



## MINUTES

### REGULAR CITY COMMISSION MEETING MONDAY, FEBRUARY 6, 2023, AT 6:00 P.M.

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

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#### I. CALL TO ORDER

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

#### II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

#### III. ROLL CALL

Present: Mayor Donald Samora, Vice Mayor Rumrell, and Commissioners Undine C. George, Beth Sweeny, and Virginia Morgan.

Also present were City Manager Max Royle, City Attorney Jeremiah Blocker, 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 REGULAR COMMISSION MEETING ON JANUARY 9, 2022

**Motion:** To approve the minutes of regular Commission meeting on January 9, 2022. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner George. Motion passed unanimously.

#### V. ADDITIONS OR DELETIONS OF THE AGENDA

City Manager Royle requested to remove the scheduled Presentation due to Ms. Conlon's absence.

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

Mayor Samora advised that we have Budget Resolution 23-04 that needs to be added to the agenda along with changes to the order and he suggested moving Consent Agenda to Old Business number one. Vice Mayor Rumrell agreed.

#### VII. PRESENTATIONS

Report by Ms. Melinda Conlon, Communications and Events Coordinator, on City Events in 2022

This item was not discussed.

Mayor Samora moved on to Item VIII and advised that anyone wishing to speak about non-agenda topics would have three minutes and that any questions would be answered by either the Commission or staff after Public Comments. He encouraged those watching from home to email their comments/questions.

## VIII. PUBLIC COMMENTS

Wiley Page, 4 Ocean Trace Rd, #312, St. Augustine Beach, FL, President of the St. Augustine Beach and Tennis Condo Association; voiced their support of the Master Drainage Plan and for it to move forward as quickly as possible; it will be a partnership that they are willing to work with and look forward to the results; would like to participate however they can; did not know if there were any updates; stormwater is important here.

Christy Young, 740 A1A Beach Blvd, Unit B, St. Augustine Beach, FL, acknowledged what the Commissioners do and that this is the best place to live; introduced her "Muscle Beach" event February 19<sup>th</sup> at the Mary Street ramp [Exhibit A]; it is to provide support for the mobility challenged; working with several companies and asked for volunteers; caregivers are treated like royalty; St. Johns County represents a huge impact on the disabled population in the United States; 26% of our population is elderly; mobility mats were installed in the State park and the installer will be at the event and she would like to see a mobility mat put at A Street; New Jersey has Uber services for the disabled. Mayor Samora asked what time her event was and if there was a website for information. Ms. Young advised that it is from 12:00 p.m. to 4:00 p.m. and there is a Facebook page called *Muscle Beach St. Augustine*.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, asked to put back on the agenda beach access for homes on 5R-A1A behind Whispering Oaks; listed CC.1.1.2, Rule 62d-5.059 Section 3, CC.4.4.3, CC.4.4.2, R.1.2.5; that 105 Beach Radio discussed the proposal for the Park and said that the \$600,000 would leave the City about \$400,000 to use but that there was a letter that had multiple conditions; \$300,000 would have to be spent building a new boardwalk through the conservation area because you cannot lose your access; it would have to be maintained by the City forever or our taxes would pay for it; the existing boardwalk has a limited life; last meeting a Sea Colony resident said that they heard that we did not think they should have a buffer but it is not about them, it is about not losing an elevate boardwalk, endangering turtles, etc.

Robert Samuels, 110 Mickler Blvd, St. Augustine Beach, FL, goes to the beach pier area frequently and showed a photo of what he sees looking south of the Cultural Council building since the hurricane in November [Exhibit B]; Public Works did a great job cleaning up afterwards; the fence in the photo on the left hand side of the wall does not seem to be the property of the condo as it is on the cement, which he believed was maintained by the County but is in the City limits; wanted to bring it to the City's attention to see if something could be done about it; last year he spoke about the recycling of glass, which the City no longer does and Flagler Beach has a functioning glass recycling center; we used to have a large container for people to bring glass recycling to which was well used; suggested that another bin be put there but was told that people would put their trash there; the City Manager mentioned a bin with one or two small holes to drop glass bottles through; once a month it could be brought to Flagler Beach's facility; it is a good idea and the City should look into it.

Joshua Kline, 209 Madrid Street, St. Augustine Beach, FL, thanked the Commission for their service; found an article from 2014 about three dogs that were bitten by snakes along with his best friend's father in the community directly adjacent to Ocean Hammock Park; if we demolish the raised boardwalk for a ground level one, it would have some serious risk for residents/pets; has two dogs and would never use a ground level boardwalk; saw on the beach that it appears that Sea Colony is extending their elevated access to the beach while they suggested that ours be demolished; has been told that the Park's raised boardwalk is the only handicapped access to the beach and he would be concerned if handicapped residents no longer have access to the beach.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, thanked Commissioner George for trying to put the removal of the boardwalk to rest last month; the traffic signal issue at Madrid

Street/A1A South/Marsh Creek area could be costly, but encouraged the City to look into it; requested to put in the "no parking" sign near the four new homes in that area because when construction starts it will be hard for cars to pass each other; forwarded the Commission an article that he received from Mr. LeClare about the snake bites and encouraged reevaluating a ground level path that may wind up being ripped out and redone.

Mayor Samora closed Public Comments. He asked Director Tredik for any follow-up information about the drainage. Director Tredik advised that Crawford, Murphy, and Tilly (CMT) are doing the Master Drainage Study Update and they are looking at the Ocean Trace area and that he also had some discussions with Matthews Design Group who have also done some work in that area. He said that he is hoping to have a public meeting in March to talk about the projects that they have found so far, and he invited anyone that is interested to attend. He advised that in April he would like to come back to the Commission with the plan. Mayor Samora asked if the drainage plan would be a separate meeting. Director Tredik said that he would like to have a town hall meeting to try to find out any specific local problems before he puts out the report and that he would be scheduling it in the next few weeks.

Mayor Samora asked about the fencing in the pier area. Director Tredik advised that it appears to be south of our property according to the aerial photo and that he was not aware that it was still there. He said that he did not believe that it was ours but that he would look into it. City Manager Royle advised that the seawall belongs to the County. Commissioner George advised that it probably violates the City's trash and debris ordinances.

Mayor Samora asked the City Manager if there have been any discussions with Flagler County about glass recycling. City Manager Royle advised that he and Director Tredik have a conference call scheduled with Flagler County this Friday. Commissioner George advised that the City of St. Augustine is resuming glass recycling and that they would be putting a collection bin at the skate park on the island and have been asked to consider if we could have a collection point here. Mayor Samora asked the City Manager to check on that as well.

Mayor Samora asked if there were any updates about the traffic signal at Marsh Creek. Commissioner George advised that she would have an update next month.

Mayor Samora moved on to Item IX.

#### IX. COMMISSIONER COMMENTS

Vice Mayor Rumrell advised that there is a new Visitors and Convention Bureau (VCB) President for St. Johns County. He said that the room rates are up but that the amount of people are down, but it is still better than in 2019.

Commissioner Morgan thanked the department heads for the generous time going over things to get her up to speed, which was very helpful.

Mayor Samora advised that at the last Tourist Development Council (TDC) meeting the Cultural Council had an update and the civil rights movement panels for old city hall are in production and should be installed in March. He asked the City Manager to invite Ms. Parrish to an upcoming Commission meeting to provide an update. City Manager Royle advised that it is all set for Ms. Parrish to provide an update at the March Commission meeting.

Mayor Samora moved on to Item XII.1

#### X. PUBLIC HEARINGS

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)

Item # 1 was moved to Old Business.

## XII. OLD BUSINESS

1. Budget Resolutions 23-02, 23-03, and 23-04, to Increase by \$18,000 the Appropriation for Law Enforcement Vehicles Because of Cost Increase, to Transfer \$263,421.28 for Final Expenses for the Mizell Pond Weir Project Because the Project Wasn't Completed in Fiscal Year 2022, and to Transfer \$207,120 to Purchase New Radios for the Police Department

Finance Director Douylliez advised that Budget Resolutions 23-02 and 23-03 are combined. She said that one is for the Public Works Department to bring in the expenses from FY 2022 into FY 2023 for the Mizell Pond weir, which was supposed to have been completed in FY 2022. The expenses that were not used last year are going to be needed this year and would just be pulled back in. We budgeted for two new vehicles for the Police Department and estimated as best as we could at \$50,000 each but instead they are \$59,000 each. She advised that Budget Resolution 23-04 is for Police radios, which have been discussed several times going into FY 2024 but that there are some savings if we go ahead and do it in the FY 2023 budget.

Mayor Samora said that two of these resolutions were unbudgeted and asked where the money would come from and where does that leave the reserves. Finance Director Douylliez advised that all three were unbudgeted for. She said that every year we do have some extra that we have to balance the budget with that is allocated to go back into the reserves at the end of this year if it is not needed and that we can use that without touching the actual reserve funds, which is an easy fix for the \$18,000 requested for Budget Resolution 23-02. She advised that there is also another option since we are in the process of purchasing vehicles for Public Works using American Rescue Plan Act (ARPA) funds, which were allocated in this year's budget. She said that there were savings of approximately \$20,000 and we can actually move that out of ARPA funds and also fund these two vehicles this year.

Finance Director Douylliez advised that we estimated the balance of the weir project in FY 2022, but it was not finalized, and those funds go into our reserves at the end of the fiscal year, which builds up our reserve balance again and we will have that figure after our audit which is being performed now. She said that since it was not used, it would be pulled right back out and would be a wash with a minimal amendment. She said that our reserve balance as of the end of FY 2021 was at 42% reserved with our policy stating that we have to be 20% reserved, which as we have discussed is low and should be adjusted. She advised that there are reserves that we could use for the purchase of the Police radios with a savings of about 9% if we go ahead and buy them this year which takes them out of the FY 2024 budget.

Mayor Samora thanked the Finance Director for her explanation and said that she answered all of his questions.

Commissioner George asked if the 42% reserves include the Mizell weir funds. Finance Director Douylliez said no. Commissioner George asked how many months it translated into for operating. Finance Director Douylliez said that she believed it is about two months of operating expenses and that we also have to factor in our bond payments because one of them comes due around the end of September during hurricane season and we need to make sure that the money is set aside to pay that and continue to operate. She said that she believed that the 20% reserves were calculated a long time ago and we need to get a feel for what we really need to have in reserve to continue to operate in a significant event, such as this past year at \$60,000-70,000 for recovery.

Commissioner George asked how many months are recommended for a coastal community. Finance Director Douylliez advised that it is based on the percentages and what percentages we have been given from our auditor and the Florida Government Finance Officers Association (FGFOA) and it looks like 30-35% is a more comfortable number for a city to continue with their day-to-day tasks. Commissioner George said that we have met that, and it is probably smart to have more for these unexpected contingencies.

Mayor Samora asked for any further Commission comments. Being none, he opened Public Comments. Being none, he closed Public Comments.

**Motion:** To approve Budget Resolutions 23-02, 23-03, and 23-04. **Moved by** Commissioner George, **Seconded by** Mayor Samora. Motion passed unanimously.

Mayor Samora moved on to Item XII.2.

2. Magnolia Dunes/ Atlantic Oaks Circle Drainage Improvements: Selection of Consulting Engineer (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that we talked about \$1.2 million that was appropriated for the project during the Florida State Legislature's 2022 Session. He said that the City advertised Request for Qualifications (RFQ) 22-07 for professional engineering services on November 8, 2022, and opened them on December 8, 2022. He advised that the City received four proposals and on January 20<sup>th</sup> the Scoring Committee met to present their individual scores and combine those for a total for each consultant. He read the results from highest scoring to lowest: 1. Environmental Consulting and Technology (ECT) – 1,125 points; 2. Water Resources Management Associates – 1,095 points; 3. Exp U.S. Services – 1,000 points; Gulfstream Design Group – 980 point. He advised that we are at the point now to get Commission authorization to negotiate with the highest ranking firm and attempt to reach a contract agreement; if not, then we move on to the next ranking firm, etc. He advised that his request is to review the tabulation of rankings and authorize the City Manager or designee to negotiate a contract with the top ranked firm, Environmental Consulting and Technology, Inc.

Mayor Samora opened Public Comments. Being none, he closed Public Comments.

**Motion:** To start negotiations with Environmental Consulting Services, Inc. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Morgan. Motion passed unanimously.

Director Tredik said that it was a very well thought out proposal and it gave us some possible solutions.

Mayor Samora moved on to Item XII.3.

3. Oceanside Circle Drainage and Pavement Project: Recommendation to Reject Bids (Presenter: Bill Tredik, Public Works Director)

Director Tredik provided background information for the Oceanside Circle project and said that it was a shell/dirt road in 2011 and the City opted to do a chip seal instead of a traditional roadway construction, which was only about a third of the cost of building a road but it only lasts about seven years and is now in need of replacement, along with the flooding problems in the area. He said that the Commission authorized CMT to move forward to do a design for a road and a design to solve the flooding which were completed in 2022. He advised that we received three bids with the lowest bid at \$876,850, which was more than double the engineer's estimate of \$414,000 from a few months ago. He said that he talked to the engineer about the bids, which were all over the board and are coming in high right now. He said that we budgeted for \$500,000 based upon the engineer's estimate and we do not have the funds to build it the way it is designed and bid on. He advised that we have a few options, one being to reject the bids for now and go back and

try to value engineer a more cost-effective project. He said that one of the reasons that this project was so important is because there was one house that was flooding there, which has since been sold and demolished. He said that there are still issues and the roadway still floods but there is no pressing need to protect that property any longer and hopefully prices will stabilize for bidding again.

Director Tredik advised that the 11<sup>th</sup> Street project was put on hold and not budgeted until possibly next fiscal year because we want to be sure before we pull the pipe out that we did not have any need for a pipe when the Stormwater Master Drainage Study is completed. He advised that he would like to try to bid them together and possibly lump them with another project and get an economy of scale and better unit prices, an advantage we do not have in some of the grant projects. He suggested that this could be our strategy for future Capital Improvement projects to have the flexibility to help better control costs.

Director Tredik recommended not awarding the 22-06 bid at this time and to retool the design to try to come up with value engineering and combine it with future projects. Mayor Samora asked if there were any threats for serviceability and access for that road. Director Tredik advised that access is not in jeopardy but there are some places that may need to be stabilized with a gravel/asphalt mixture while we get this design under way.

Mayor Samora opened Public Comments. Being none, he closed Public Comments.

**Motion:** To reject all bids for Bid 22-06 due to a lack of project funds. **Moved by** Commissioner George, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora moved on to Item XII.4.

4. Stormwater Utility: Ordinance 23-01, to Authorize Adopting Such (Presenter: Bill Tredik, Public Works Director)

Director Tredik presented a PowerPoint [Exhibit C]. He showed a slide from a couple years ago that highlighted some of the areas that we knew we had problems with and did not know exactly what to do about and they are all being looked at by the Master Drainage Study. He said that we have done a lot in the City but that we still have needs and expenditures for the future if we want to get the stormwater system where it needs to be and that facing climate change and sea level rise in the long-term will be more difficult.

Director Tredik said that in October 2022 the Commission authorized staff to advertise for a public meeting and in November 2022 the Commission adopted Resolution 22-15, expressing intent to impose a stormwater utility fee which was forwarded to the Tax Collector before the end of the year. He advised that to stay on this path, the next step would be to adopt Ordinance 23-01, which is a modification of Chapter 7 of the City Code. He said that we then would need to pass the initial assessment and determine the ranges at least by May and would have to notice everyone that would be impacted by mail twenty days in advance of the Public Hearing in June. He said that in August we would have to pass the final assessment resolution and adopt an agreement with the Tax Collector.

Director Tredik said that Chapter 7, Article 1, is the meat of what we are doing tonight, to try to set a framework. He said that it was established by City Ordinance 95-04, which supported the County's Stormwater Ordinance 94-16, which they adopted but never imposed a fee. He said that our ordinance expired on October 1, 2015, but it is still part of our Code, which really has no meaning and is not applicable anymore. He said that Chapter 7 needs to be modified and brought up to reflect what we are trying to do with a stormwater utility fee. We need to set up the framework to establish our own fee and not work through County fees, which Ordinance 23-01 does by replacing Chapter 7, Article 1, and renumbering Article 2. He advised that when Chapter

7 was originally written that there were multiple sections that were reserved but were not enough numbers and we had to go back and renumber the Article 2 section.

Director Tredik advised that this would establish a Stormwater Utility Fee and Fund, declare what the benefits are, authorize imposition of the assessment, dictate how the funds can be used, state that an initial assessment resolution is required, authorize the development of an assessment roll, establish noticing requirements to properly notify people, set the requirements for a final assessment resolution, require annual assessment resolution, and establish an authorization to provide exemptions (which would give flexibility for hardship cases, etc., to be considered), alternate collection methods, responsibility for enforcement, ability to revise assessments and correct errors, and establish authority to impose it throughout the City.

Director Tredik advised that what he is looking for tonight are comments and/or revisions and then to adopt Ordinance 23-01 on first reading.

Mayor Samora asked if this has been done in-house and is there a need for a consultant to help develop the Equivalent Residential Unit (ERU), etc. Director Tredik advised that at this point we are still in-house with it and that he has had some discussion with CMT to see if they have the ability to assist us and that he would have to bring that back if the Commission wants to go that route or we could do an RFQ to get assistance. He said that he believed that a lot of the work could be done in-house but that he does not have the ability to do all the calculations of the impervious areas and using CMT would be the most cost effective. Mayor Samora asked if the Commission would be seeing that soon. Director Tredik advised that he plans to bring it to the Commission next month.

Mayor Samora asked if this was being split into two assessments: a Stormwater Improvement Assessment and a Stormwater Management Assessment. Director Tredik advised that there is no intent to do two assessments, it was intended to have one assessment to cover both things and that he would get with the City Attorney to see if that language needs to be modified. He said that there would be a capital plan created in the next few months to break down how much is maintenance and how much is capital projects as we finalize the Stormwater Management Plan and have those projects identified. Mayor Samora asked if those funds would be separated solely for this. Director Tredik said yes.

Vice Mayor Rumrell said that he welcomes this and that he toured the weir today with Director Tredik and Drainage Foreman Mick Orlando and that it was astonishing to see that equipment compared to where it was and where it is today. He said that he cannot imagine what the maintenance costs for those pumps alone would be and that water came within three inches of the wall during Hurricane Ian. He adamantly supports this, it is something that we need to do, it is a nominal amount of money, and it will help for future project discussions with Tallahassee to show that we are at least attempting to match funding.

Commissioner George said that she has no questions and that she has been evaluating the pros and cons of it. She said that she prefers the ad valorem mechanism, but that the structure of this will provide more assurance that future Commissions will have the funding necessary to make the right decisions. She said that we have received some public support for it, which is always helpful.

Commissioner Morgan advised that she received several emails in support of this stormwater utility fee.

Mayor Samora opened Public Comments.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, has stated his comments in the past about non-ad valorem; the weir project should be covered in ad valorem; drainage issues should have exceptions and he encouraged them to not rush through it because of a timeline without an

adequate public discussion using the St. Augustine Beach Journal or computer because the notice may be too general; encouraged having multiple public meetings within the same month to make sure that people fully understand.

Mayor Samora closed Public Comments.

Mayor Samora asked Director Tredik to speak to the benefits of having a separate utility fee vs. putting it in ad valorem. Director Tredik said that the perfect example is the current Ocean Walk project. He said that a couple of years ago we received a generous appropriation of almost \$700,000, but we are now faced with an engineer's estimate of \$1.4 million to do the project. He said that Matthews Design Group looked at where the current bids were coming in and tried to be realistic about it and a couple of years ago it probably would have been a \$600,000 or \$700,000 project. He said that we could shrink the project and just capture the primary benefit, which is a stormwater pump and new outfall, or we could try to find a way to fund a project that the people expect, which is to have their roadway drain properly. He said that the pump and the outfall would keep their houses from flooding, but we would still have wet roads and that the residents have been pretty vocal about wanting the water out of the streets. He said that we could potentially phase it out and that he has also applied for a Water Management Cost Share grant. If we get the grant, then it stays a \$1.4 million project, which would still leave us \$400,000 short and that is the exact kind of buffer that a stormwater utility fee could provide.

Every year there would be a capital projects list that we would try to work towards achieving and still have the flexibility to handle unforeseen overages. He said that Oceanside Circle is another example that is currently funded by impact fees but could easily be funded by stormwater fees. He advised that there are all these things that we could put into a stormwater capital projects plan for implementation over time plus we could cover the maintenance costs, which are currently being paid for out of ad valorem taxes with at least one full-time employee that could easily be funded through this. This could free up ad valorem funds and help with the City's ability to control the millage even though people would still be paying for it. He said that we are in a difficult area, you saw what Ian and Nicole did, and that storm surge/sea level rise are issues and we have been very lucky to get grants, but by the time the money rolls in, the costs have changed, and grants pay different percentages.

Mayor Samora asked if having a stormwater utility fee would put us in a better position to get grant funding. Director Tredik advised that at the very least it makes it better to budget for matching funds, which puts us in a better position because if we cannot match funds then we cannot qualify for certain grants.

Mayor Samora asked if it was the intent to fund all stormwater projects through the utility fee or still ask for general ad valorem money. Director Tredik advised that it would depend on what the Commission decides to impose as the fee. He said that there would be a project list that could be stretched out over a period of time, or you have options to accelerate things by either deferring a project, not do a project, or adjust the fee. He said that if the Commission decides after a few years that the fee is not working, you will have the option of not funding it. He advised that every year the Commission would have to do the analysis and determine if it wants to keep the fee, adjust the fee, etc. He said that it would guarantee that we have the money to do the stormwater projects.

Commissioner George said that if there is an unexpected project, that having the fee in place does not necessarily mean that there would be money available. We would be faced with the same issue whether it is ad valorem or non-ad valorem because if we have not budgeted for a surprise project, then we would still have to wait until the next year and either increase the millage or increase the assessment amount unless you were looking at this as a way to stock pile a savings



account. Director Tredik advised that it would be wise to reserve a portion of it each year for emergencies with the majority of it being allocated towards projects and putting a cap on the amount allowed in reserves so that we do not overcharge.

Mayor Samora said that it may give us more visibility for the stormwater projects and their funding vs. them having to compete with the general fund/ad valorem projects and needs. He said that it still does not solve the problem of funding projects and that we could increase the millage to generate the same amount of money because it is going to affect everyone. Director Tredik said yes ultimately it would affect everyone. He said that commercial properties with larger amounts of impervious surface would pay more than a residential unit. He said that before the Public Hearing everyone would receive a letter which would be more general for residential since they would only be assessed for one ERU, but the commercial properties would be specific to their impervious surface ERU assessment.

Vice Mayor Rumrell advised that when he has dealt with Tallahassee, the first thing they would ask is whether the City has a stormwater utility fee. He said that they like the fee because it is money funneling directly towards the problem vs. taxes going to the general fund. Commissioner George said that in our City there would not be a different allocation between properties that are more susceptible to flooding vs. those that are not. She said that she did not think that it applied to our City because we are all at risk and as long as we are able to contribute a match when needed. Vice Mayor Rumrell said that, based on his conversations, when it goes through ad valorem taxes that there are so many hands in the cookie jar and that this fee is directed to a specific area.

Commissioner Sweeny agreed with the Vice Mayor and that she is in favor of moving this forward tonight. She advised that she would like to get more community feedback because the feedback that she has received so far has been in support of it. She said that she believed that it may be more appealing to a resident to know exactly where the dollars are going to be allocated and dedicated to these projects vs. an ad valorem assessment that is subject to every department trying to get those funds. She said that there may be an emergency that shifts the funds out of ad valorem/general fund one year and we would still have this dedicated funding source for those stormwater projects so that they would not get cut. She said that personally, she would rather see a fee on her bill and have the assurance as a taxpayer where that money is going.

Commissioner Morgan piggybacked what the Mayor said earlier and asked if the fee would go toward capital improvement and maintenance because they are both issues that we need to deal with. She also agreed with Commissioner Sweeny that residents may be more comfortable knowing that this fee is specifically for stormwater projects. Director Tredik said that it could be for both maintenance and projects or however the Commission decides because there would certainly be enough projects but there are maintenance needs as well and it would be helpful to know that we have the staff, equipment, and resources to inspect the pumps every five years. He said that he believed that it needs to cover both, but it does not have to be allocated that way because an ordinance can be created to allow for it to be used both ways.

Commissioner Sweeny asked if there would be a proposed project list available for year one of the fee when we are gathering public input. Director Tredik said yes that it would probably be available in a few months.

Mayor Samora said that even though he questioned earlier if the ordinance was being split into two assessments, that the ordinance is well written, and he is fine leaving it the way it is because it gives more visibility as our maintenance costs increase. Director Tredik advised that he used a lot of information from other cities, such as Vero Beach, that established an ordinance that has been successfully implemented. He said that Vero Beach actually passed the ordinance a year

before imposing the fee but that he would hope that we would impose the fee right away, but the framework still needs to be in place to impose the fee whenever you are ready to do so.

**Motion:** To adopt Ordinance 23-01 on first reading. **Moved by** Commissioner Sweeny, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Commissioner George said that this will go through the regular adoption process which means that it will have one more reading and a Public Hearing.

Mayor Samora asked the City Attorney to read the preamble. City Attorney Blocker did so.

Mayor Samora asked Director Tredik to go through the timeline again. Director Tredik said that he would like to come back before May but that May is the latest that we can pass the initial assessment and that the next reading will be in March. He said that after we pass the initial assessment then we would send a notification to all those impacted, which has to be advertised at least twenty days in advance of the June Public Hearing.

Vice Mayor Rumrell suggested having a workshop meeting somewhere in between to allow for more public input. Commissioner George said that it would have to be at a point where there has been enough time for the information to percolate and that between now and March would be too soon. Mayor Samora suggested to have a workshop meeting at the end of May which would leave us until August for the final assessment. Director Tredik said yes and that we would have the Stormwater Master Plan Update with a project list generated from it and could also be discussed at the workshop. Vice Mayor Rumrell said that he would like to do it to give the public another opportunity for people to come out. Commissioner George asked if he thought the public would want to spend their time coming to that or to the Public Hearing. Commissioner Morgan said that we also talked about having a workshop about the Master Drainage Plan which is a very similar subject. Commissioner George suggested to manage the agenda for June to allow more time because a lot of people may attend since this is when a decision would be made.

Mayor Samora moved on to Item XII.5.

5. Project and Grant Management Services: Review of Proposal (Presenter: Bill Tredik, Public Works Director)

Director Tredik said that in January he had expressed concern about the impending workload associated with all the grant projects, which we simply do not have the staff to manage. He advised that he put together a draft Request for Proposals (RFP) that he would like to get approval to advertise. He said that the scope would be fairly general so that he could get help across the board for grants, not just in the management, but possibly grant writing assistance. He said that we need help with the quarterly reports, the auditing, and the day-to-day operation to make sure that we are in compliance and meeting our grant deadlines. He said that we do not want to lose grants because we do not have the staff to keep up with them. He read from the RFP's scope of work as provided in the agenda packet. He asked for approval to put out the RFP and said that hopefully bringing some help in would alleviate some on the grant side but that he was not in a position to bring anything to the Commission yet for the project management side.

Mayor Samora asked if this was what Director Tredik wanted to do long-term or to get a full-time employee. Director Tredik said that he did not know how long we would be able to effectively get grants but that we are in a wave right now and have a lot of money coming in and this is basically getting us through that wave. Mayor Samora asked what is the timeline on the books for grants that we have been awarded. Director Tredik said it depends on the grant, the Magnolia Dunes project is a two-year grant for example, that they would all be slightly different, and that bigger projects would be roughly three-years with smaller grants being two years or less. He said that

this is just to get us through this wave but that if grants keep coming in that we could keep using the consultant or decide at any time to hire a permanent staff member.

Commissioner Sweeny advised that Vero Beach still appears in the RFP, and she asked to clean it up before it gets put out. Director Tredik agreed. Commissioner Sweeny asked how we are going to fund this. Director Tredik advised that it would have to be funded through the projects. Commissioner Sweeny asked if when we write grant proposals or execute contracts are we writing in costs for the grant management part of it, which she believed is an allowable expense. Director Tredik confirmed that it is an allowable expense. He said that some grants allow for project management money, which is similar enough that it could be used to help administer the grants. He said that the Ocean Walk project has project management money allocation and that Matthews Design Group could do that for us, or we could also do it through this contracted consultant. He advised that Hazard Mitigation Assistance Program (HMGP) grants would need to know ahead of time that you would be using project management. Commissioner Sweeny encouraged it to be built into any future grant applications submitted.

Commissioner Sweeny said that there are independent grant writers out there and that she had concerns with the way some of this is written because it might preclude some independent contractors from submitting. Director Tredik said that he did not think that it excludes them but that their scores would be dependent upon their experience. Commissioner Sweeny said that the way she read it is that they would have to have a legal entity such as a Limited Liability Company (LLC) set up in order to submit. Director Tredik advised that he would have to talk to the Finance Director and the City Attorney about that.

Commissioner Sweeny said that the scope of work seems like a vast array of things that we are asking someone to do. She said that someone who has grant writing/management expertise may not have the expertise to conduct a required environmental review so she would want to make sure that it would not preclude someone. She said that if the main objective is to get someone for the grant writing/management that she would suggest streamlining the scope of work. Director Tredik said that he would talk to the Finance Director and the City Attorney and possibly bring in different levels of contractors and you could select more than one based upon their skill set.

Vice Mayor Rumrell advised that he spoke to a City of Jacksonville Beach Commissioner because they are also looking for someone and they informed him that the City of Welaka just hired an outstanding grant writer and maybe we could piggyback. He said that there is also a thought process for using the percentage that the writer gets out of the grant instead of paying them a salary. He said that he looked at this as two separate contracts: 1. Construction Management; 2. Grant Writing, which could be a part-time person or a 1099 contractor.

Mayor Samora said that both Commissioners have brought up very good points. He said that the RFP scope of work goes well beyond just grant writing and grant management and he questioned what we are looking for, are we looking for a grant writer, a grant manager, help with inspections, etc. He said that when he reads the scope of work that it sounds like we need a foreman that would provide a lot of different services. Director Tredik said that we have been pretty successful at getting grants without a grant writer but there are certain things that they are aware of and opportunities that he may not know and so there is merit to having a grant writer but that it does not have to be in this RFP. He said that he needs help on the back end once we have the grant to get it through the system, stay in compliance, and to not miss anything. He agreed that the piggybacking of off Welaka could be an opportunity for grant writing and we could just focus the RFP on the grant management side to keep the projects rolling. If we find that the piggybacking is not working, then we could come back with a separate RFP for grant writing later.

Commissioner George asked if grant management would be administrative working of the grants or is it an engineering overview of the project itself. Director Tredik said that it is coordinating with those that are managing the project to make sure that the timelines are met, quarterly reports are done, requests for reimbursements are submitted, etc. to get the cash flow back into the City as quickly as possible. Commissioner George said that the person would not have to have expertise in construction. Director Tredik said no but that they would have to know enough about it to coordinate with those that do.

Commissioner Morgan said that grant management is sometimes included in the funding but that she sees that almost all the items are listed for FY 23. We are putting out the RFP now, these would not get going for FY 23, so what is the timeline. Director Tredik said that some of them would get going for FY 23, such as the Ocean Hammock Park restrooms, and we are about to bid for the central path to see where that price comes in. He said that County Road A1A/Pope Road is still in design and could go to construction in FY 23 and Magnolia Dunes construction for FY 24.

Commissioner Morgan asked when Director Tredik envisioned this person/entity starting. She said that if they are going to be handling the administrative part of the grant management and construction is not going to start potentially until October, that she would want to make sure that the money to pay for the cost of this entity is aligned with our budget and timeline for the project. Director Tredik said that there may be instances where the project would not cover it and he would have to come back to the Commission. He said that there would be an overarching contract but that he would still have to issue work orders and get approvals and if he needed anything out of the budget that he would bring a budget resolution back to the Commission which is likely to happen sometime in the summer. He advised that he does have approximately \$10,000 in the existing budget for consulting services and that he would work with the Finance Director to move funds if necessary. He said that more than likely we would be back here in a couple of months to select a consultant and another month or so to get a contract in place and we would be nearly into FY 24 by that point.

Mayor Samora opened Public Comments.

Nick Binder, 232 Big Magnolia Court, St. Augustine Beach, FL, cautioned on awarding any bids for the ground level walkway in Ocean Hammock Park until you do a review and listen to all the comments over the past six months; flooding in the area; snakes in the area; pets being killed; veterinarians overwhelmed by snake bites; project management is important and hiring an outside consultant would still take Director Tredik's time managing that consultant; described his past work in New Jersey.

Mayor Samora asked if the Commission thought that this RFP captured what Director Tredik was looking for.

Commissioner George said that there was a lot of input to edit it and that she had some of the same concerns that Commission Sweeny brought up. She said that it sounded like it is more of the administrative side that Director Tredik is looking for and that it is a better option than going in-house because we do not know how many projects there will be down the road. She said that we would want a grant writer for future projects that could build in their own fee, which is the way a lot of them make their fees and it seems to work for everyone. She suggested that it should have another read through because she saw something in it about needing pest control knowledge and that she is comfortable with staff handling it.

**Motion:** to approve the Request for Proposals for Project and Grant Management Services following a staff review. **Moved by** Commissioner George. **Seconded by** Commissioner Sweeny. Motion passed unanimously.

Director Tredik agreed with what Mr. Binder but said and that it would only take about an hour to oversee a contractor vs. eight hours putting together requests for reimbursement, quarterly reports, etc. He said that it would save both him and the Finance Director's time.

Mayor Samora moved on to Item XII.6.

6. City Memento: Review of Proposed Design (Presenter: Max Royle, City Manager)

City Manager Royle advised that the Commission last discussed this in November and asked the Events Coordinator, Ms. Conlon, to come up with some ideas, which are included in your agenda books. He passed around some mementos and said that we are looking at a cost of approximately \$600. He said that Ms. Conlon included images on Page 3 of the front and back sides of the memento along with the wording.

Commissioner George asked if there were different costs based on the quantity ordered. She said that the first time that this came to the Commission there were quotes that were significantly cheaper with a larger quantity. City Manager Royle said that what we are seeking now is approval of the design.

It was the consensus of the Commission to approve the design.

City Manager Royle advised that he would check into the quantity cost difference and would include that in his reports. Mayor Samora said that it was a good job putting it together.

Mayor Samora moved on to Item XIII.7.

XIII. NEW BUSINESS

7. Discussion of Commission Assignments to Various Organizations (Presenter: Max Royle, City Manager)

City Manager Royle advised that this topic is a result of a request from the January Commission meeting and that he has a list of assignments that were declared for the public record during that meeting. He said that we used to have more organizations Countywide in the past.

Mayor Samora asked if any Commissioners had organizations that they felt that we would want to add to the mix and have representation. Commissioner Morgan advised that she is not attached to any committee or organization but if there is one that we are interested in, she would be happy to do it.

Commissioner Sweeny suggested the Civic Association and that she has attended some meetings but that they are mostly involved with County things. City Manager Royle advised that we have not had anyone on the Civic Association since Commissioner Samuels left.

Discussion ensued regarding whether this was the Beach Civic Association or the County; that they changed their name; whether there are elected officials; anyone can join their meetings and they have guest speakers.

Mayor Samora said that he currently sits on the Tourist Development Council (TDC) and would like to retain that if there are no objections. He said that Vice Mayor Rumrell is currently on the Visitors and Convention Bureau (VCB), and Commissioner George is on the Florida Shore and Beach Preservation Association. Commissioner George stated that she enjoyed going to their conferences. She said that she thought Commissioner Sweeny took over the Economic Development Council and the St. Johns County Chamber of Commerce in 2022 and that maybe the Northeast Florida League of Cities is something that Commissioner Morgan could take over. Commissioner Morgan said that she is open to do whatever is needed.

Mayor Samora asked about the North Florida Transportation Planning Organization (TPO). Vice Mayor Rumrell said that Commissioner England was fine with going to Jacksonville, but he suggested to have a meeting with the County's TPO representative instead because the TPO does not really do much for the City of St. Augustine Beach. Commissioner Morgan said that the City Manager advised her that Commissioner England was a liaison, not a member, and if they do not need a representative there that she would not want to drive all the way to Jacksonville. City Manager Royle advised that we do have a Public Works staff member attend to keep up to date and there is no need for a Commissioner to attend.

Mayor Samora asked if there should be anything formal in place for a Commissioner to meet with a counterpart from the County, such as Commissioner Henry Dean. City Manager Royle advised that the Vice Mayor has contact with Commissioner Dean several times a week. Commissioner George said that we all have access as opposed to formalizing one person.

City Manager Royle said that the assignments are as follows: Mayor Samora – TDC; Vice Mayor Rumrell – VCB; Commissioner George - Florida Shore and Beach Preservation Association; Commissioner Sweeny – Economic Development Council and St. Johns County Chamber of Commerce; Commissioner Morgan – Northeast Florida League of Cities.

Mayor Samora moved on to Item XIII.8.

8. Discussion of Annual Evaluation of the Police Chief and the City Manager (Presenter: Max Royle, City Manager)

City Manager Royle advised that the two decisions that he is seeking are: 1) for the evaluations to not be done at the beginning of the year because there may be new Commissioners who do not know anything about the Chief or the City Manager and he suggested possibly in August/September during the budget adoption process, which has been done in the past; 2) Whether to use the form that has been used in the past (pages 11-21) or another form that he found online from the International City Management Association (pages 22-28). He advised that the Police Department may also have a form that is more appropriate to evaluate Police Chiefs that could be used.

City Manager Royle suggested that they would want to consider what the purpose of the evaluation is and what it should accomplish. Mayor Samora said that the Commission expects both the Chief and the City Manager to review their employees every year and that it is the Commission's duty to do the same. He said that it makes sense to do the evaluation in August/September and that he is fine with that. He said that it is funny that these two forms were included because they were not the forms used last time but he liked these better.

Mayor Samora asked the Commissioners if they felt that the Commission needed to do this for the Chief and the City Manager. Commissioner Sweeny said yes and that she agreed with the Mayor's reason for wanting to do the evaluations. She said that other governmental entities do self-evaluations and that she would like to see that submitted to the Commission highlighting their accomplishments throughout the year which would be helpful feedback for them to be able to point out things that they feel the Commission should know. Mayor Samora liked that idea. Commissioner George said that it was a component when we used the old form but that she could not remember if it was submitted prior to the Commission's evaluation. City Manager Royle advised that the old form got to be extraordinarily complicated and that he did not feel that it was very helpful to the Commission. He said that he is not interested in what he thinks of himself, but what the Commission thinks of his performance and how he could improve.

Vice Mayor Rumrell said that he liked the two forms and that the second form seemed pretty straight forward. Commissioner Sweeny said that she is fine with that and if the Chief has a different form that she would be happy to entertain that as well. Chief Carswell said that the

Police Department does use different evaluations, but for consistency he would be fine with either of the two forms provided. Commissioner Morgan said that the Commission could always add something particular to law enforcement in the comments.

Commissioner George said that one reason we got away from the past form in the packet is because of the numerics involved and tried to quantify as opposed to just using superior, fully competent, or needs improvement. She said that she personally prefers the categories rather than the numerics or calibrating a grade and that she likes the structure of the last form and maybe just take the grading out.

Commissioner Sweeny said that she is fine with either form. Commissioner Morgan advised that she has not done one in this setting but that she likes having five ratings vs. three. Mayor Samora said that the last form was too ambiguous.

Mayor Samora advised that we are leaning more towards the last form and looking at an August time frame and that we should set a date for completion. Vice Mayor Rumrell suggested to have them completed by the September meeting. Mayor Samora asked to have the self-evaluations before the August meeting so the Commission could complete their evaluations by the September meeting. Mayor Samora said that if the Chief finds a more appropriate form, to make sure to get it to the Commission in time.

City Manager Royle confirmed that this is to be submitted to the Commission prior to the August meeting, the Commission would write their comments in August, and discuss them publicly in September. Commissioner George said correct. City Manager Royle said that our reviews are public record. Vice Mayor Rumrell said that he did not believe that the Commission spoke about it publicly the last time. Mayor Samora said that he believed that we had an agenda item. Commissioner George said that if we had any comments, we could make them. Mayor Samora said that he would expect that we would meet individually.

Mayor Samora moved on to Item XIV.

#### XIV. STAFF COMMENTS

City Manager Royle said that Ocean Hammock Park's Phase 3 is the walkway going into the center of the park with the pavilion, the scenic overlook, etc. and that some citizens have asked us not to do it, but it is part of the Management Plan. He said that he and Director Tredik have discussed whether it could be deleted but that he does not want staff on their own to go to the State and ask for this because some Commissioners may want it included. He would like the Commission to give him some direction, but he is not prepared to go to the State at this point. He said that he would want to talk to the City Attorney and Director Tredik and review the Management Plan to see if we could even do that. If we can do it and the Commission's direction is to not go to Phase 3, because it may be quite costly, but that there may be some people that want the overlook. He said that this has nothing to do with continuing the walkway out to the beach or changing the current boardwalk location, it is only Phase 3 of the Management Plan and whether we want to implement it. Commissioner George asked what all of the components of Phase 3 are. Mayor Samora said that it would be everything beyond the restrooms. Director Tredik said yes, Phase 3 is everything that we were not talking about going out to bids for, but we are breaking Phase 3 up because we do not have enough funds to do everything that is left in the Management Plan. We were only talking about bids for the observation deck and the central walkway at this time. Commissioner Sweeny asked what that would exclude. Director Tredik said the children's playscape, the picnic pavilion, the education area, and some additional trails. Mayor Samora said that this is not a decision of whether we pick what we want to move forward with or not it is whether we want staff to ask the State if it is an option to not move to Phase 3. Commissioner

Sweeny asked if this needed to be a noticed agenda item for us to even be discussing this. Commissioner George said only if we were making a decision.

Commissioner George said that she needs some threshold information and asked if there is a deadline for those smaller components that we are saying are excluded. Director Tredik said that there is an implementation timeline which we would have to adjust in order to keep rolling. He said that the State has been pretty good about moving those dates out, there were a lot of good reasons, and they supported those reasons. He said that he would expect that as long as we are showing progress that they would continue to let us modify the completion dates because we are moving in the direction of full implementation. He said that deviating or changing the plan would be a different step and would require someone at the State level to approve a modification to the park Management Plan. Commissioner George said probably lack of funds. Director Tredik said that they would probably work with us to push out the timelines for lack of funds but that he could not guarantee it and we would have to update it and show that we are on that path.

Commissioner George asked if there was a conceptual drawing or design of what constitutes the playground and the education areas. Director Tredik said yes that it is in the current Phase 3 plans, which are all permitted through the Water Management District.

Commissioner Sweeny asked if we were to remove the path and overlook from the scope of Phase 3 would it require us to return any funds. Director Tredik said that it could. City Attorney Blocker said that communication is the most important component here and that any modifications or changes to the current plan could potentially impact funding going forward. He said that when the State gives approval for these there is a certain understanding of what is going to happen, so we want to make sure to keep communicating. He said that it could potentially jeopardize the wording of the agreement.

Commissioner Morgan said that she understands that the timeline has been previously adjusted and we are likely in a situation where we are going to need more time again. She asked how long of a delay could be requested and would it impact the funding because we do not want to jeopardize our situation. Director Tredik said that he believed that they would give us a reasonable request and not something without a clear path to an end date. He said that he did not think that they would approve a five-year extension but may approve a year or two at a time which is what they have done historically. Mayor Samora said a year or two but implementing the same plan. Director Tredik said yes. Director Tredik said that deviating from the plan would require them to reassess how the grant was awarded, what we said that we were going to do, and whether it still merits their contribution. He said that there is value to both a preserve and a park.

Vice Mayor Rumrell said that he thinks that people may have wanted the playscape etc. at that time, but now they want a more passive park. He said that his concern has always been the funding, not moving the boardwalk, but how are we paying for it. He said that when he and Director Tredik talked about this a while ago, that the matching grant for Phase 3 was only \$60,000 and that he is sure that the bids for doing all the amenities in the middle of the park would now be upwards of \$300,000, which means that the City would be on the hook for \$240,000 and that he could not support that. He believed that the restrooms were a necessity and that the community would come together and agree with ending it with the restrooms to keep it a passive park because some do not want to disrupt it environmentally and others do not want the heavier traffic flow that the amenities would bring. He said that we do not have the money to do it nor should we pay for it and that we should use our funds for something that is more beneficial for the core of the City. He said that Management Plans get changed all the time and if we go to them and say that we have had three major hurricanes, flooding, the dynamics of the neighborhoods have changed, residents would rather have a passive park, etc. that he believed they might be



okay with it. He said that there are grants for conservation and that is what we did, we saved it from being developed into condos and made it a park.

Commissioner Sweeny asked if the restrooms were next to the parking lot and that anything after that would be null. City Clerk Fitzgerald advised that Phase 3 is outlined in blue [Exhibit D]. Commissioner Sweeny said then we would not do a nature trail either. Director Tredik said all that we are planning to bid is the main at-grade trail and the observation deck. He said that the playscape, the picnic pavilion, the education area, the north and south trails, and the connection to the beach walkway are not in the current proposed bid.

Mayor Samora asked for clarification whether Director Tredik was requesting a change to the Management Plan to eliminate Phase 3. Director Tredik said before we have that conversation with the State we need to know if there is a consensus that the Commission thinks we should do it because once we start down this path he does not know where it would lead. Commissioner George said opening up any conversation would be problematic locally and at the State level. Commissioner Sweeny said that she is not worried about it at the State level because people change the scope of grants all the time and that she did not think that it would hurt us to inquire. She said that throughout this whole process it has been her goal to gather information to make the best decision for the community and that she is okay with inquiring and gathering additional information.

Mayor Samora agreed with Commissioner Sweeny and that as long as we keep the question very simple by asking if eliminating Phase 3 would jeopardize the funding, collect information, and possibly opening up another option.

Commissioner Morgan wanted to clarify that the bathrooms are going in along with all of Phase 2 and that Phase 3 is shown as the dotted line east of the parking lot. Director Tredik advised that in Phase 2 there will be picnic tables in several areas and an accessible path that wraps around the restrooms would be down in the corner.

Commissioner Sweeny asked how much we received for Phase 1 and Phase 2. Director Tredik said that he did not remember the Phase 1 amount which was done a while ago before he was with the City but that he could get the information. He said that Phase 2 is a \$106,000 grant through Florida Recreational Development Assistance Program (FRDAP). Commissioner Sweeny asked if we eliminated Phase 3 would it cause us to have to return funds from Phases 1 and 2. Director Tredik said that the Management Plan was done in two phases. When we did the original 11.5 acre purchase, it had a Management Plan associated with it and it had a lot of these features that have not yet been constructed such as the observation deck, picnic pavilion, trails, etc. He said that when the City purchased the 4.5 acres section that it had to update the Management Plan and some other things were incorporated into it but that we still are committed to the original things that have not yet been constructed and at this point we are still obligated to construct them. He said that staff conversations have been that there is a reverter clause and if we do not build them that we would have a problem.

Mayor Samora asked what Management Plan is tied to the funding that allowed the City to purchase the entirety of the park because it is not \$100,000. Director Tredik said that it is \$1.5 million for the 4.5 acres but that he did not remember the amount for the 11.5 acres. City Manager Royle said that he believed it was \$5 million for the 11.5 acres. Mayor Samora said that whether we complete Phase 3 is a big question.

Commissioner George asked if we were holding \$200,000 specifically for the overlook. Director Tredik advised that there is money in the budget for that. Commissioner George asked if we were holding money that has to be spent on the overlook otherwise we have to give the money back. Director Tredik said that it is a \$60,000 Coastal Partnership Initiative grant which is actually a

National Oceanic and Atmospheric Administration (NOAA) grant with an active contract, but we have not yet constructed. He said that we also have a \$25,000 grant for the design for all of Phase 3. He said that if we do not move forward then there are a lot of things to look at.

Commissioner George asked if we have any conceptual drawings other than this footprint such as whether the educational area would have a structure, etc. to get a feel for how much detail was provided. Director Tredik said that we do have details on the picnic pavilion and the observation deck but not a lot on the playscape, which are all permitted but the layout could change.

Commissioner George said that she is in favor of whatever the community wants. She said that she agreed with Vice Mayor Rumrell about needing the restrooms there. She said that personally she liked the idea of another path, but that she was not wedded to the rest of it. She asked if we could look at the scoring and whether we get a lot of extra points because of the educational component.

Mayor Samora said that he believed that that was the question that staff wants to ask, whether eliminating Phase 3 would jeopardize the funding. He said that we feel like we would want to have that information as an option and that we are entitled to ask the question.

Discussion ensued and everyone was speaking at the same time, and nothing was retrieved for the minutes.

Commissioner Sweeny said that since we have now learned a lot about the snake problem, she noticed in Chief Carswell's report this month that there were five animal control complaints and she asked if any of those were for snake bites. Chief Carswell said that he is not familiar with any recent snake bites but that he could look into it. Commissioner George said it was in 2014 on Versaggi.

Mayor Samora asked the City Manager if he had his answer. City Manager Royle said yes. He said that he really enjoyed tonight's decision and that we have a good Commission here.

Commissioner Sweeny asked Building Official Law for the status of hiring another person for Code Enforcement. Building Official Law advised that it was filled internally over a month ago by the former Public Works custodian who is a retired Florida police officer with military experience and is a perfect fit for the position.

Vice Mayor Rumrell asked Director Tredik to address the payment for the weir, that there are some cracks, and that the payment would not be submitted unless an engineer signed off on it. Director Tredik advised that they are shrinkage cracks which are typical of concrete and that they have been patched twice and that the retainage funds would not be released until the engineer signs off on the repair stating that it does not jeopardize the longevity of weir. He said that they are nothing to worry about structurally as long as the water does not work its way in.

Chief Carswell advised that they got their inspection back on the Police Station's roof and that it was poor. He said that it has had numerous repairs and that Director Tredik is going to work on an RFP for it because it is only getting worse. He said he did not think it would make it through another storm season. Mayor Samora asked if they were experiencing leaks now. Chief Carswell said yes. Vice Chair Rumrell asked about their windows. Chief Carswell advised that there are issues with the windows too and that he is working with Director Tredik on it.

Commissioner Sweeny asked the Finance Director if she could either email or have available for the next meeting a current list of how the American Rescue Plan Act (ARPA) funds have been expended to date. Finance Director Douylliez said yes and that we have made some changes and found some savings in some areas and that she would get an updated list to the Commission.

Mayor Samora asked the Finance Director how the coffers are doing. Finance Director Douylliez advised that we have received the bulk of our tax revenues from the County and that they would start slowing down starting next month. She said that the Finance Department is working with the auditors, who are in the second week of the audit, and it is the first time we are having a single audit requirement based on the grants that we have received, particularly the weir grant. She said that it is extremely taxing and that they are delving into quite a lot this year. She said that there are a lot of areas that we are going to be looking at improving and that we had our Department Head meeting last week and we talked about reviewing our processes. She said that we need to make sure that they are up to date and that we are adequately protecting everything in the City so that we do not fall short and have deficiencies. She said that she expects some things to come up in the audit that will suggest improvements going forward.

City Clerk Fitzgerald advised that the City has been advertising for a while for a Facilities Foreman for Public Works since we had an employee leave. She said that Building Official Law has also been advertising for a while for a Building Inspector, which is a specialized position that requires certain licensing. She said that the positions are posted on the front page of the City's website, and she asked the Commission to get the word out to any sources they may have. She said that she believed that the Police Department is still looking for a couple of officers as well.

City Attorney Blocker said that he anticipates that at some point there would be the need for a shade meeting on the pending litigation.

Mayor Samora said that as a reminder the St. Johns County Disaster Recovery Division would be here Thursday at 4:00 p.m., that SEPAC's meeting is February 14<sup>th</sup>, and there is a City Holiday for President's Day, Monday, February 20<sup>th</sup> and that City offices would be closed.

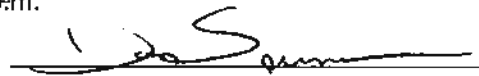
Mayor Samora moved on to Item XV.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

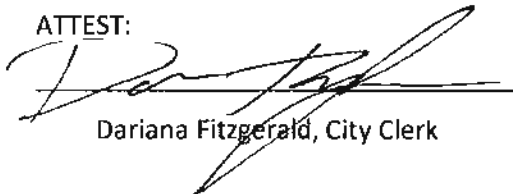
**Motion:** to adjourn. **Moved by** Commissioner Sweeny, **Seconded by** Vice Mayor Rumrell. Motion passed unanimously.

Mayor Samora adjourned the meeting at 8:28 p.m.



Donald Samora, Mayor

ATTEST:



Dariana Fitzgerald, City Clerk



# Volunteers Needed

Sunday, February 19th, 2023 12:00-4:00pm

A fun beach day for mobility-challenged people and their caregivers supported by the local fitness community!

## Who are you?

Are you a trainer, therapist, or USAHS student training in physical therapy, occupational therapy, or other health occupations?

We need your help! Do you love to support your community, do you need volunteer hours for graduation, or are you a trainer or gym owner wanting to provide wellness support?

## Interested?

**Contact Christy Young**

**Email:** christyyoungcj7@gmail.com

**Phone:** 904-484-8443



FB PAGE SCAN

- **What:** Muscle Beach Day Event
- **When:** Sunday, February 19th
- **Where:** Mary St. & Gloria Ave Ramp, Butler beach
- **Who:** People with mobility challenges and their caregivers.

Exhibit A-1  
Date 2-06-2023





Innovative solutions to enhance mobility



D M S

DESCHAMPS MATS SYSTEMS

[www.mobi-mat.com](http://www.mobi-mat.com)

Exhibit A-2

Date 2-06-2023



## 2022 Kawasaki Mule 4010 Trans4x4 in...

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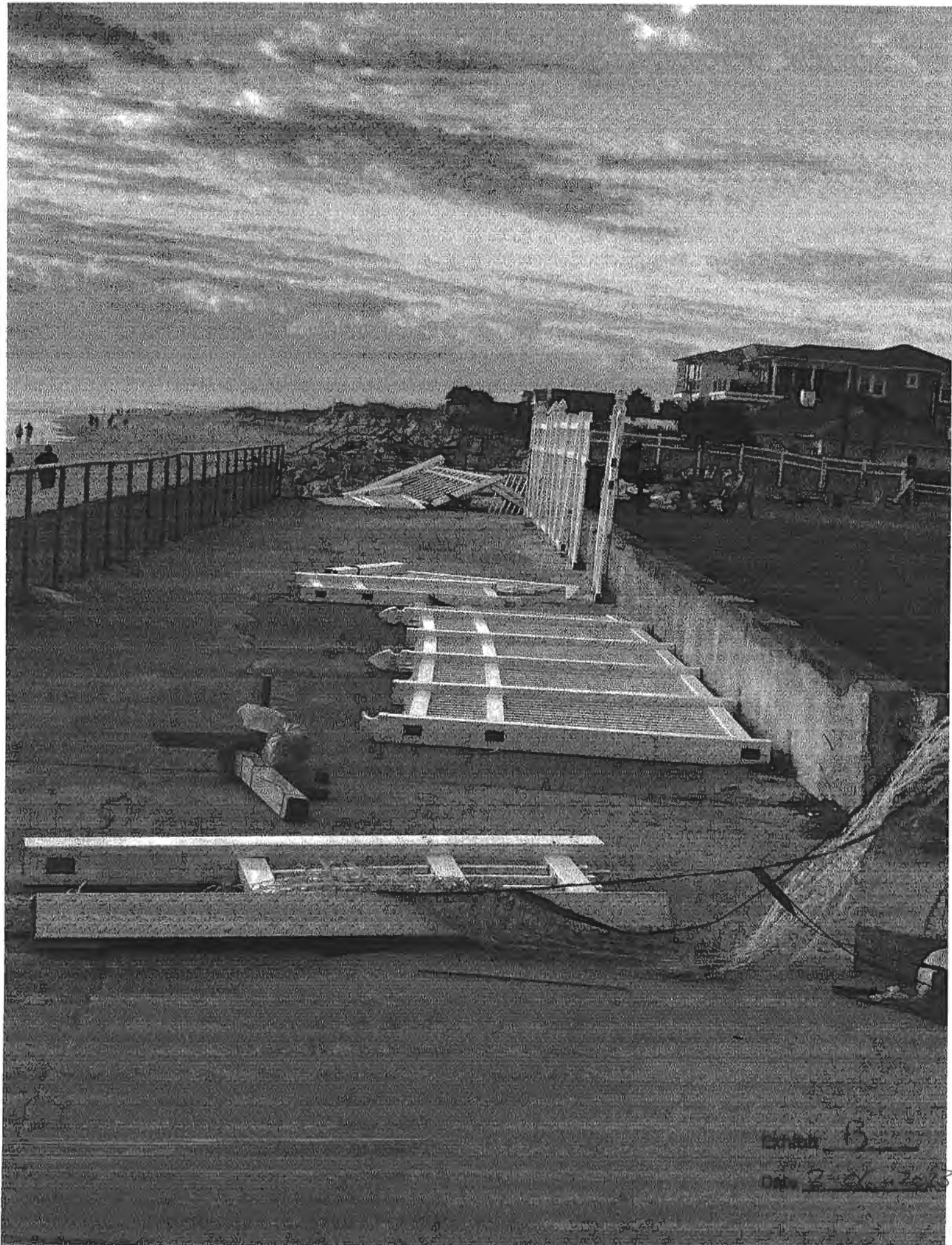
\$12,199.00\*

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versatile mid-size two- to four-passenger  
workhorses that are capable of ...

\* Check website for latest pricing and  
availability. Images may be subject to  
copyright. **Learn More**

Exhibit A-3  
Date 2-06-2023





Sheet 13  
Date 2-26-2013



# CITY OF ST. AUGUSTINE BEACH

*Regular City Commission Meeting  
Monday, February 6, 2023*

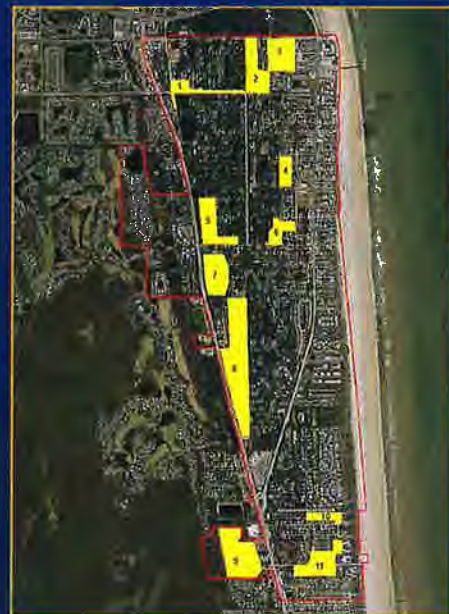
*Item 4 – Ordinance 23-01, Public Meeting and 1<sup>st</sup> Reading  
Amending Chapter 7 of the City Code  
Relating to Imposition of Stormwater Assessments*

*William Tredik, P.E. Public Works Director*

1

## DRAINAGE NEEDS

- **Citywide needs**
  - Older subdivisions
    - Inadequate conveyance
    - No outfall
    - Increase in impervious area
  - Non-implemented projects
    - From 2004 Master Plan
  - Update to Stormwater Master Plan
- **Future Vulnerabilities**
  - Sea level rise / storm surge
  - Increased storm intensity



2

Exhibit C-1  
Date 2-06-2023



## STORMWATER UTILITY FEE

### RECENT ACTIONS

Oct 2022	Staff authorized to advertise a public meeting
Nov 2022	Adopted Resolution 22-15; forwarded to Tax Collector

### NEXT STEPS

Feb/Mar 2023	Ordinance 23-01: Modify Chapter 7 of the City Code
May 2023	Pass initial assessment (determine ranges)
Jun 2023	Noticing then Public Hearing
Aug 2023	Final assessment resolution, agreement with tax collector

3

## CHAPTER 7 ARTICLE 1 OF THE CITY CODE

- Established by City Ordinance 95-04
- Supported County Ordinance 94-16
- St. Johns County never imposed a fee
- City Ordinance 95-04 expired on October 1, 2015
- Chapter 7 must be modified to create new framework
- Proposed Ordinance 23-01 replaces Chapter 7, Article 1
- Renumbers Article 2 sections

4

Exhibit C-2  
 Date 2-06-2023

## ORDINANCE 23-01

- Establish Stormwater Utility & Stormwater Utility Fund
- Declare benefits
- Authorizes the imposition of assessments
- How funds can be used
- Initial assessment resolution requirement
- Authorizes development of assessment roll
- Establish noticing requirements
- Sets requirements for final assessment resolution
- Requires annual assessment resolution
- Establishes authorization to provide exemptions

5

## ORDINANCE 23-01 (CONT'D)

- Ability to use alternate collection methods
- Method of collection for government property
- Responsibility for enforcement
- Establishes ability to revise assessments and correct errors
- Establish authority to impose throughout the city

6

Exhibit C-3Date 2-06-2023



## ACTIONS REQUESTED

- Provide comments and/or revisions
- Adopt Ordinance 23-01 on first reading

Exhibit C-4

Date 2-06-2023

# LEGEND

- EXISTING PROPERTY LINE
- EXISTING ROW LINE
- CONSTRUCTION FASTENING LINE
- COASTAL CONSTRUCTION CONTROL LINE
- LANDSCAPE BUFFER
- PROJECT LIMITS
- PROJECT FEATURES (SEE CALL OUT)
- GT-1 GOPHER TORTOISE BURROW (PER ATLANTIC ECOLOGICAL SERVICES)

NOTE: TRAIL ROUTING SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND MAY BE ADJUSTED PER THE FINAL ENGINEERING DESIGN

# LEGEND

- JURISDICTIONAL WETLANDS
- CONSERVATION AREA
- UPLAND BUFFER
- SCREENING BUFFER
- 6" CONCRETE SIDEWALK
- 4" DECOMPOSED GRANITE TRAIL
- ELEVATED BOARDWALK
- WETLAND IMPACTS
- RUBBER FLOORING



GRAPHIC SCALE

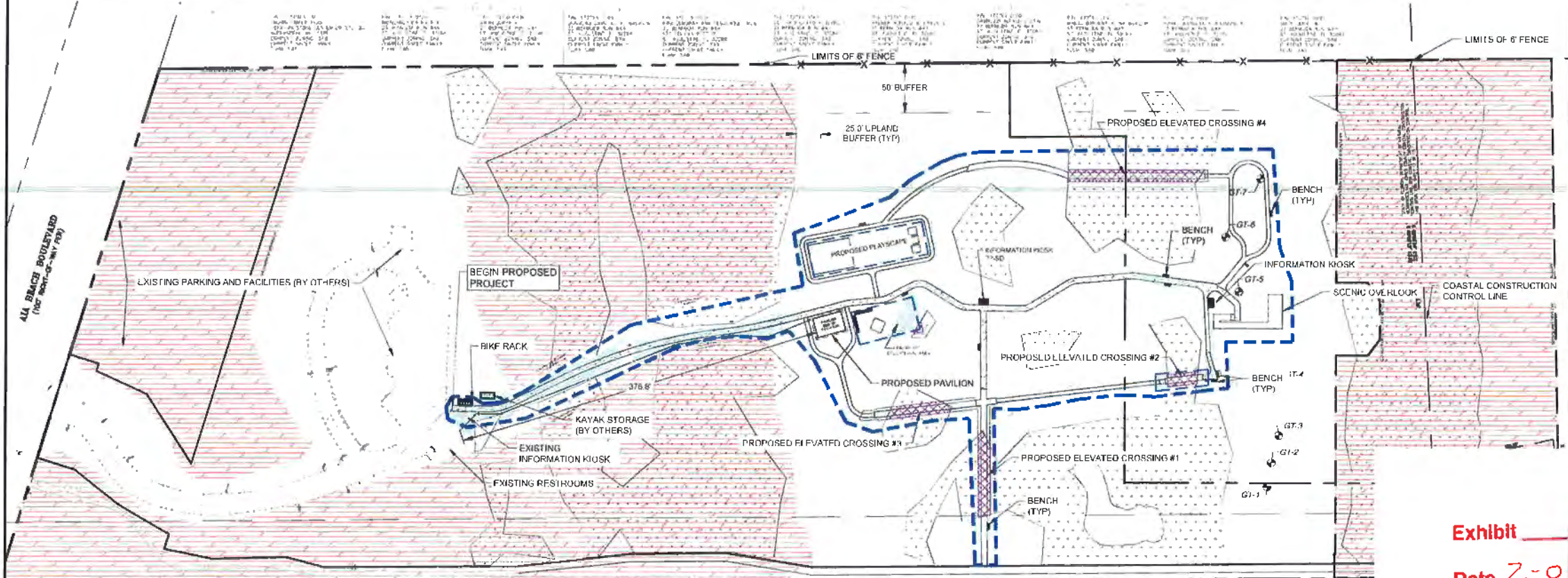
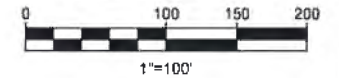


Exhibit D  
Date 2-06-2023

## REVISIONS

NO.	DATE	BY	DESCRIPTION
1	05/04/21	JCO	UPDATED SURVEY AND CDSAB DESIGN PLANS
2	07/06/21	ELS	REVISED PER PUBLIC MEETING 06/24
3	07/13/21	ELS	REVISED PER CLIENT COMMENTS
4	10/12/21	ELS	UPDATED PER CONCEPT 3
5	12/07/21	ELS	REVISED PER CLIENT COMMENTS
6	12/10/21	ELS	REVISED PER CLIENT COMMENTS
7			
8			
9			



OCEAN HAMMOCK PARK  
OVERALL SITE PLAN  
ST. AUGUSTINE BEACH, FLORIDA  
100% DESIGN PLANS



City of St. Augustine Beach  
2700 A1A  
St. Augustine Beach, Florida 32080  
PHONE: (904) 471-2122

PROJECT NO.	20-006
ISSUE DATE	06-24-21
DRAFTED BY	JCO
DESIGNED BY	MHL
CHECKED BY	MHL
SHEET #	11