonds has to leave, and she asked if he had a good list. Member Edmonds said yes. Member Thomson asked if he could send the City Clerk a list of the categories that would be discussed and to distribute it to the other members. City Clerk Fitzgerald said yes. Chair Bandy said that way we have those seven and for Member Edmonds to bring his ideas to the next meeting.

Chair Bandy said that Member Thomson should write up the introduction part with the definition and bring it back. Member Thomson said that he had to write it for the meeting last night and would just copy that. Member Candler asked if the eighth section should be Educational Programs. Member Thomson said that we were authorized in our Mission Statement to help educate the public and that maybe it should be in the first paragraph because SEPAC has taken the task of education such as with Arbor Day, the Newsletter, etc. Chair Bandy advised that it could be added but to not specify SEPAC because the City can do educational programs as well.

Member Edmonds left at 7:03 p.m.

Chair Bandy asked if there was any further discussion about the Vision Plan. Member Thomson asked if Chair Bandy wanted to suggest changes to the other sections that can be reviewed at the next meeting. Chair Bandy agreed and said that she believes that they have a handle on her comments about parking and that they would make those changes. Member Thomson said that it makes more sense for the Chair to do the comments for each section and then SEPAC would vote on it or make changes to the draft as a group. Chair Bandy liked his comment about the park because the Vision Plan was just a description of a park and that they may not have understood his comments. She said that a Vision Plan is how we are envisioning the future, not just a description of what the park is. She said that if you look at all the other descriptions of the park it says what we want to do for the park and that there is erosion along that lake, and they took down trees because people did not want them in their view. She suggested that we could say something about the erosion and that she would go through it and make bullet points.

Member Thomson said that the City has one big retention pond and when it cannot dispel water because of storm surge, that it flows back down that ditch to this pond and it would be the next flood point. He said that we do not have a failsafe system, so erosion might be symptomatic of a developing problem because the main ditches that flow into this pond were full to the brim for the past week. Chair Bandy said basically we do not know what is causing the erosion. Member Thomson said that the Stormwater Master Plan Update, this pond, and the open ditches, are part of that. Chair Bandy said that it should definitely be in this Plan to do something about it. Member Thomson agreed. Vice Chair Krempasky said that at least it is an action item.

Chair Bandy asked the City Clerk if she agreed with handling the Vision Plan in this manner based on what she heard last night and what SEPAC was tasked with. City Clerk Fitzgerald said yes, that it would be a while before the Commission has a final draft, and they know that the other Boards can only meet once a month. Chair Bandy said that we have a great start on it and that we have one or two more meetings to get our ducks in a row. Member Thomson said that he would like to finish the draft at the next meeting. Vice Chair Krempasky suggested that SEPAC should do that exclusively at the next meeting.

Chair Bandy moved on to Item V.1.c

c. Parkette Planning/Green Infrastructure

Chair Bandy advised that Vice Chair Krempasky talked with Native Plant Consulting and that she and Foreman Large met with Wacca Pilatka and that they looked at some sites.

Vice Chair Krempasky advised that she asked Mr. Dix if rain gardens would work well with his sketch for the sites on D Street and he said that he thought they would. She said that she was hoping that Native Plant Consulting could do the rain garden design for \$2,000 each and that we put into a plan and present it to the Commission and/or Director Tredik to try to get an additional \$4,000 to improve those parkettes with rain gardens. Chair Bandy asked if Mr. Dix would be willing to update his sketch so that we have something to show because Native Plant Consulting is going to want \$200 to do the design, the Commission does not want us to hire a consultant, and that she does not know how to handle this. Vice Chair Krempasky suggested to have Dr. Kaczmarzky get involved because he has worked with them in the past and that she was hoping to talk to them, get the \$2,000, and have a sketch but that they would need to see the topography of the sites.

Chair Bandy advised that she has had some emails back and forth with them too and that she invited them to the October 27th event and mentioned the rain garden. She advised that they said that they would do the plan for \$195, which is their residential rate vs. their \$395 commercial rate and that they are not backing down from the \$200. She said that they probably would not include the \$200 fee in with the \$2,000 in case we do not go ahead with it. She asked if we could get approval to spend \$200. Project Manager Adams advise that we could ask Finance tomorrow.

Chair Bandy advised that SEPAC has \$4,000 for the parkettes. Vice Chair Krempasky said to take it from that. Chair Bandy said that the hold up on the rain garden is because no one would give approval to create a plan. Member Thomson said that we have a rain garden plan from Alex Farr on Mickler Boulevard. Vice Chair Krempasky said that it is a bioswale. Member Thomson said that a swale and a rain garden are similar. Chair Bandy said that they would look different and that the examples that she has of rain gardens are swales with mulch and plants farther apart.

She advised that she and Foreman Large drove around the City with a representative from Wacca Pilatka and showed him the parkettes on D Street as well as Mickler Boulevard. She said that he really liked the place in front of Playa Chac Mool because there was a lot of standing water and there is already a swale, which made it his top selection.

Chair Bandy invited Mr. Lang to the podium and asked if he was familiar with rain gardens.

Dan Lang, 453 Ocean Forest Drive, St. Augustine Beach, FL, he advised that it is a new term to him and said that he appreciated SEPAC allowing him time to speak. He advised that he has lived in the City for twenty years and appreciates more and more what SEPAC is doing. He said that he thinks a rain garden is a great idea, but that he is not crazy about it being between the Playa Chac Mool building and the Boulevard. He said that he has owned that building for seventeen years and that the property does hold water by design in a couple of areas, but he has never had any water in the building. He said that he works at Sunshine Realty next door that has a retention area in the back corner, which holds water for a few days. He pointed out that they have two electric car chargers at Sunshine Realty and that they are trying to do the right thing. He said that he is very familiar with D Street, which has two parkettes to the west of the Playa Chac Mool building, and he suggested putting the rain gardens there or some other place. He said that he is also interested to see what happens with the Mickler Boulevard project. He said that one thing that you might not be aware of is that we have an agreement with the City, he maintains the parkette, and that he does not want a lot of money to be spent doing this just to have a landscaper damage your work. He advised that he is not questioning the science behind it or the efforts and ambitions, but he would like for SEPAC to try a different parkette for those reasons.

Chair Bandy asked what his concern would be for having the rain garden between the building and the Boulevard. Mr. Lang said that part of it would be what people would see because one of the challenges for that building is that most people do not know that it is a restaurant because it looks like a house. He advised that we all know that there is a parkette in front of Jack's BBQ, Sunset Grille, and Café Eleven, which are parking lots. He said that while he likes the fact that his building sits back, it is already difficult to see, and it is one of the last on the Boulevard. He said that visibility is always a concern, for example the City has a very strict rule about the size and the number of signs that are allowed for

commercial buildings, which he is okay with. He said that we cannot paint a bright neon sign saying "Mexican Restaurant" or anything that would impede visibility.

Chair Bandy said that one reason that the landscaper liked the location was because there is already a natural swale, and that the rain garden would be low grasses and mulch that would suck up the water. She advised that the rain garden would be very visible because it would be on the Boulevard vs. being in the neighborhoods. She asked if he believed that SEPAC would need permission from the Commission because this parkette would be considered for a parking lot. Vice Chair Krempasky advised that you always need to get Commission approval to use City property. Chair Bandy said that if this parkette becomes a rain garden then they would be less likely to turn it into a parking lot. Vice Chair Krempasky agreed. Member Thomson said that the property owner has been maintaining the parkette.

Mr. Lang said that the City envisioned putting a small parking lot there at one time but the way it is positioned was not ideal for parking. He advised that the plan was to enter from D Street and exit onto the Boulevard and that it would have only added about six spaces. He said that all four corners at D Street and the Boulevard are parkettes and that the others are not necessarily developed either and that he would prefer that it not be in front of a business that is trying to make ends meet. Member Thomson said that it is a visibility thing.

Chair Bandy advised that the landscaper chose a secondary location at D Street and 1st Avenue on the northwest side, which is a large area that already has a fence there. She said that she has concerns because we would have to go back to the residents and ask again, which could be a lengthy process. Member Thomson asked if she thought that the rain garden would hold water for any length of time. Chair Bandy said no, but that Dr. Kaczmarzky explained it to the citizens. Vice Chair Krempasky said that she did not believe that the residents disagreed with a rain garden but that they were concerned with the engineering and a dry retention pond, which is what we were trying to sell them in the first place. Member Thomson said that it did not have as much water during the storm but that the parkette on the northeast side was holding water on the back side. He said that there are retention ponds with Oak trees in them with the purpose of soaking it up and it helps the atmosphere.

Chair Bandy advised that Native Plant Consulting told Dr. Kaczmarzky that there is one that already has some drainage on it and that it would be a preferred parkette for them. Member Thomson asked which parkette. Chair Bandy said that she did not know. Project Manager Adams suggested that 3rd Street and the Boulevard might be a potential area.

Member Candler said that she does not understand the visibility issue because the rain garden would not be very big. Mr. Lang said that visibility is just one of several aspects that he would like to have considered along with the maintenance of the parkette, which he provides. He said that this is unique because it is the only parkette on D Street with a commercial building next to it and for those various reasons he would be grateful if SEPAC used the resources at another location. Vice Chair Krempasky agreed but said that it is interesting that he pointed out the commercial aspect because that is what the Commission is going to be looking at for parking. Mr. Lang said that the previous plan was many years ago and that he would oppose another plan even though some would say that it would bring more customers to the restaurant. He said that adding just six parking

spaces would bring more trash along with all the other things that go along with it. He advised that the reason he liked that building was because it had four parkettes around it.

City Clerk Fitzgerald advised that there is an agreement between the City and Playa Chac Mool, in exchange for placing a sign in the parkette closer to the Boulevard, that they are obligated to keep up maintenance and that if this were to move forward then the contract would have to be amended or dissolved. She said that this particular parkette is not a decision to be made lightly because of the agreement with the City that needs to be taken into consideration.

Vice Chair Krempasky said that it is a reasonable request to do the first rain garden elsewhere and then have Mr. Lang come look at it. Mr. Lang agreed and said that he has never attended a SEPAC meeting and that he is really glad that he came. He asked if the consensus is that SEPAC would be considering other locations at this point. Chair Bandy said yes, that SEPAC has been considering all the locations. Member Candler said that SEPAC has Mr. Lang's feedback and that we listen to the residents.

Discussion ensued regarding Mr. Lang's sculpture in front of the building that is Chac Mool; that there is some landscaping in that parkette; some improvements have been made and the restaurant has a little garden on the south side; there are three generations of family that work in that building, which is like home to them.

Member Thomson thanked Mr. Lang for coming and advised that he would have been notified one way or another and that it is nice to meet him. Mr. Lang said that you would be surprised because there is a language barrier and that they would typically come to him with questions.

Chair Bandy asked if SEPAC should ask Mr. Dix if he would write something or should we just give Native Plant the money because the guy she talked to wanted \$400 for plans with a rain garden in one spot and that she asked why there would be a charge for a plan when we already have a plan. Vice Chair Krempasky suggested to pay Native Plant Consulting \$195 to use Mr. Dix's plan, come out to decide where the rain garden would go, and that Mr. Dix said that some of the rain gardens may need to go closer to the street. She said that Laura would be able to tell SEPAC the best use of that because we have the permission from the residents to do landscaping there. Chair Bandy said that the residents liked the idea of Mr. Dix's drawing. Vice Chair Krempasky advised that if Laura can do the plan and we could get it to Ms. Mathis that maybe she would be willing to distribute it to her neighbors and then we could have one meeting for their approval. Member Thomson advised to clarify where we are talking about. Vice Chair Krempasky advised that the parkettes that SEPAC designated were the northeast corner of 2nd Avenue and D Street and the southwest corner of 4th Avenue and D Street.

Project Manager Adams advised that anything over \$1,000 would need to have three quotes for Finance or a justification letter to sole source it. Vice Chair Krempasky advised that Foreman Large budgeted for the cost of the trees. She said that we ran into this problem doing the City's entrances and that Southern Horticulture and Public Works do not have the labor right now. Chair Bandy advised that Southern Horticulture said that they are two months out right now to plant the trees. Vice Chair Krempasky said that she thought that the City was going to plant the trees. Chair Bandy advised that Foreman

Large said that Public Works cannot plant the palm trees. Project Manager Adams said that he was not familiar with it and said that he would make a note of it. City Clerk Fitzgerald advised that it would depend on what time a year it is and whether there is enough staff to do it. Project Manager Adams said that SEPAC's inventory of trees for the FY 2022 budget has two Live Oaks, one East Palatka Holly, and two Simpson Stoppers and that Foreman Large said that they would be planted near 121 15th Street after the storm debris is cleared.

Chair Bandy showed the area of D Street and 5th Avenue [Exhibit D]. Member Candler said that she recognized the fence. Chair Bandy showed D Street and 4th Avenue [Exhibit E]. Vice Chair Krempasky asked if it was the southwest corner. Chair Bandy said that it is the northwest corner. Vice Chair Krempasky said that according to her notes that Foreman Large thought that these two locations would be the best. Member Thomson said that 5th Avenue is a high spot on D Street and that everything drains down to 2nd Avenue and that you would not want to put it on a hill. He advised that the inundation map that is in the Comprehensive Plan shows how that area would be flooded.

Vice Chair Krempasky requested to end the meeting at 8:00 p.m. since we were here late yesterday for the Vision Plan workshop. Chair Bandy agreed and said that she needs Foreman Large to be here to talk about the parkettes and she said to give the go ahead to start planning a rain garden for \$195 and that she would need to know the exact location. Member Thomson advised that we need a location, budget approval, and a schedule because we just keep talking about this. Vice Chair Krempasky said that this is what we talked about at the last meeting and that she is trying to find it in the minutes. Member Thomson said that it talks about what was approved several years ago as well. Chair Bandy said that there are two locations and that maybe Native Plant Consulting could come out and see it and they could help. Member Thomson asked to read the locations because he was confused with what the Vice Chair is talking about. Vice Chair Krempasky said it is the northeast corner of 2nd Avenue and D Street and the southwest corner of 4th Avenue and D Street. Member Thomson asked what SEPAC is looking for in a rain garden for sustainability. Chair Bandy said that this is our green infrastructure project meaning that it is going to suck up water and would be a demonstration to the community as an example of what green infrastructure is. Member Thomson said that there are some subdivisions in the City that do not use piped stormwater and that they use natural terrain and by using the terrain on D Street that the water would migrate to 2nd Avenue, which is the extension and the lowest area. He said that if you look at the inundation/FEMA maps you would see where the water is going to gravitate to. Chair Bandy asked if that should be the area that we select. Member Thomson said yes, any time you have water and that is why your consultant was looking. Chair Bandy said that it is up to Native Plant Consulting to give us a sketch for that area. Member Thomson asked why we would put it behind the sewer because nobody is going to see it. Chair Bandy said that nobody is really going to see any of these because it is a residential area. Member Candler said that the residents would see it. Chair Bandy said that we could publicize it. Member Thomson suggested that the Chair's neighborhood has a low area, and they could decide to do one. Chair Bandy said that she does not know what low areas he is talking about. Member Thomson said that Whispering Oaks has talked about issues with water that the City had to pump out before.

Chair Bandy advised to contact Native Plant Consulting, agree to the \$195, have them pick the location, make the sketch, get the plan to Ms. Mathis to see if the neighbors agree with it, and then we can do it. Vice Chair Krempasky advised that we would still need to have justification for it. She said that if we talk to Director Tredik and he likes the idea and approves the \$4,000 for the two projects then we do not have to go any further because he is in charge of that fund. Project Manager Adams advised that he believed that SEPAC would need approval from the residents in the area. Vice Chair Krempasky advised that Ms. Mathis is the resident. Member Thomson said that Ms. Mathis lives on a diagonal to that area and that she had standing water for two or three days.

Member Thomson asked for the budget to be repeated and that he assumes that it has been approved. Vice Chair Krempasky advised that SEPAC has \$4,000 for each of the two parkettes that does not include a rain garden and we are trying to get it included because it is a project that Dr. Kaczmarzky was able to convince the Commission.

Vice Chair Krempasky said that she was hoping to get Native Plant Consulting involved because they would provide some of the labor for the other planting that the City does not have the labor to do. Chair Bandy said that until we know their schedule that we could not give a definitive schedule of when it would be started but we might know by the next meeting. Member Thomson said that we have selected a vendor to do the design and possibly the construction for \$2,000. Vice Chair Krempasky said yes. Chair Bandy advised that it could cost more depending on how extravagant it is and how many plants you want in it. Member Thomson asked if we are authorizing tonight that they select one of two sites. He said that he does not believe that it would accomplish a sustainability function but that maybe he could be convinced if he sees the design. Vice Chair Krempasky said that Laura would know which would be the better option and that these were the two from her notes. Member Thomson said that we are authorizing them to do the design but that they are going to select the location. Chair Bandy said yes, from these two.

Vice Chair Krempasky asked if \$5,000 is the amount that requires multiple bids. City Clerk Fitzgerald advised that you are supposed to get multiple quotes or bids for anything you can. Member Thomson advised that anything under \$1,000 could have verbal quotes. City Clerk Fitzgerald said that she would have to look at the purchasing manual because there are several levels but that she believed that under \$1,000 was verbal quotes, under \$5,000 was written quotes, but that generally we get written quotes for everything anyway. Vice Chair Krempasky advised that she should be able to do a written quote for us but if they are the only one able to do something right now that we could select them and would not need two other quotes. Project Manager Adams said yes you could sole source it if you have a sole source letter that justifies why you are using a specific vendor. Chair Bandy advised that we could get other quotes, but that the landscaper she talked to is not telling her how much the rain garden is going to cost until he is given money to design the plan. Member Thomson said that the budget for next year is approved and that is what we are talking about, which is \$4,000 for each of the two parkettes.

Vice Chair Krempasky asked if she should contact Laura. Chair Bandy said yes. Vice Chair Krempasky said that possibly she, Laura, and Foreman Large could go to the locations. Chair Bandy asked if a vote was needed to spend the \$195. City Clerk Fitzgerald asked if they would be spending it before the next meeting. Vice Chair Krempasky said probably. City Clerk Fitzgerald advised that they would need a vote.

Discussion ensued regarding that the \$195 is for them to do a site visit to determine the plan; that the \$200 is similar to service call fee; whether there would be a design presented at the next meeting; that the timeline is unsure right now; that the \$200 covers the design and \$2,000 to install it if it is her plan. Vice Chair Krempasky said that \$195 is cheap for a plan. Chair Bandy advised that \$395 is the cost for commercial and that she said she would do it for the residential fee of \$195.

Motion: To approve spending \$195 for Native Plant Consulting to do a site visit and present a plan sketch as soon as possible. **Moved by** Vice Chair Krempasky. **Seconded by** Member Candler. Motion passed unanimously.

Chair Bandy asked to cover a few more things before we leave, with one being Milkweeds. She advised that there is a program called MonarchWatch.org and that Dr. Kaczmarzsky probably told everyone about it too. Member Thomson said that he received about four emails from him regarding the issues with the Commission and he asked what we are discussing and what is the action. Chair Bandy said that she does not know if we are all aware of what the situation is and that she contacted the library to see if they would sponsor us because they are giving free Milkweeds away to promote Monarch butterflies. She advised that the library would like to sponsor us and that she is going to fill out the application and write a letter and ask either the Mayor or Director Tredik to sign it. She said that she found out that Director Tredik is opposed to putting Milkweed in public places because it is toxic. She advised that she looked up their toxicity and she found that if the interior white substance gets in your eye or you ingest it that it could cause problems, but that a lot of plants are toxic, such as oleander, etc.

Member Thomson asked what the action would be. Chair Bandy advised that she would like SEPAC to apply to get thirty-two free Milkweed plugs and that Director Tredik is not a fan because they are toxic. She said that she told Director Tredik that it should not be a concern and that there could be signs not to eat or touch them and that the plants could be put in the back area. She said that Director Tredik said that they are not attractive after they bloom and that the residents might not want them. She said that he may be thinking of a different Milkweed and that SEPAC would discuss it at this meeting and she asked if we want to fight this and go to the Commission about it because the Monarchs need Milkweed to survive. Member Thomson said that he would make a motion that Chair Bandy write a letter explaining the situation and that we are advising the City that it is what you want to do. Chair Bandy said that the City of St. Augustine is part of a program called Monarch City, that we are not even allowing Milkweeds, that we need to pick and choose our battles, and that she does not know why there are so many battles when we are trying to do good things. Chair Bandy said that she does not want to go above Director Tredik's head.

Member Thomson said that SEPAC should advise the Commission and let them make the decision. Vice Chair Krempasky said that if we cannot convince Director Tredik to allow them that we should give them to the citizens. Chair Bandy said that the application is very long, you must indicate on a map/diagram the exact spot to be planted, take a photograph of the site, and have a letter of support from either the Mayor or Director Tredik, which we do not have. She said that she would include this in her monthly notes to the Commission and ask them to advise us how to move forward, whether they support it, and if they would sign the letter. She advised that it would take a long time to complete

the application. Vice Chair Krempasky asked what the value was for thirty-two Milkweeds. Chair Bandy advised \$100-\$160 per flat and asked if it would be worth the time. Member Thomson said that the Chair should still write the letter to the Commission. Chair Bandy said at this point SEPAC would not even be allowed to buy Milkweed for the butterfly garden so why even have it and that it looks bad for the City not to allow Milkweed. Member Thomson said that it is a sustainability issue for the biosphere and that SEPAC wants to support the biosphere, which includes the Monarchs and that these plants would do that but that we have received push back from Public Works and SEPAC is asking the Commission to make the decision. Vice Chair Krempasky advised that she should write the letter and not do the application. Chair Bandy advised that she approached the library because their Friends of the Library organization is a non-profit and that they are eager to move forward with it but that she has been putting it off because they do not know that the City is opposed to the Milkweeds.

Member Thomson asked if there was a section of the Code regarding landscaping and poisonous plants that should not be used in the City because if it is not in the Code then the objection seems arbitrary. City Clerk Fitzgerald advised that there is potentially an insurance liability for the toxicity and that people tend to not read signs. Member Thomson said that it would have to be labeled as a dangerous plant. Vice Chair Krempasky said that it is silly that we cannot plant Milkweed, but the City can put a playground right next to a snake pit and she asked if there would be liability for that. City Clerk Fitzgerald advised no because the snakes were already there, not placed by the City.

Chair Bandy moved on to Item V.2.a.

d. Urban Forestry and Planning Projects

This topic was not discussed.

2. Educational Programs

a. Environmentally Friendly Landscaping Recognition

Chair Bandy advised that SEPAC was in the Beaches News Journal and that we are doing our film series program on October 27th, which would be related to this topic and hopefully people will be interested because we have not received any applications yet. Member Thomson advised that he went to the City's website and could not download the application. Chair Bandy advised that she has been able to download it.

Member Thomson asked if the completed applications would come to SEPAC. Vice Chair Krempasky said no, they would go to the City Clerk. Chair Bandy advised that there are also printed copies available that have been handed out at events. Member Thomson advised that he did not believe that this would be a success this way because the Members used to go out and determine if a yard qualified for the Beautification Awards and that it is our job to recognize these places and that he would not want to go to a website to fill out an application. Vice Chair Krempasky said that Terra Freeman gets requests from people asking to be recognized for having a Florida-Friendly landscape and that their application is a lot more work. Chair Bandy advised that we just started the program, and we need to give it some time and that it has not had much publicity. She said that the Newsletter does not go to very many people, they might not click through to the document, and that it needs to be somewhere more prominent. Member Thomson asked if there is any harm

for each of us to look at properties and then have a letter sent to them from the City. Chair Bandy said that she did not think that SEPAC would get help from the City, that she personally does not have time to do it right now, and that we should give it some time. Vice Chair Krempasky advised that the Environmental Stewardship Awards only had three people the first year. Member Thomson said that SEPAC was doing the work and recommended those people and that he would hate to still not have any applications in two months. Member Candler suggested that we could advertise it more for Arbor Day and that there is nothing pressing about it. Member Thomson suggested to create incentives because that is a way to get people focused on it. Vice Chair Krempasky said that people who are doing this are already incentivized. Member Candler said that Terra gets requests for it because she works with the Master Gardeners. Vice Chair Krempasky said that Terra's Master Gardeners do not want to be part of the Florida-Friendly landscaping because you have to be certified to do it and that SEPAC is not asking for certified people to help us. She said that Dr. Kaczmarzsky had suggested to ask Terra for four or five volunteers that are the most knowledgeable about native plants.

Chair Bandy suggested to talk more about this next month. Member Candler asked what the movie would be next month.

b. Environmental Speaker and Film Series

Chair Bandy said the next film series is more like a TV show called "Flip Your Florida Yard", which puts environmentally friendly features in your yard and that it would be on October 27th at 6:00 p.m. at the library.

c. Newsletter Topics

This topic was not discussed.

VI. OTHER COMMITTEE MATTERS

Chair Bandy advised that there are considerations to do some bad things to our wetlands. She said that if the City moves ahead with Sea Colony's proposal to move the Ocean Hammock Park boardwalk it would be going directly through the wetlands area [Exhibit F-1]. She said so far, the Park has not totally circumvented the wetland areas and that this is a concern of hers. She advised that they would need to do another environmental impact study if they want to move forward with this. Member Candler asked how SEPAC would make sure that the impact study happens. Chair Bandy said that she talked with Jen Lomberg who said that the wetlands should not be disturbed if there is an alternative, and the alternative is the current boardwalk. City Clerk Fitzgerald advised that it has only been proposed and talked about by citizens. Project Manager Adams said that Director Tredik did draft sample plans. Chair Bandy asked if there would be a vote on it. City Clerk Fitzgerald said that the Commission would likely discuss it at some point and that the only thing that is set right now is that the grants used to purchase the Park stipulated that certain improvements must be done. She said one improvement is an overlook, which would go about halfway through the center of the park and there would also be enhanced parking and restrooms, which must be done and that most of it is in progress right now. She said that some of the Sea Colony residents came up with the idea of moving the boardwalk since the City was already going through half of the Park with the things that it is required to build and they proposed to just extend that further to the beach.

Chair Bandy showed a slide of the Park [Exhibit F-2] that depicts a green area, which are wetlands, the blue line is the current boardwalk, and the purple depicts the proposed amenities.

Member Thomson left the room at 8:03 p.m.

Project Manager Adams advised that the new proposed 3.1 plan is on the City's website. City Clerk Fitzgerald said that the City is in the process of getting permits from the Department of Environmental Protection (DEP) to approve everything that the City is doing. Chair Bandy asked if SEPAC should weigh-in that we agree with Jen Lomberg to use an alternative instead of cutting through the wetlands, which is a bad idea for many reasons.

Chair Bandy showed a slide regarding why we should protect wetlands and the value of coastal wetland habitat [Exhibit F-3]. Vice Chair Krempasky advised that it is part of the Comprehensive Plan to protect the wetlands. Chair Bandy went back to Exhibit F-2 and said that this is the way she understands it. City Clerk Fitzgerald advised that there is already a planned walkway and overlook that will go through the wetlands. Chair Bandy said that if we are going through 50% of the wetlands that we might as well wipe out 100%. Member Candler has concerns for it going through the dune. City Clerk Fitzgerald advised that it would be a boardwalk over the dune.

Chair Bandy asked if SEPAC should make a statement to the Commission that we believe that they should not disturb any more wetlands than have already been done if there is an alternative. Member Candler and Vice Chair Krempasky agreed and said that she would support whatever Jen Lomberg's position is.

Member Thomson returned to the meeting at 8:07 p.m.

Chair Bandy advised that she would draft something that could be addressed at the next meeting.

VII. ADJOURNMENT

City Clerk Fitzgerald advised that the only date available in November for the SEPAC meeting is November 17th and if that date is not doable then SEPAC would not meet again until December. Vice Chair Krempasky asked if there was any potential for this December to meet a week later so that we are at least three weeks out. City Clerk Fitzgerald said maybe, but that she would need to see if there is anything else scheduled for that December date, that December 8th is already a Commission meeting week and that it could be decided in November.

It was the consensus of SEPAC to set the next meeting date for November 17, 2022, at 6:00 p.m.

Motion: to Adjourn. **Moved by** Member Thomson. **Seconded by** Member Candler. Motion passes unanimously.

Chair Bandy adjourned the meeting at 8:08 p.m.

Lana Bandy, Chair

ATTEST

Dariana Fitzgerald, City Clerk

Max Royle

From: Lana Bandy <lcbandym@yahoo.com>
Sent: Monday, October 17, 2022 4:35 PM
To: Comm Samora; Comm England; Comm George; Comm Rumrell; Beth Sweeny
Cc: Max Royle; Dariana Fitzgerald
Subject: October SEPAC Update
Attachments: Monarch Butterflies Are Placed on IUCN Red List - The New York Times.pdf

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Dear Commissioners,

SEPAC met on October 6; here's an update on our activities.

1. We are moving forward with plans for a **rain garden**. We will insert a rain garden into the parkette landscape sketch Mr. Dix prepared for us, gather costs/ideas for the rain garden, and get neighbor buy-in. We will then share the information with the Commission for final approval.
2. Public Works has been unable to remove the solarization plastic and begin the **wildflower seeding** on **Mickler** due to urgent hurricane cleanup. However, we hope to do this toward the end of October. We have purchased some **native plants** (dwarf firebush, blue porterweed, black-eyed Susan, twinflower, and sunshine mimosa) to put in the area when we put down the seeds. We are close to finishing the **signage** and **plant ID tags**. Our Eagle Scout helper, Alister McIsaac, has built the **pollinator boxes** and will install them October 29.
3. SEPAC hoped to plant **milkweed** in the back of the wildflower meadow and/or in a separate butterfly garden on Mickler. We planned on partnering with the Friends of the Library nonprofit organization to get **32 free milkweed pods** from Monarch Watch (monarchwatch.org). Chair Bandy was working on the application process and asked Public Works Director Bill Tredik to sign a letter of support. **Mr. Tredik voiced his opposition** to planting milkweed on City property. He first cited the plant's toxicity, then said he thought area residents would not like the look of the plant. Chair Bandy noted that she learned in her **Master Gardener class** that milkweed's milky sap can cause **short-lived symptoms if someone puts it in their eyes or eats it**. She suggested that SEPAC could put the **plants in the back** where people would not have access to them and prepare **signage cautioning visitors from touching/eating the plants**. She noted that many plants in our area (including coontie, oleander, sago palm, and the invasive Brazilian pepper tree, which is everywhere on the island!) are also toxic if misused.

KEY POINTS:

- i. It is crucial that we have milkweed to support the **endangered monarch butterfly**. **This is their only food source**. Habitat loss (mainly through massive development), wide use of herbicides and genetically modified crops, frequent roadside mowing and climate change have decreased the

occurrence of milkweeds throughout Florida. **U.S. eastern monarch populations have declined by 90% and western populations by 99% in recent years.** Please see the attached *New York Times* article for more details.


ii. Not only should the City of St. Augustine Beach plant milkweed, but we suggest signing the **Mayors' Monarch Pledge** (<https://www.nwf.org/mayorsmonarchpledge>). The **City of St. Augustine** (and many other local cities/towns) has signed the pledge and has numerous activities planned to fight for the monarch's survival. I reached out to Glabra Skipp at the City of St. Augustine, who tells me they have planted milkweed in public areas and have **no adverse activities or opposition**. In fact, she noted that numerous citizens have contacted the City to ask where they can buy milkweed. This is an excellent public educational opportunity!

I am still trying to convince Mr. Tredik, but if we cannot get his approval to include milkweed on Mickler, SEPAC would like to add this topic to an upcoming Commission agenda. **Max – Will you please add this?** We would appreciate the Commission's support!

4. We discussed the **City's Vision Plan** and came up with seven key areas to include in the "Sustainability & Resiliency" section. We will send more details later, but we've developed: (1) Maintain/restore urban tree canopy; (2) Control stormwater runoff and pollution; (3) Reduce City's fossil fuel usage; (4) Develop Climate Change Action Plan; (5) Protect and preserve green/natural spaces; (6) Promote conservation (water/energy/solid waste) and increase recycling; (6) Control coastal erosion/continue to restore dunes. Thank you again for including SEPAC in this important initiative – we hope you found our comments and ideas helpful!

5. SEPAC discussed the **Ocean Hammock Park boardwalk** issue. We have consulted with several **environmental experts** in the area and with the federal government, and we advise the City of St. Augustine Beach to keep the current boardwalk and no longer consider demolishing it and constructing a boardwalk through the middle of the park.

KEY POINTS:

 i. The east end of the park is a **wetland conservation** area (see below), and building a new boardwalk would dramatically alter it. **As there is already a viable option in place** – the current boardwalk on the southside of the wetlands – experts advise leaving it as is. While some of the current park plans go through the wetland edges, the boardwalk would go through the middle.

ii. There is already a lot planned for the park, and this would be **disturbing animals' habitats even more**. The animals (and plants) have adjusted to the "old" boardwalk, and all this new development combined with an additional boardwalk build, will be too much for them. The natural area in Ocean Hammock Park is very small.

iii. There are **rare coastal interdunal swale ponds**, which include grasslands, small ponds and depression marshes that have been eliminated everywhere else in the city. These habitats are home to many **endangered or threatened Florida species**, from the Peregrine Falcon to the Anastasia Beach Mouse to plants coastal verbena and sand dune spurge.

iv. We understand some work must be done in the park for us to keep it as City land. We urge you to minimize the work, however. We recommend **keeping it as natural as possible** and NOT disturbing the entire ecosystem by ripping up what has already been done and that the plants and animals have already adapted to, which is the boardwalk and the land on the south side of the park.

v. (There are other considerations, such as setting a bad precedent and encouraging other citizens to attempt to get what they want by “buying it” and returning grant money that was given to us in good faith. There is also the concern that the homeowners calling for the change purchased their homes knowing a boardwalk was there and now they are unhappy. But we will not go into detail on these things, as we are concerned primarily with the environmental impact.)

vi. Please let us know if you would like us to share in detail any of the information we’ve gathered, as it is quite informative!

6. SEPAC’s next meeting will most likely be delayed due to the space being used for the election. It will possibly be November 17, but the City’s website will be updated if that changes.

7. SEPAC’s next **speaker/film series program is October 27**. Please attend and encourage your friends and neighbors to join us, as this will be a practical seminar!

a. **Please join us!** Ever struggle keeping your outdoor plants and yard healthy and happy? Ever wonder how to lessen the amount of work you put into your landscaping? Find out by joining SEPAC on October 27 at its next event in the environmental/speaker film series. The program will examine the **Nine Principles of Florida-Friendly Landscaping™** and include a Florida yard makeover TV show so attendees can see the principles in action. Following the presentation, attendees will hear from area experts and can ask specific landscaping questions. The experts joining SEPAC are Tom Wichman, UF’s Florida-Friendly Landscaping Coordinator, Jordan Whitmire, from Southern Horticulture, and Debra Mixon, from Native Plant Consulting. The free event will start at 6 p.m. at the Anastasia Island Branch Library, 124 Sea Grove Main Street in St. Augustine Beach.

Please let me know if you have suggestions and/or questions. As you can see, we have been very busy working to enhance and beautify our community and educate our residents and visitors. Thank you again for your support!

Lana Bandy
Chair, Sustainability & Environmental Planning Advisory Committee

COMMISSION REPORT

October 2022

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS September 20 2022- October 24

CALLS FOR SERVICE – 2,020

OFFENSE REPORTS - 74

CITATIONS ISSUED - 85

LOCAL ORDINANCE CITATIONS - 14

DUI - 1

TRAFFIC WARNINGS- 188

TRESSPASS WARNINGS -16

ANIMAL COMPLAINTS - 35

ARRESTS - 28

- **ANIMAL CONTROL:**
 - St. Johns County Animal Control handled 35 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES –

National Night Out- October 4th 5-8pm

Anastasia Baptist school visit: October 6th

COA Lawn Mowing October 19th 7am-10am

Island Prep School Visit: October 19th

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 10/18/2022

Finance

The Finance Department has been working with our auditors on the preliminary FY22 audit. In addition to working with the auditors, we have been working to finalize and close out the last of the invoices and revenues received for FY22. Accounting standards allow for the posting of these entries through the end of November, so there will be no financial report for the month of September as the books are still open.

Communications and Events

Melinda is concentrating her efforts on the upcoming holiday events.

Technology

The IT Department has no updates.

ARPA Worksheet

\$3,507,979.00

APPROVED TO SPEND

Approval Date	Police Department ARPA List			
	Item		Quantity	Cost Estimate
4/19/2022	Detective's Vehicle		1	\$ 40,000.00
4/19/2022	Administrative Vehicle		1	\$ 50,000.00
4/19/2022	Commander Vehicle		1	\$ 50,000.00
4/19/2022	Chief Vehicle		1	\$ 50,000.00
4/19/2022	Vehicle Radars		3	\$ 25,000.00
				\$ 215,000.00

Public Works ARPA List				
9/26/2022	Concrete Grinder		1	\$10,000.00
9/26/2022	Stormwater Bypass Pump	6" dewater pump DBA	1	\$75,000.00
9/26/2022	Dump Truck	Replacement (6 cy #56)	1	\$130,000.00
9/26/2022	Pickup Truck	Replacement (#64)	1	\$35,000.00
9/26/2022	Pickup Truck	Replacement (#67)	1	\$35,000.00
9/26/2022	Pickup Truck	Replacement (#66-2006)	1	\$35,000.00
9/26/2022	48" mower	replacing scag	1	\$10,000.00
9/26/2022	2nd Street Improvement		1	\$100,000.00
9/26/2022	Parking Improvements	5th Street (Beach Blvd to 2nd Ave)	1	\$150,000.00
9/26/2022	Parking Improvements	4th Street East Parallel	1	\$100,000.00
9/26/2022	Parking Improvements	8th Street Lot SW	1	\$20,000.00
9/26/2022	Parking Improvements	A St/1st St West Lot	1	\$200,000.00
7/11/2022	Claw Truck		1	\$162,000.00
6/6/2022	Trailer 12 ton deckover 22'		1	\$12,000.00
4/19/2022	Refuse truck 25cy	replacing 77	1	\$250,000.00
4/19/2022	Refuse truck 25cy	replacing 79	1	\$250,000.00
				\$1,574,000.00

Other Suggestions				
9/26/2022	ID Cards	ID Card equipment, cards, printers, supplies	1	\$20,000.00
		Add multifactor authentication for entire city. According to Homeland Security CISA, cyberinsurance underwriters are going to be requiring this.		
9/26/2022	MFA Citywide		1	\$25,000.00
9/26/2022	Secure Bldg C	Block in front glass, block in W & N PTAC units, place flooring over concrete	1	\$40,000.00
		Cameras/Captioning equipment for city meetings; addition of wiring & technology to dals.		
9/26/2022	Video Production Impr		1	\$75,000.00
4/19/2022	Pipe Ditch-Vacant Alley	2nd/3rd Street-West of 2nd Ave		\$100,000.00
5/2/2022	Ocean Hammock Park	Restroom completion-in addition to grant		\$300,000.00
6/6/2022	Beach Access Walkovers	\$67k in FY22, remainder in FY23		\$335,000.00
6/6/2022	Paving Projects	Needed paving throughout the city		\$200,000.00
				\$1,095,000.00

Pay Increases				
4/19/2022	Pay Increases-FY22	Increase pay to \$15/hr minimum or bonus		\$136,000.00
				\$136,000.00
				Total Approved

\$3,020,000.00

ADOPTED BY COMMISSION

Public Works ARPA List				
	Water tanker	**REMOVED**	1	\$0.00
	Storm drain cleaning		1	\$100,000.00
				\$100,000.00

FY24 Budget

Other Suggestions				
	Parking Improvements	Dirt Lot Paving SW Corner of Blvd & 8th St		\$160,000.00
				\$160,000.00

Pay Increases				
	Pay Increases-FY22-FY24	**REMOVED**		\$0.00
				\$0.00

**Total Adopted
Total Spend**

**\$260,000.00
\$3,280,000.00**

MEMORANDUM

Date: November 14, 2022
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Public Works Monthly Report
October 2022

GRANTS

Public Works is managing the following active grants:

- **Mizell Pond Weir and Stormwater Pump Station**
Districtwide Cost Share – St. Johns River Water Management District
Grant amount \$632,070; FEMA HMGP money as match
Status – Construction complete. Project close-out underway.
- **Mizell Pond Weir and Stormwater Pump Station**
HMGP grant – FEMA/FDEM
Grant amount \$1.81 Million; SJRWMD Districtwide Cost Share as match
Status – Construction complete. Project close-out underway.
- **Ocean Hammock Park Phase 2**
Florida Recreation Development Assistance Program
Grant amount - \$106,500; \$35,500 match required
Status – Grant Agreement executed. Construction commencing.
- **Ocean Hammock Park Phase 3**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$60,000; \$60,000 match required
Status – Grant Contract Executed. Bidding in Fall 2022.
- **Ocean Walk Drainage Improvements**
Legislative Appropriation Request
Appropriation Request Amount - \$694,000
Status – Grant Agreement executed. 60% Design complete.
- **C.R. A1A/Pope Road Storm Surge Protection**
HMGP grant (Dorian) - FEMA/FDEM
Phase 1 Design Grant amount \$52,500; \$17,500 match required
Status – Design Underway

- **Dune Walkovers**
St. Augustine Port, Waterway and Beach District
Grant amount \$335,000; \$335,000 match required
Status – Design underway. Construction pending
- **Magnolia Dunes/Atlantic Oaks Circle Drainage Improvements**
Legislative Appropriation Request
Grant amount \$1,200,000;
Status – Grant contract executed. Design RFQ proceeding
- **7th 8th and 9th Street Drainage**
Legislative Appropriation Request
Grant amount \$90,000;
Status – Grant approved. Grant contract preparation underway

DRAINAGE

Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [CLOSE-OUT] –

The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. FEMA will reimburse of 75% of the total construction cost, with \$632,070 to be paid by the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program. Construction is substantially complete. Final completion scheduled for November 4, 2022. Project close-out underway.

Ocean Walk Drainage Improvements [DESIGN] –Design 60% complete.

SJRWMD permit application has been submittal pending. 60% presentation to City commission of November 14, 2022. Construction planned to commence in early 2023.

Oceanside Circle Drainage [BIDDING] – SJRWMD permit received. Bid document preparation underway. Construction planned for Winter 2022.

C.R. A1A / Pope Road Storm Surge Protection [DESIGN] – The project will prevent storm surge from Salt Run from entering the City at Pope Road. Design commencing.

Magnolia Dunes / Atlantic Oaks Circle Stormwater Resiliency improvements [RFQ] –

Grant agreement complete. The City is advertising a RFQ for the project design and permitting. Design is scheduled to take place in FY 2023 and into early FY 2024. Construction is anticipated to commence in the FY 2024 and being completed in FY 2025.

7th, 8th, 9th Street Drainage Improvements [GRANT AGREEMENT DEVELOPMENT] –

The City is coordinating with FDEP in the development of the grant agreement for the subject project. Upon completion of the grant agreement the City will procure a design consultant to commence design and permitting. Design is scheduled for FY 2023 with construction in FY2024.

PARKS

Ocean Hammock Park Phase 2 [CONSTRUCTION] – Phase 2 improvements include handicap accessible restrooms (including a sanitary lift station and force main), an outside shower, water/bottle fountain, an additional handicap parking space in the parking lot, two (2) picnic areas near the parking lot, an informational kiosk, and a nature trail with interpretative signage. Construction is funded by park impact fees and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Restrooms were ordered in July. Site preparation is underway. Construction is planned to commence in Fall/Winter 2022.

Ocean Hammock Park Phase 3 [BIDDING] – Design and permitting is complete. Phase 3 includes improvements to the interior of the park including, a picnic pavilion, observation deck, education center, additional trails with interpretative signage, bike and kayak storage, and an accessible connection to the parking lot and the beach walkway. Construction of a portion of the Phase 3 improvements to be funded by a \$60,000 grant from the Coastal Partnership Initiative. Grant agreement is fully executed..

Stormwater Master Drainage Plan [PLAN DEVELOPMENT] – CMT has begun development of the Stormwater Master Drainage Plan Update. Mailers and survey forms will be sent to City property owners to help identify drainage needs beyond those currently known by staff. A public meeting will subsequently be scheduled to discuss initial findings and survey results, and to discuss the areas in need of stormwater improvements for inclusion in the Stormwater Master Drainage Plan Update.

Streets / Rights of Way

2nd Street Improvements and Extension [CONSTRUCTION] – The City has entered into a contract with D.B Civil Construction, for construction of the project. The contract has been modified to allow ARPA funds to be used to fund the completion of the 3rd Lane ditch piping project, which will be incorporated into the project via change order. Construction has commenced and clearing and grubbing of the right of way has been completed. FPL is currently completing design of the underground power. Easements necessary for undergrounding the western block are in-hand.

Roadway Resurfacing [CONSTRUCTION PENDING] – FY 2022 roadway resurfacing is complete and included:

- 1st Lane through 9th Street east of A1A Beach Boulevard
- Atlantic Alley
- Mickler Boulevard between 11th Street and 16th Street
- North Trident Place

There are currently no additional roads scheduled for paving in FY 2023

A Street to 1st Street West Parking Lot – Conceptual Design complete.
Commission presentation occurred July 11, 2022. Preparation of permit plans underway.
Construction planned for FY 2023

LED Streetlight Conversion - Phase 1 and Phase 2 of the LED conversion is complete.
Coordination with FPL regarding the remainder of the LED conversions, as well as new
lights in specific locations (Phase 3) is underway. Phase 3 will be presented at the
November Commission meeting

A Street Sidewalk and Drainage Improvements [PRE-CONSTRUCTION] – Construction
is planned to commence November 28, 2022.

PENDING ACTIVITIES AND PROJECTS

1. PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER. No information to report.

2. LAND DEVELOPMENT REGULATIONS CHANGES. The City Commission at its June 6th meeting considered an ordinance concerning erosion-resistant materials and the resurfacing of parking lots. It wasn't passed. The City Attorney and Public Works Director are preparing new language for it.

3. UPDATING VISION/STRATEGIC PLAN. Commissioner England during her recent term as Mayor worked with the City Manager on developing a Vision Plan. Because of the goals and projects stated in it, it could take the place of the strategic plan. Commissioner England presented the Plan at the Commission's May 2nd meeting. The Plan was discussed by the Sustainability and Environmental Protection Advisory Committee (SEPAC) at its June 2nd meeting. The Comprehensive Planning and Zoning Board discussed it at its June 21st and July 19th meetings. At its September 12th meeting, the Commission scheduled a workshop on October 5th at 5:30 p.m. with SEPAC and the Planning Board to review the Vision Plan. Comments from those attending the workshop were made to the Plan. The next step is for the Commission to review a revised draft of it in January.

4. PARKING IMPROVEMENTS. The improvements would be constructing a firm surface, such as with paver blocks, brick or asphalt, for vehicles to park on. Suggested locations for the improvements are: north side of Pope Road between A1A Beach Boulevard and the entrance to the YMCA, plaza southwest corner of 8th Street and A1A Beach Boulevard, north side of 5th Street between the Boulevard and 2nd Avenue, north side of 4th Street between the Boulevard and the beach, and the plazas on the Boulevard's west side between A and 1st Streets.

At this time, the only parking project under way is for the plazas on the west side of the Boulevard between A and 1st Streets. Money to pay the costs could come from the \$3.5 million that the City has been allocated from the American Rescue Plan Act. The Public Works Director approved the scope of work from a civil engineering consultant to do the design and permitting phase starting in March 2022 and \$15,000 was spent for this phase. Concept plans for two options were reviewed by the City Commission at its July 11th meeting. The Commission selected the option where vehicles will enter the parking lot from 1st Street with the exit on A1A Beach Boulevard. The conceptual design is complete; work on permits is underway; construction will be done in 2023

There are no plans at this time for the Commission to consider paid parking.

5. JOINT MEETINGS:

- a. With the County Commission. No date has yet been proposed for the meeting.
- b. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC). A joint meeting with the Planning Board and SEPAC was held on October 5th to discuss the Vision Plan.

6. UPDATING PERSONNEL MANUAL. The entire Manual will be reviewed by an attorney familiar with Florida public sector personnel regulations and laws. The consultant has been hired and the Finance Director, City Clerk and City Manager had a Zoom meeting with her on October 11th to discuss the scope

of work. After the start of 2023, the consultant will have a draft of the revised Manual for City staff to review. It will later be reviewed by the City Commission.

7. LED STREETLIGHTS. Florida Power and Light has installed LED lights along the Boulevard and Pope Road, and 16th, 11th and A Streets, and Mickler Boulevard. At its December 6, 2021, meeting, the Commission approved a contract with Florida Power and Light to replace 79 lights. The next step will be replacing the old-fashioned, high pressure sodium lights in residential areas. The Commission at its November 14th meeting will be asked to approve the contract with FP&L for the conversion. XXXXX

8. GRANTS. The City has received grants from the following agencies:

a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match will be \$35,500. Total project is an estimated between \$400,000 and \$500,000. This is Phase 2. The Governor approved the appropriation and the contract with the Florida Department of Environmental Protection has been signed. The restrooms have been designed by a local architect and the Public Works Department has done the site design. The St. Johns River Water Management District has approved the permit. At its March 7, 2022, meeting, the Commission accepted the Public Works Director's recommendation not to accept the only bid receive because of its high cost. The Commission authorized the Director to negotiate a lower price by reducing the scope of work. Because negotiations did not result in significant savings, the Director will purchase prefabricated restrooms for a cost of \$135,000. There'll be additional costs to provide electrical service and water/sewer service. The Director estimates that the project's total cost will be between \$100,000 and \$200,000 under the initial bid. The restrooms will be delivered in the fall of 2022.

b. Coastal Partnership Initiative: The Public Works Director has applied for a Partnership grant for \$60,000 to construct the improvements to Ocean Hammock Park. The application was submitted on September 25, 2020. The state has approved the grant and the City will advertise for bids once it has received a signed contract from the state. Construction is planned to start in the fall of 2022. XXXXX

c. St. Johns River Water Management District Cost Share Program: Grant applied for in February 2021 to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested was \$600,000. The District appropriated the money in its Fiscal Year 2021 budget and the contract was executed. The City advertised for bids and the bid was awarded to Sawcross, Inc. The project is 99% complete and will likely be finished in November 2022.

9. NON-CONFORMING BUSINESS SIGNS. The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.

10. FLOODING COMPLAINTS. Citizens have expressed concerns about the following areas:

a. Ocean Walk Subdivision. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16th Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents complained that the piping of the ditch caused flooding along the subdivision's west side. To improve the flow of water, the Public Works Director had debris cleared from the Mickler and 11th Street ditches. At its October 5, 2020, meeting, the City Commission asked the Public Works Director to prepare a Request for Qualifications, so that the Commission could consider an engineering

firm to review the Ocean Walk drainage issues. The deadline for responses to the RFQ was November 23, 2020. The Public Works Director prepared an addendum, which was advertised before Thanksgiving. The deadline for the RFQ was December 8, 2020. A committee of City employees reviewed the three proposals that were submitted and recommended the City be authorized to negotiate with the Masters Design Group of St. Augustine. The Commission approved the authorization at its January 4, 2021, meeting. At its March 1st meeting, the Commission approved the contract with Matthews. In March 2021, the City was notified that its request to the Florida Legislature to appropriate \$694,000 for Ocean Walk drainage improvements was approved and in late May 2021 the City was notified that the appropriation had survived the Governor's veto. The grant agreement has been executed and a contract has been signed with the Matthews Design Group of St. Augustine for the design and permitting phase of the project. Preliminary design is nearing completion. Matthews provided an update report on the design/planning phase of the project to the City Commission at its July 11th meeting. Permit plans are nearly complete. Construction phase will begin in early 2023. Another update will be provided at the Commission's November 14th meeting.

b. Oceanside Circle. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. A survey has been done to determine the road's right-of-way and the final design of a new road is underway by the City's civil engineering consultant. The final plans are being done and will be submitted to the St. Johns River Water Management District for a permit. The City has received the Water Management District permit. Bids were advertised in November with construction scheduled to begin in 2023.

c. St. Augustine Beach and Tennis Complex and Private Pond between Ocean Trace Road and the Sabor de Sal Subdivision. The private retention pond for the Beach and Tennis condo complex is too small and floods during periods of heavy rainfall. The flooding threatens the condo units that border the pond. The Sabor de Sal subdivision had a pond that is owned by the adjacent property owners. It also floods and threatens private property. The area needs a master plan that will involve the City, private property owners and the Florida Department of Transportation. The Public Works Director plans a town hall meeting with the affected parties, to discuss a possible private/public partnership. A preliminary step will be the hiring of a consulting engineer to do an assessment and develop project alternatives. In November 2022, City staff will schedule a meeting with the stakeholders to develop a strategy for dealing with the drainage problems.

d. A Street east of the Boulevard. After discussion and several onsite meetings with then-Vice Mayor Samora, A Street residents and County/City staff members, the County informed the City's Public Works Director in mid-January 2022 that the project will include a drainage inlet structure along the south side of A Street with a five-foot wide, six-inch thick concrete sidewalk on the north side. The County has asked the contractor for an updated cost estimate. According to the County Road and Bridge Department, construction won't begin until November 2022 because the contractor is having difficulty getting materials.

e. Pipes under Pope Road and A1A Beach Boulevard. Application for \$550,000, 75% of which will come from the Hazard Mitigation Grant Program. The contract with the Florida Division of Emergency Management has been executed. The Public Works Director prepared Request for Qualifications for a design consultant. The responses were reviewed and ranked by a City staff committee and the Commission at its September 12th meeting authorized the City Manager to negotiate with the firm

ranked first, the Matthews Design Group. The contract was executed in October and design of the project has commenced.

f. Magnolia Dunes/Atlantic Oaks Circle. Thanks to the efforts of Vice Mayor Rumrell, state representative Cyndi Stevenson and state senator Travis Hudson, \$1,200,000 was put in the state's Fiscal Year 2023, which went into effect on July 1, 2022. The appropriation survived the Governor's veto pen. The Florida Department of Environmental Protection prepared a grant agreement, which was signed in late October 2022. The next step is for the City to advertise a Request for Qualifications for a design consultant to do design and permitting work. Once the consultant is hired, the design phase will be done in 2023 with the construction done in 2024. The grant agreement expires on September 30, 2025.

g. West End of 7th, 8th and 9th Streets. The Legislature in its 2023 budget approved an appropriation of \$90,000 for this project. The City is coordinating a grant agreement with the Florida Department of Environmental Protection. Once the agreement is signed, the City will select a design to consultant to do the design and permitting work in 2023. Construction should begin in 2024.

11. STORMWATER UTILITY FEE. The Commission decided at its October 4, 2021, meeting that the time to levy the fee wasn't right in light of the recent increase in the non-ad valorem fee for the collection of household waste and recyclables and the increase in property taxes due to the rise of property values in the City. The Commission discussed the fee at its October 3, 2022, meeting and approved having a public hearing concerning it at the Commission's November 14th meeting.

12. RENOVATING THE FORMER CITY HALL AND CIVIL RIGHTS MONUMENT. On March 23, 2022, the City Commission held a workshop, the purpose of which was to discuss with citizens the renovation of the second floor of the former city hall at pier park, future uses of the building and a civil rights monument. Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, made a PowerPoint presentation that described the building's history and the \$500,000 historic grant that can be spent on renovating certain features of the building, such as the upstairs windows and exterior awnings, and a smaller \$25,000 grant that can be spent on interpretative signage for the building. Ms. Stone highlighted that the building's designation as historic by the federal government enhanced its eligibility for the \$500,000 grant. The outcome of the workshop is that the building is to be used as a cultural arts center with the second floor possibly having artists' studios and a small museum. Artwork outside the building, such as a new civil rights monument to replace the old one that commemorates the 1964 civil rights struggle to integrate the adjacent beach, would be created. City staff will work with Ms. Stone and the Cultural Council on such matters as the building's structural strength, building code requirements to renovate the second floor, accessibility to the second floor for the public, fund raising and seeking citizens to serve as volunteers on a citizen advisory committee. The money from the \$500,000 grant must be spent by June 2024.

On July 12th, Ms. Christina Parrish Stone and Ms. Brenda Swan of the Cultural Council met with the Public Works Director and the City Manager and reported that the Council was advertising for proposals from architectural firms for the civil rights monument. Also discussed was where the monument would be located. One possible site is on the concrete walkway next to seawall and the stairs to the beach, so that the monument will be positioned where visitors can see it and the beach where the civil rights wade-in occurred in 1964. Ms. Stone will present the plans for the sign to the City Commission. The \$25,000 grant must be spent by March 31, 2023.

Ms. Parrish Stone provided an update report to the Commission at its October 3rd meeting. XXXXX

13. BEACH RESTORATION. According to the County's Coastal Manager, two million cubic yards of sand will be put on the beach from the middle of the state park south to the northern boundary of Sea Colony. The project will be done between June 30 and December 30, 2023. The federal government will pay the entire cost. A representative from the Army Corps of Engineers will provide an update report at the City Commission's January 2023 meeting.

14. NEW YEAR'S EVE FIREWORKS SHOW. At the City Commission's March 7, 2022, the City's Events and Communications Coordinator, Ms. Conlon, provided a report to the Commission about the December 31, 2021, fireworks show, which featured just the fireworks: no bands, food vendors, kids zone, etc. The Commission had no recommendations to change the event for the next New Year's Eve. The contract for the fireworks will be signed in October. The \$25,000 for the fireworks is provided from the bed tax by the County Commission. The contract for a 20-minute fireworks show was signed in October.

15. INTERGOVERNMENTAL PROJECTS. When the Commission discussed the strategic plan at its February 1, 2021, meeting, more involvement with the County and St. Augustine was mentioned as desirable. Below is a summary of the City's current involvement with various area governmental entities.

a. Mobility: At the City Commission's August 11, 2021, meeting, St. Augustine's Public Works Director. Reuben Franklin, March 2021, presented his city's mobility plan. St. Augustine has received a grant to create a transportation connector in that city. If money remains from the grant, the two cities may discuss having a connector between them.

b. River-to-Sea Loop: This is a Florida Department of Transportation, St. Johns County, St. Augustine and St. Augustine Beach project to construct 26 miles of a paved bike/pedestrian trail as part of the 260-mile trail from the St. Johns River in Putnam County to the ocean in St. Johns County. The Loop will then go south through Flagler and Volusia counties to Brevard County. This is a long-term, multi-year project. At this time, the Loop will enter St. Augustine along King Street, go across the Bridge of Lions, south along State Road A1A to the State Park, through the Park and into our City, then along A1A Beach Boulevard to State Road A1A. Though possibly not feasible in all locations, the goal is to have a wide, bike/pedestrian trail separate from the adjacent road.

In January 2022, the County Traffic Operations Division informed City staff that no meetings concerning this project have been held for over a year. The Loop's final route has yet to be determined. It might be through the State Park into our City to A1A Beach Boulevard, or along Pope Road from Old Beach Road to the Boulevard.

c. Transportation Development Plan: The development of the plan involves several agencies, such as the County, St. Augustine, our City, the North Florida Transportation Organization and the Sunshine Bus System. On February 25, 2021, the City Manager attended by telephone a stakeholders' meeting for an update on the development of the plan's vision, mission goals and objectives. Most of the presentation was data, such as population density, percentage of residents without vehicles, senior citizens and low income and minority residents in the County and the areas served by the Sunshine Bus. The next stakeholders' meeting has yet to be announced. The agenda will include transit strategies and alternatives and a 10-year implementation plan.

d. Pedestrian Crosswalk Safety Signals. On A1A Beach Boulevard, the County Public Works Department has put flashing signals at the crosswalk between the Sea Colony subdivision and the shopping center, and at the crosswalks between the Whispering Oaks subdivision and Ocean Hammock Park, 16th Street and 11th Street. The final improvement is a raised median in the vicinity of the pier park.

16. AMERICAN RESCUE PLAN ACT. This was passed by Congress and approved by President Biden in February and March 2021. It will provide money to states, cities and counties to help them recover from the pandemic's effects. Our City is eligible to receive \$3.5 million. That because the rules governing what the money can be spent on have been loosened by the U.S. Treasury Department will enable the City to do a number of projects, such as road paving, drainage and parking improvements.

At its April 4, 2022, meeting, the City Commission approved an agreement with the City's auditing firm, James Moore and Associates, to do contract management for the spending of ARPA funds. On April 19th, the Commission held a special meeting to discuss uses of ARPA funds and authorized that \$951,000 be appropriated for two new sanitation trucks at \$250,000 each, new police vehicles and radar units, the piping of a ditch in an alley between 2nd and 3rd Streets with the remainder of the appropriation to be used for adjustments to employee salaries. In June, the City purchased a brush pickup truck for \$161,000, using ARPA funds.

In August 2022, the City received the second and final payment of ARPA funds: 1,753,990. To date, \$3,030,000 has been approved to be spent.

Concerning beach access walkovers: The Public Works Director asked the St. Augustine Port, Waterway and Beach Commission at its May 17, 2022, meeting, for an appropriation to buy half the costs to construct new walkovers at 11 access points to the beach. The Port Commission approved a match of \$335,000, or a 50% match, for the walkovers. At its June 6th meeting, the City Commission approved the City's match of \$335,000 coming from ARPA funds. The City has entered into an agreement with a contractor to design, permit and construct the first phase of the project. Survey work for 16th Street walkover has been completed. Construction of the 10 walkovers will be done in two phases. Phase 1 will be the construction of walkovers at 1st Lane, 4th, 5th, 8th and 10 Streets. Phase 2 will have new walkovers at 11th, 13th, 15th and 16th Streets, and at 14th Lane. The walkover at 10th Street will be a wider to provide access to the beach by emergency vehicles. Construction will begin in the fall of 2022 and take two years to finish.

Concerning park planning: At its May 2, 2022, meeting, the Commission considered having a Request for Qualifications prepared for a planner to develop a master plan for Hammock Dunes Park, which is located north of the shopping center. The planner could be paid with ARPA funds. The Commission asked that the Request for Qualifications include the following: consideration of wildlife corridors in the Park, a pedestrian/bicycle trail, access to State Road A1A and a parking area or lot. The Commission at its June 6th meeting approved the wording for the Request for Qualifications. However, other projects, especially drainage ones, require attention, advertising the RFQ will be delayed.

17. UNDERGROUNDING OF UTILITIES. At its May 2, 2022, meeting, the City Commission reviewed a request from the City Manager for referenda topics for the 2022 primary or general election. One possible referendum topic discussed was the undergrounding of utility lines. The Commission reviewed information concerning this topic at its June 6th meeting and decided to hold a workshop in August with representatives from Florida Power and Light. At its July 11th meeting, the Commission held a workshop

for Tuesday, August 2nd with representatives from FP&L. The outcome was for City staff to prepare a Request for Qualifications for companies experienced with assisting cities with planning for undergrounding projects. The Commission reviewed the proposed RFQ at its September 12th meeting and decided not to advertise it but see whether the voters approve the additional one-cent sales tax at the November general election.

In the meantime, the City Commission has directed that the utilities be put underground along a new street, which 2nd Street west of 2nd Avenue. Easements have been obtained from the owners of the lots along 2nd Street west of 2nd Avenue for FP&L to put its equipment on their property. The Public Works Director is working to obtain easements for the lots along 2nd Street east of 2nd Avenue for FP&L to put its equipment on private property. To date, three property owners on the north side haven't agreed to provide an easement. The Commission will consider a resolution at its November 14th meeting to state City's intent to levy non-ad valorem assessment fee to pay the costs of the project.

18. UPDATING STORM DRAINAGE MASTER PLAN. The City has hired CMT, a civil engineering consultant, to do the update. Work on it has started. Before the study is completed, a public meeting will be held to obtain public comment to assist in the development of the plan.