



AGENDA

**REGULAR CITY COMMISSION MEETING
MONDAY, MARCH 6, 2023, 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 REGULAR COMMISSION MEETING ON FEBRUARY 6, 2022
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
 - A. Report on Civil Rights Memorial and Former City Hall by Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council
 - B. Information Concerning Construction of Fiber Optic Network in City by Representatives of IQ Fiber of Jacksonville
- VIII. PUBLIC COMMENTS

IX. COMMISSIONER COMMENTS

X. PUBLIC HEARINGS

1. Ordinance 23-1, Final Reading, to Authorize Adopting a Stormwater Utility Fee (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)

2. Resolution 23-02, to Declare Items of City Property as Surplus and Authorize Their Disposal

XII. OLD BUSINESS

3. Vision Plan: Review of Updated Draft (Presenters: Margaret England, Former Commissioner, and Max Royle, City Manager)
4. Stormwater Utility: Approval of Contract with Crawford, Murphy and Tilly and Budget Resolution 23-05 to Appropriate Money for Assistance in Developing (Presenter: Bill Tredik, Public Works Director)

XIII. NEW BUSINESS

XIV. STAFF COMMENTS

XV. ADJOURNMENT

NOTICES TO THE PUBLIC

1. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE.** It will not meet in March because it won't have four members present for a quorum.
2. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, March 21, 2023, at 6:00 p.m. in the Commission meeting room at city hall. Topics on the agenda may include:) request for conditional use permit for outside serving of food and beverages at Jersey Mikes in the Anastasia Shopping Plaza; b) request for conditional use permit for catering business, Outer Banks Boil, at 711 A1A Beach Boulevard; c) request for variance to reduce side setback from 10 feet to five feet for a pool and deck at 1020 Saltwater Circle in the Anastasia Dunes subdivision; d) request for variance to construct an eight-foot tall masonry wall adjacent to A1A Beach Boulevard at 14 2nd 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.



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

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 19th 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 SR-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 elevated 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 schedule 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 20th 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 11th 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 14th, and there is a City Holiday for President's Day, Monday, February 20th 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

MEMORANDUM

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

FROM: Max Royle, City Manager mk
DATE: February 27, 2023
SUBJECT: Presentations

- A. Report on Civil Rights Memorial and Former City Hall
- B. Information Concerning Construction of Fiber Optic Network in City

Information concerning the civil rights memorial and former city hall was not provided to us by the deadline for completing the information for your agenda books. However, if we receive the information before your meeting, we'll forward it to you. Representatives from the St. Johns Cultural Council will be at the meeting to bring you up-to-date on the memorial and plans to renovate the former city hall.

Attached from IQ Fiber is a summary of the fiber optic installation project it is planning for our City and the rest of Anastasia Island. The company has already obtained from the County a permit to construct the network along the southern section of A1A Beach Boulevard. Representatives from IQ Fiber will be at your meeting to provide more information and to answer your questions.



Summary St Augustine Beach FTTH Project

Jacksonville, FL based IQ Fiber has chosen to build a state-of-the-art fiber optic network in the city of St Augustine Beach, FL. The new network will use the latest FTTH topology and consist of fiber optic strands servicing every home in the defined build area. XGS 10 Gigabit full symmetrical PON architecture will deliver lightning-fast speeds and local Jacksonville based customer service and technical support.

Construction of the project is expected to begin this summer and continue into 2023 until completed. The network will be constructed underground using 1.25" & .75" rolled SDR11 conduit. Vaults will be placed at grade level and there will be nine vertical distribution cabinets placed throughout the city. Fiber optic cables will be pulled through these pipes and spliced at key distribution points throughout the neighborhoods. Service drops will only be placed and buried to a resident's home if service is requested. Residents will be notified via mail and all doors in the construction zone will be tagged 3-5 days before construction commences.

There will be two methods of construction that will be used to place the conduits. Horizontal drilling will be used to cross all streets and running down main roads where more than one pipe may be placed. To reduce the chances of damaging other utilities stitch boring techniques will be used to place pipe in areas where there is no pavement or road crossings. The minimum depth of this will be eighteen inches and can be adjusted to accommodate any existing infrastructure. IQ Fiber plans to place the pipe as far away from other utilities as possible while staying in the city right-of-way. If the area is congested IQ Fiber standards are plus or minus 18 inches on either side of any existing lines. Best construction practices to achieve this will always be utilized. For highly congested areas IQ Fiber will use Ground Penetrating Radar (GPR) to the best of its ability to accurately locate all utilities before placing any pipe.


Planning and communication with the residents and city officials of St Augustine Beach will continue to take place through the entire construction phase. We understand there are areas where the records may be lacking older pipe locations and we intend to work closely with the

city to prevent any damage to these pipes. In the event these pipes are damaged IQ Fiber will support and take all necessary measures to assist the city in completing repairs. IQ Fiber has secured a \$100,000 bond and has listed the city of St Augustine Beach as additional insured on our contract partners insurance policy. All residents will be directed to the IQ Fiber Construction website to help prevent calls from coming into the city staff. Please feel free to visit the website at

<https://www.iqfiber.com/construction/>

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: February 22, 2023

SUBJECT: Ordinance 23-01, Final Reading, to Authorize Adopting a Stormwater Utility Fee

Attached as pages B-F are the minutes of your discussion at your February 6th meeting, when you passed Ordinance 23-01 on first reading. The Ordinance is now scheduled for a public hearing and final reading at your March 6th meeting.

ACTION REQUESTED

That you hold the public hearing and adopt Ordinance 23-01 on its second and final reading.

Excerpt from the minutes of the February 6, 2023, regular Commission meeting

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.

Excerpt from the minutes of the February 6, 2023, regular Commission meeting

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.

Excerpt from the minutes of the February 6, 2023, regular Commission meeting

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

Excerpt from the minutes of the February 6, 2023, regular Commission meeting

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

Excerpt from the minutes of the February 6, 2023, regular Commission meeting

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.

MEMORANDUM

Date: February 24, 2023

To: Max Royle, City Manager

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

Subject: Ordinance 23-01, Public Meeting and Second Reading
Amending Chapter 7 of the Code of the City of St. Augustine Beach relating to the
imposition of Stormwater Assessments

BACKGROUND

On June 17, 2021 the City Commission conducted a workshop to discuss the potential implementation of a stormwater utility fee to address future stormwater needs. It was discussed that an assessment of \$8.33 per month (the average fee statewide) would generate up to \$500,000 in annual revenue for stormwater improvements and maintenance. The Commission directed staff to provide additional information at an upcoming meeting.

On October 4, 2021 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 with a stormwater non-ad valorem fee at that time.

Over the course of FY 2022, the nation experienced high inflation rates not seen for decades. Project costs increased dramatically and budgeting for FY 2023 was challenging due to competing priorities. American Rescue Plan Act (ARPA) funds and grants provided a bridge to span the funding gap between revenue and expenses, however, these outside revenues have now been spent or earmarked for specific needs.

Due to growing concerns about the ability to fund future stormwater needs, staff presented the following information to the Commission on October 3, 2022:

- Summary of anticipated future stormwater costs
- Current dependence upon grants and ad valorem taxes
- Upcoming funding gap for stormwater costs and the potential challenges to fund future stormwater needs
- The potential to address the funding gap through a non ad valorem stormwater assessment.

At the October 3, 2022 meeting, staff requested Commission direction whether to advertise for a public meeting to begin the process of adopting a non-ad valorem stormwater utility. 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.

At their November 14, 2022 regular meeting, the City Commission adopted the non-binding Resolution 22-15 expressing intent to use the uniform method of collection for the stormwater assessment program beginning with FY 23-24 as required by Section 197.3632, Florida Statutes. Resolution 22-15 was forwarded to the County Tax Collector's office as required by Florida Statute to establish a non ad valorem assessment.

DISCUSSION

History of Current Stormwater Ordinance

On April 26, 1994 St. Johns County passed Ordinance No. 94-16, establishing the framework for a County Stormwater utility fee. St. Augustine Beach subsequently passed City Ordinance 95-4 on March 20, 1995, establishing the City's intent to include all areas in the City to the then proposed St. Johns County stormwater utility fee. City Ordinance 95-04 addressed the following:

- Inclusion of the City in the Stormwater Management Utility and the Benefit Area established by St. Johns County Commission under County Ordinance No. 94-16
- Established that all properties in the City were subject to the fees assessed pursuant to SJC Ordinance 94-16
- Established authorization to enter an interlocal agreement with the County
- Established an end date of October 1, 2015 for City inclusion in the stormwater management system benefit area as established by SJC Ordinance 94-16

St. Johns County never imposed the stormwater utility fee, and Sections 7.1 through 7.4 of the City Code are now defunct as the expiration date Ordinance 95-04 has passed. To implement a stormwater non ad valorem assessment, the City must replace Sections 7.1 through 7.4 of the City Code with language providing the framework for the establishment of a City Stormwater Utility Fee.

On February 6, 2023 the City Commission unanimously passed Ordinance 23-01 on first reading. The following question in regard to the language of the ordinance was asked:

- Will there be separate assessments for Stormwater Maintenance and Stormwater Capital Improvements?

The intent of the ordinance is to allow assessment for both stormwater maintenance and capital projects. The current ordinance contains the following three definitions related to the assessment:

- *Stormwater Assessment* means either a Stormwater Improvement Assessment, a Stormwater Service Assessment, or both.
- *Stormwater Improvement Assessment* means a special assessment imposed by the City within a Stormwater Improvement Area to fund the Capital Cost or the debt service and related cost of Obligations issued to finance the Project Cost of a Stormwater Improvement
- *Stormwater Service Assessment* means a special assessment imposed by the City within the Stormwater Service Area to fund the Stormwater Service Cost.

In discussion with the City Attorney, it was determined that the existing language of Ordinance 23-01 maximizes the City's flexibility to impose a Stormwater Service Assessment, a Stormwater Improvement Assessment (or both) for any given year. Separation of the assessments has the added benefit of increasing transparency showing more clearly where collected revenues will be expended. No modifications from the first reading of Ordinance 23-01 are therefore proposed.

Next Steps

To continue on the path to implement a stormwater non ad valorem assessment the following actions must be taken:

- Pass Ordinance 23-01 on second reading
- Pass Initial Stormwater Assessment Resolution

- Hold Public Hearing (Notice by mail is required 20 days in advance of meeting)
- Pass final assessment resolution; enter agreement with Tax Collector

As specified above, the next step in the process of implementing a City stormwater utility and stormwater assessment program is the adoption of Ordinance 23-01, formally replacing the defunct Sections 7.1 through 7.4 of the City Code and establishing a City Stormwater Utility authorizing the City to impose stormwater assessments. Chapter 7 of the City Code currently assigns the following sections to Articles I and II:

- Article I Sections 7-1 through 7-20 (7-5 through 7-20 are reserved)
- Article II Sections 7-21 through 7-32

Ordinance 23-01 will replace Article I in its entirety with the necessary framework for the City to impose a stormwater utility fee. The proposed ordinance does not contain rates or the methodology for apportionment of Equivalent Residential Units (ERUs). Should the City Commission choose to impose a fee for FY2024, subsequent adoption of stormwater utility assessment rates and ERU calculation methodology will be approved by resolution at public hearings in Spring and Summer 2023.

Ordinance 23-01 revises Chapter 7 Article I of the Code to include 27 sections (7-1 through 7-27) related to providing the framework for imposing a stormwater utility fee. Due to the number of sections in the revised Article I, Article II sections require renumbering. Ordinance 23-01 rennumbers Sections 7-21 through 7-32 to Sections 7-28 through 7-32 accordingly.

Ordinance 23-01 is modeled after a stormwater utility successfully implemented by the City of Vero Beach; a similar beachfront community with a population of approximately 16,000. Ordinance 23-01 provides for the following:

- Establishes a stormwater utility
- Establishes a Stormwater Utility Fund
- Declaration of special benefit to assessed property
- Authorizes the imposition of stormwater assessments
- Establishes how funds can be used
- Establishes requirements assessment resolution
- Authorizes development of an assessment role
- Establish noticing requirements
- Requirements for final assessment resolution
- Establishes requirements for annual stormwater assessment resolution
- Establishes authorization to provide exemptions
- Establishes ability to use alternate methods for collection
- Provides method for collection of assessments for government property
- Establishes responsibility for enforcement
- Establishes ability to revise stormwater assessments and correct errors and omissions
- Establishes the authority to impose stormwater assessments throughout the City

The City attorney has reviewed proposed Ordinance 23-01 and found it to be legally sound and consistent with the City's goal of establishing a stormwater utility fee.

ACTION REQUESTED

Adopt Ordinance 23-01 on second reading

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, AMENDING CHAPTER 7 OF THE CODE OF THE CITY OF ST. AUGUSTINE BEACH, RELATING TO THE PROVISION OF SERVICES AND CAPITAL FACILITIES FOR STORMWATER MANAGEMENT AND THE IMPOSITION OF STORMWATER ASSESSMENTS RELATED TO THOSE SERVICES AND FACILITIES THROUGHOUT THE CITY OF ST. AUGUSTINE BEACH; PROVIDING DEFINITIONS AND FINDINGS; ESTABLISHING A STORMWATER UTILITY AND PROVIDING ITS RESPONSIBILITIES; AUTHORIZING THE IMPOSITION AND COLLECTION OF STORMWATER ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF STORMWATER ASSESSMENT ROLLS; ESTABLISHING PROCEDURES AND METHODS FOR THE COLLECTION OF STORMWATER ASSESSMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of St. Augustine Beach, Florida maintains a system of stormwater and surface water management facilities, including inlets, conduits, manholes, channels, ditches, drainage easement, retention and detentions basins, infiltration facilities, treatment ponds, pump stations and other components, as well as natural waterways; and

WHEREAS, these elements of the City Stormwater and surface water management system that provide for the collection, storage, treatment and conveyance of stormwater are of benefit and provide services to all developed property within the City; and

WHEREAS, new and dedicated funding for the stormwater management program of the City is needed to maintain compliance with state and federal requirements and the levy of stormwater assessments is the most equitable method of providing this funding,
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA THAT:

Section 1 - Adoption of "Whereas" Clauses.

The foregoing "Whereas" clauses are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Ordinance.

Section 2 - Amendment of Chapter 7 – Stormwater Management.

Chapter 7 of the Code of the City of St. Augustine Beach is hereby modified to read as

follows:

CHAPTER 7 – STORMWATER MANAGEMENT

ARTICLE 1. — STORMWATER MANAGEMENT UTILITY AND STORMWATER MANAGEMENT SYSTEM BENEFIT AREA.

~~Sec. 7-1. — Inclusion of the city in the stormwater management utility and the benefit area.~~

~~The city commission approves of the inclusion of all of the area in the boundaries of the City of St. Augustine Beach within the stormwater management utility and stormwater management system benefit area established by the Board of County Commissioners of St. Johns County under St. Johns County Ordinance No. 94-16, and any amendments thereto, for the purpose of operating a stormwater utility and collecting fees to fund the cost, including debt service, of planning, designing, constructing, providing, operating, and maintaining improvements for the stormwater management system as provided by said county ordinance.~~

~~Sec. 7-2. — Properties subject to the fees.~~

~~All properties within the boundaries of the city shall be subject to the levy and collection of fees assessed pursuant to St. Johns County Ordinance No. 94-16, and any amendments thereto.~~

~~Sec. 7-3. — Interlocal agreement.~~

~~The city commission is authorized to enter into an interlocal agreement with St. Johns County in connection herewith.~~

~~Sec. 7-4. — Term.~~

~~The inclusion of the city in the stormwater management utility and the stormwater management system benefit area as established by St. Johns County Ordinance No. 94-16, and any amendments thereto, shall be effective from the date of adoption of this article until October 1, 2015; provided however, the city may in the future remove itself from the stormwater management utility and said benefit area at any earlier date by the adoption of an ordinance, provided that such removal does not have the effect of breaching the interlocal agreement authorized by section 7-3.~~

ARTICLE I - STORMWATER UTILITY AND ASSESSMENTS

DIVISION 1. - INTRODUCTION

Sec. 7-1. - Definitions.

When used in this article, the following terms shall have the following meanings, unless the context clearly requires otherwise:

Annual Stormwater Assessment Resolution means the resolution described in section 7-14 hereof, approving a Stormwater Assessment Roll for a specific Fiscal Year.

Assessed property means all parcels of real property included on the Stormwater Assessment Roll that receive a special benefit from the Stormwater Improvements and Stormwater Management Services identified in an Annual Stormwater Assessment Resolution.

Capital cost means all or any portion of the expenses that are properly attributable to the acquisition, construction, design, installation, reconstruction, renewal or replacement (including demolition, environmental mitigation and relocation) of Stormwater Improvements under generally accepted accounting principles and including reimbursement to the City for any moneys advanced for capital cost and interest on any interfund or intrafund loan for such purposes.

City means City of St. Augustine Beach, Florida.

City Clerk means the City Clerk of the City of St. Augustine Beach, Florida, or such other person as may be duly authorized to act on such person's behalf.

City Manager means the chief administrative officer of the City or such person's designee.

Comprehensive plan means the comprehensive plan adopted by the City pursuant to F.S. Chapter 163, Part II.

Commission means the City Commission of the City of St. Augustine Beach, Florida.

County means St. Johns County, Florida.

Developed property means property that has been developed with impervious area including, but not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas and other surfaces which similarly impact the natural infiltration or runoff patterns, which existed prior to development.

ERU means "equivalent residential unit," the standard unit used to express the Stormwater burden expected to be generated by each parcel of property, after taking into consideration any mitigation of the Stormwater burden that results from privately maintained Stormwater management facilities and other factors affecting the quantity of Stormwater runoff.

Final Stormwater Assessment Resolution means the resolution described in section 7-13 hereof, which shall confirm, modify or repeal the Initial Stormwater Assessment Resolution and which shall be the final proceeding for the imposition of the initial Stormwater Assessment.

Fiscal year means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the Fiscal Year for the City.

Government property means property owned by the United States of America, the State of Florida, a sovereign state or nation, a county, a special district, a municipal corporation, or any of their respective agencies or political subdivisions.

Initial Stormwater Assessment Resolution means the resolution described in section 7-9 hereof, which shall be the initial proceeding for the imposition of the Stormwater Assessment.

Maximum Assessment Rate means the maximum rate of assessment established by the Final Stormwater Assessment Resolution or any subsequent Annual Stormwater Assessment Resolution

Mitigation Credit means a credit applied to a Stormwater Assessment for a Developed Property in consideration of the on-site management of the Stormwater budget as a consequence of the location of a Mitigation Facility or in consideration of discharge to a non-City stormwater system for the conveyance and/or treatment of Stormwater or as otherwise required by law.

Mitigation Facility means a manmade facility or structure on the site of a Developed Property which, by its design and function, retains Stormwater on-site and thus generates less volume of Stormwater from the site.

Obligations mean a series of bonds or other evidence of indebtedness, including, but not limited to notes, commercial paper, capital leases or any other Obligations of the City issued or incurred to finance any portion of the Capital Cost of a Stormwater Improvement and secured, in whole or in part, by proceeds of the Stormwater Improvement Assessments.

Ordinance means this Stormwater Ordinance, as amended from time-to-time.

Pledged revenue means, as to any series of Obligations, (a) the proceeds of such Obligations, including investment earnings, (b) proceeds of the Stormwater Improvement Assessments pledged to secure the payment of such Obligations, and (c) any other legally available non-ad valorem revenue pledged to secure the payment of such Obligations, as specified by the resolution authorizing such Obligations.

Project Cost means, (a) the Capital Cost of a Stormwater Improvement, (b) the Transaction Cost associated with the Obligations to finance the Stormwater Improvement, (c) interest accruing on such Obligations for such period of time as the City deems appropriate, (d) the debt service reserve fund or account, if any, established for the Obligations which financed the Stormwater Improvement, and (e) any other costs or expenses related thereto.

Property Appraiser means the St. Johns County Property Appraiser.

Stormwater means the flow of water which results from, and which occurs following, a rainfall event.

Stormwater Assessment means either a Stormwater Improvement Assessment, a Stormwater Service Assessment, or both.

Stormwater Assessment Roll means the Special Assessment Roll created that includes all parcels within the City and their assigned Stormwater Assessment relating to Stormwater Improvements or Stormwater Management Services approved by a Final Stormwater Assessment Resolution or an Annual Stormwater Assessment Resolution pursuant to section 7-10 hereof.

Stormwater Basin means a part of the earth's surface that contributes stormwater runoff to a drainage system, which consists of diffuse surface waters, together with all natural or artificial tributary surface streams and/or bodies of impounded surface water.

Stormwater Improvement means land, capital facilities, equipment, vehicles and improvements acquired or provided to detain, retain, convey or treat stormwater.

Stormwater Improvement Area means one or more Stormwater Basins, or any portion or portions thereof, as identified in the Initial Stormwater Assessment Resolution, encompassing those parcels of property specially benefited by the purchase, construction, reconstruction or installation of all or any portion of a Stormwater Improvement that removes, detains, retains or treats, in whole or in part, the Stormwater burden expected to be generated by the physical

characteristics and use of the Assessed Property. Each Stormwater Improvement Area will include either, (a) the property which is hydrologically connected, directly or indirectly, to the Stormwater Improvement, or (b) all property located within a hydrologically defined area in which the City constructs one or more Stormwater Improvements to correct existing deficiencies with respect to a specific level of service and provide a consistent level of Stormwater management.

Stormwater Improvement Assessment means a special assessment imposed by the City within a Stormwater Improvement Area to fund the Capital Cost or the debt service and related cost of Obligations issued to finance the Project Cost of a Stormwater Improvement.

Stormwater Management Service means, (a) Stormwater program engineering, (b) Stormwater Improvements to be acquired or constructed during a single Fiscal Year without the issuance of any Obligations, (c) billing and collection of Stormwater Assessments, including customer information and educational services and reserves for statutory discounts, (d) maintaining the City's capital facilities for Stormwater Management, including extraordinary maintenance, and (e) legal, engineering, and other consultant services.

Stormwater Service Area means the geographic area described in the Initial Assessment Resolution that encompasses all parcels within the City, which specially benefit from the Stormwater Management Service and all parcels to which Stormwater Management Services are provided.

Stormwater Service Assessment means a special assessment imposed by the City within the Stormwater Service Area to fund the Stormwater Service Cost.

Stormwater Service Cost means the estimated amount for any Fiscal Year of all expenditures and reasonable reserves that are properly attributable to the Stormwater Management Service provided within the Stormwater Service Area under generally accepted accounting principles, including, without limiting the generality of the foregoing, reimbursement to the City for any moneys advanced for the Stormwater Management Service, and interest on any interfund or intrafund loan for such purpose.

Stormwater Utility means the entity established by section 7-4 hereof to implement the Stormwater management program of the City.

Tax Collector means the St. Johns County Tax Collector.

Tax Roll means the real property ad valorem tax assessment roll maintained by the property appraiser for the purpose of the levy and collection of ad valorem taxes.

Transaction cost means the costs, fees and expenses incurred by the City in connection with the issuance and sale of any series of Obligations, including, but not limited to, (a) Rating agency and other financing fees, (b) the fees and disbursements of bond counsel, (c) the underwriters' discount, (d) the fees and disbursements of the City's financial advisor, (e) the costs of preparing or printing the Obligations and the documentation supporting issuance of the Obligations, (f) the fees payable in respect of any municipal bond insurance policy, and (g) any other costs of a similar nature incurred in connection with issuance of such Obligations.

Uniform Assessment Collection Act means F.S. §§ 197.3632 and 197.3635, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

Sec. 7-2. - Interpretation.

Unless the context indicates otherwise, words importing the singular number include the plural number and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this article; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this article. Words of any gender include the correlative words of the other genders, unless the context indicates otherwise.

Sec. 7-3. - General Findings.

It is hereby ascertained, determined, and declared that:

- (a) Pursuant to Article VIII, section 2(b), Florida Constitution, and F.S. §§ 166.021 and 166.041, the City has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of City ordinances.
- (b) The purpose of this article is to:
 - (1) Provide procedures and standards for the imposition of Stormwater Assessments under the constitutional and statutory power of the City;
 - (2) Authorize a procedure for the funding of Stormwater Management Services, facilities, or programs providing special benefit to Assessed Property within the Stormwater Service Area;
 - (3) Authorize a procedure for the funding of Stormwater Improvements providing

- special benefit to Assessed Property within the Stormwater Service Area; and
- (4) Legislatively determine the special benefit provided to Assessed Property from the stormwater utility.
- (c) The Florida Legislature has mandated that local governments in the state of Florida, including the City, have the responsibility for developing mutually compatible stormwater management programs consistent with the rules and regulations of the Florida Department of Environmental Protection, the Federal Clean Water Act, and the water management districts and the stormwater management programs established and maintained by other local governments.
- (d) The Stormwater Assessments imposed hereby are consistent with the authority granted in
F.S. § 403.0893. That statutory provision is additional and supplemental authority to the constitutional and statutory power of self-government granted to a municipality.
- (e) The City maintains a system of Stormwater and surface water management facilities, including, but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, treatment ponds, pump stations and other components as well as natural waterways.
- (f) Those elements of the City Stormwater and surface water management system that provide for the collection, storage, treatment and conveyance of Stormwater are of benefit and provide services to all Developed Property within the City.
- (g) The cost of maintaining the Stormwater management system and providing Stormwater Management Services in accordance with existing permits and the financing of existing and future repairs, replacements, improvements, and extension thereof should, to the extent practicable, be allocated in relationship to the benefits enjoyed, services received, or burden caused therefrom.
- (h) The public health, safety, and welfare are adversely affected by poor water quality and flooding resulting from inadequate Stormwater management practices. All Developed Property either uses the Stormwater management system or benefits from the provision and operation of the Stormwater Management Services.

DIVISION 2. - STORMWATER UTILITY

Sec. 7-4. - Stormwater Utility.

There is hereby established a stormwater utility, which shall be the means of implementing and otherwise carrying out the functional requirements of the City's Stormwater management system to construct or acquire Stormwater Improvements and provide Stormwater Management Services. The Stormwater Utility shall provide for the preparation of Stormwater studies and the implementation of the Stormwater utility and the repair, replacement, improvement and enhancement, of the City's capital facilities for Stormwater management. The Stormwater utility shall place emphasis on the achievement of maximum efficiency through identifying programs and funding sources which are complementary to other regional, state and federal programs. The City Manager or his designee shall be responsible for administration of the Stormwater Utility.

Sec. 7-5. - Stormwater Utility Fund.

The Commission intends to fund the cost of providing Stormwater Management Services and capital facilities for Stormwater management through Stormwater Assessments. The Commission has further concluded that periodic determination of revenues earned and expenses incurred in connection with the provision of capital facilities, equipment and vehicles for Stormwater management will enhance accountability and management control of the City's Stormwater Utility and will facilitate implementation of the Commission's funding policy for Stormwater management. Accordingly, there shall be established a Stormwater Utility Fund. From an accounting perspective, the stormwater utility fund shall be established as a "special revenue fund." Proceeds of the Stormwater Service Assessment shall be used for payment of the Stormwater Service Cost. Proceeds of the Stormwater Improvement Assessments shall be used for payment of the Capital Cost of Stormwater Improvements and the payment of debt service on Obligations issued to finance Stormwater Improvements.

DIVISION 3. - STORMWATER ASSESSMENTS

Sec. 7-6. - Legislative Declarations of Special Benefit.

It is hereby ascertained and declared that the Stormwater Utility, the Stormwater Management Services and the Stormwater Improvements provide a special benefit to the assessed property based upon the following legislative determinations:

- (a) The Stormwater Utility possesses a logical relationship to the use and enjoyment of

all Developed Property by treating and controlling contaminated Stormwater generated by improvements constructed on Developed Property, which resulted in the alteration of such property from its natural state to accommodate such improvements.

- (b) The special benefit received by Assessed Property is the control, management and treatment of the Stormwater burden generated by the improvements on developed property.
- (c) Substantially all of the Stormwater burden managed, controlled and treated by the Stormwater Utility is generated by Developed Property and the amount of Stormwater generated by property in its natural state that is managed, controlled and treated by the stormwater utility is inconsequential.
- (d) The City has adopted the infrastructure element of the comprehensive plan, which sets forth drainage goals and objectives that make it necessary and essential to construct improvements and enhancements to the existing stormwater system so the collection, storage, treatment, and conveyance of stormwater within the City adequately protects the health, safety, and welfare of the citizens of the City. The creation and maintenance of the Stormwater Utility is designed to meet the drainage goals and objectives of the comprehensive plan and other municipal, federal and state policies mandating stormwater management programs by local governments.
- (e) The special benefits provided by the Stormwater Management Services and Stormwater Improvements to all Developed Property include, but are not limited to, (1) the provision of Stormwater Management Services and the availability and use of Stormwater Improvements by the owners and occupants of Developed Property to properly and safely detain, retain, convey and treat Stormwater discharged from Developed Property, (2) increased safety and better access to Developed Property, and (3) alleviation of the burdens caused by Stormwater runoff and accumulation attendant with the use of Developed Property.

Sec. 7-7. - Stormwater Service Assessments.

- (a) The Commission is hereby authorized to impose Stormwater Service Assessments against property located within the Stormwater Service Area. The Stormwater Service Cost may be assessed against Developed Property located within the

Stormwater Service Area at a rate of assessment based upon the special benefit accruing to such property from the Stormwater Management Service provided by the City, measured by the number of ERUs attributable to each parcel or classification of property.

- (b) Notwithstanding the foregoing, if the Commission specifically determines that any portion of the Stormwater Service Area receives a distinct special benefit from any component of the Stormwater Management Service that is materially different in kind or degree from the special benefit received by other portions of the Stormwater Service Area, the Stormwater Service Cost related to such component shall be assessed against the portion of the Stormwater Service Area receiving the distinct special benefit.

Sec. 7-8. - Stormwater Improvement Assessments.

- (a) The Commission is hereby authorized to impose Stormwater Improvement Assessments to fund all or any portion of the Capital Cost or the debt service and related cost of Obligations issued to finance the Project Cost of a Stormwater Improvement. Stormwater Improvement Assessments to fund the Capital Cost or the debt service and related cost of Obligations issued to finance the Project Cost of each Stormwater Improvement may be imposed against all parcels of property within the Stormwater Improvement Area at a rate of assessment based upon the special benefit accruing to such property from the Stormwater Improvement, measured by the number of ERUs attributable to each parcel or classification of property.
- (b) If Stormwater Improvement Assessments are imposed to fund the debt service and related cost of Obligations issued to finance the Project Cost of a Stormwater Improvement, the Stormwater Improvement Assessment may include the amount required to fund any amounts withdrawn during the prior Fiscal Year from any debt service reserve account established for Obligations and the amount of any principal of and interest on Obligations that has become due and remains unpaid.

Sec. 7-9. - Initial Stormwater Assessment Resolution.

The initial proceeding for imposition of the Stormwater Assessments shall be the Commission's adoption of an Initial Stormwater Assessment Resolution. The Initial

Stormwater assessment resolution shall:

- (a) Describe the Stormwater improvement or Stormwater Management Service proposed for funding from the proceeds of the Stormwater Assessments;
- (b) Estimate the Capital Cost or Stormwater Service Cost;
- (c) Describe with particularity the proposed method of apportioning the Capital Cost or Stormwater Service Cost among the parcels of property located within the Stormwater Improvement Area or Stormwater Service Area, as applicable, such that the owner of any parcel of property can objectively determine the amount of the Stormwater Assessment, based upon its value, use or physical characteristics;
- (d) Include specific legislative findings that recognize the equity provided by the apportionment methodology and specific legislative findings that recognize the special benefit provided by the Stormwater Improvement or Stormwater Management Service. At its option, the Commission may adopt separate Initial Stormwater Assessment Resolutions for the Stormwater Service Assessment and each Stormwater Improvement Assessment; and
- (e) Describe the procedures for application for and approval of mitigation credits to be applied to a Stormwater Assessment for Developed Property.

Sec. 7-10. - Stormwater Assessment Roll.

- (a) The City Manager shall prepare, or direct the preparation of, a preliminary Stormwater Assessment Roll that contains the following information:
 - (1) A summary description of each parcel of property (conforming to the description contained on the Tax Roll) subject to the Stormwater Assessment;
 - (2) The name of the owner of record of each parcel as shown on the Tax Roll;
 - (3) The number of ERUs attributable to each parcel;
 - (4) The estimated maximum Stormwater Improvement Assessment to become due in any Fiscal Year for each ERU and each Tax Parcel; and
 - (5) The estimated maximum annual Stormwater Service Assessment to become due in any Fiscal Year for each ERU and each Tax Parcel.
- (b) Copies of the Initial Stormwater Assessment Resolution and the preliminary Stormwater Assessment Roll shall be on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the

Stormwater Assessment Roll be in printed form if the amount of the Stormwater Assessment for each parcel of property can be determined by use of a computer terminal available for use by the public.

Sec. 7-11. - Notice by Publication.

After filing the Stormwater Assessment Roll in the office of the City Clerk, as required by section 7-10 hereof, the City Clerk shall publish once in a newspaper of general circulation within the City a notice stating that a public hearing of the Commission will be held on a certain day and hour, not earlier than twenty (20) calendar days from such publication, at which hearing the Commission will receive written comments and hear testimony from all interested persons regarding adoption of the Final Stormwater Assessment Resolution and approval of the Stormwater Assessment Roll. The published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act for purposes of the Stormwater Assessments.

Sec. 7-12. - Notice by Mail.

In addition to the published notice required by section 7-11, the City Manager shall provide notice of the proposed Stormwater Assessments by First Class U.S. Mail to the owner of each parcel of property subject to the Stormwater Assessments, which notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Notice shall be mailed at least twenty (20) calendar days prior to the hearing to each property owner at such address, as is shown on the tax roll on the twentieth (20th) calendar day prior to the date of mailing. Notice shall be deemed mailed upon delivery thereof to the possession of the U.S. Postal Service. The City Manager shall provide proof of such notice by affidavit. Failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the Stormwater Assessment Roll, nor release or discharge any Obligation for the payment of a Stormwater Assessment imposed by the Commission pursuant to this article.

Sec. 7-13. - Final Stormwater Assessment Resolution.

At the time named in such notice, or such time to which an adjournment or continuance may be taken, the Commission shall receive written objections and hear testimony of interested persons and may then, or at any subsequent meeting of the Commission, adopt the

Final Stormwater Assessment Resolution which shall:

- (a) Confirm, modify or repeal the Initial Stormwater Assessment Resolution with such amendments, if any, as may be deemed appropriate by the Commission;
- (b) Establish the Maximum Assessment Rate, if desired by the Commission, and set the rate of Stormwater Assessment to be imposed in the upcoming Fiscal Year;
- (c) Approve the Stormwater Assessment Roll, with such amendments as it deems just and right; and
- (d) Determine the method of collection.

The adoption of the Final Stormwater Assessment Resolution by the Commission shall constitute a legislative determination that all parcels assessed derive a special benefit from the services, facilities or programs to be provided or constructed and a legislative determination that the Stormwater Assessments are equitably and reasonably apportioned among the properties that receive the special benefit. All objections to adoption of the Final Stormwater Assessment Resolution shall be made in writing, and filed with the City Clerk at or before the time or adjourned time of such hearing. The Final Stormwater Assessment Resolution shall constitute the Annual Stormwater Assessment Resolution for the initial Fiscal Year in which Stormwater Assessments are imposed hereunder.

Sec. 7-14. -Annual Stormwater Assessment Resolution.

- (a) Annually, during its budget adoption process, the Commission shall determine whether to re-impose a Stormwater Assessment for each Fiscal Year following the initial Fiscal Year. If the Commission elects to re-impose a Stormwater Assessment, the procedures in this section 7-14 shall be followed.
- (b) The Commission shall adopt an Annual Stormwater Assessment Resolution for each Fiscal Year following adoption of the Final Stormwater Assessment Resolution.
- (c) The Annual Stormwater Assessment Resolution shall:
 - (1) Establish the rate of assessment to be imposed in the upcoming Fiscal Year; and
 - (2) Approve the Stormwater Assessment Roll for the upcoming Fiscal Year with such adjustments as the Commission deems just and right. The Stormwater Assessment Roll shall be prepared in accordance with the method of apportionment set forward in the Initial Stormwater Assessment Resolution.

as confirmed or amended by the Final Stormwater Assessment Resolution or any subsequent Annual Stormwater Assessment Resolution.

(d) If the proposed Stormwater Assessment for any parcel of Developed Property exceeds the Maximum Assessment Rate established in the Final Stormwater Assessment Resolution, or if a Stormwater Assessment is imposed against property not previously subject thereto, the Commission shall provide notice to the owner of such property in accordance with section 7-12 hereof, and conduct a public hearing prior to adoption of the Annual Stormwater Assessment Resolution.

Sec. 7-15. - Effect of Stormwater Resolutions.

The adoption of the Final Stormwater Assessment Resolution or Annual Stormwater Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the apportionment methodology, the rate of assessment, the adoption of the Stormwater Assessment Roll and the levy and lien of the Stormwater Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of Commission adoption of the Final Stormwater Assessment Resolution. The Stormwater Assessments for each Fiscal Year shall be established upon adoption of the Annual Stormwater Assessment Resolution. The Stormwater Assessment Roll, as approved by the Final Stormwater Assessment Resolution or Annual Stormwater Assessment Resolution, shall be delivered to the Tax Collector, or such other official as the Commission, by resolution, deems appropriate.

Sec. 7-16. - Lien of Stormwater Assessments.

(a) Upon adoption of the Annual Stormwater Assessment Resolution for each Fiscal Year, Stormwater Assessments to be collected under the Uniform Assessment Collection Act shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the Commission of the Annual Stormwater Rate Resolution and shall attach to the property included on the Stormwater Assessment Roll as of the prior January 1, the lien date for ad valorem

taxes.

- (b) Upon adoption of the Final Stormwater Assessment Resolution, Stormwater Assessments to be collected under the alternative method of collection provided in section 7-19 hereof, shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, titles and claims, until paid. The lien shall be deemed perfected on the date notice thereof is recorded in the official records of St. Johns County, Florida.

Sec. 7-17. -Authorization for Exemptions.

- (a) The Commission, in its sole discretion, shall determine whether to provide exemptions from payment of a Stormwater Assessment for Government Property, whose use is wholly or partially exempt from ad valorem taxation under Florida law.
- (b) The Commission shall designate the funds available to provide any exemptions. The provision of an exemption in any one (1) year shall in no way establish a right or entitlement to such exemption in any subsequent year, and the provision of funds in any year may be limited to the extent funds are available and appropriated by the Commission. Any funds designated for exemptions shall be paid by the City from funds other than those generated by the Stormwater Assessment.
- (c) Any shortfall in the expected Stormwater Assessment proceeds, due to any exemption from payment of the Stormwater Assessments required by law or authorized by the Commission, shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Assessments. In the event a court of competent jurisdiction determines any exemption by the Commission is improper or otherwise adversely affects the validity of the Stormwater Assessment imposed for any Fiscal Year, the sole and exclusive remedy shall be the imposition of an Assessment upon each affected Tax Parcel in the amount of the Stormwater Assessment that would have been otherwise imposed, save for such exemption afforded the Tax Parcel by the

Commission.

DIVISION 4. COLLECTION OF STORMWATER ASSESSMENTS

Sec. 7-18. - Method of Collection of Stormwater Assessments.

Unless directed otherwise by the Commission, Stormwater Assessments shall be collected pursuant to the Uniform Assessment Collection Act, and the City shall comply with all applicable provisions thereof. Any hearing or notice required by this article may be combined with any other hearing or notice required by the Uniform Assessment Collection Act.

Sec. 7-19. - Alternative Method of Collection of Stormwater Assessments.

In lieu of using the Uniform Assessment Collection Act, the City may elect to collect the Stormwater Assessment by any other method, which is authorized by law or under an alternative collection method provided by this section 7-19.

- (a) The City shall provide Stormwater assessment Bills by First Class U.S. Mail to the owner of each affected parcel of property, other than government property. The bill or accompanying explanatory material shall include:
- (1) A brief explanation of the Stormwater Assessment;
 - (2) A description of the ERU calculation used to determine the amount of the assessment;
 - (3) The number of ERUs attributed to the parcel;
 - (4) The total amount of the parcel's Stormwater Assessment for the appropriate period;
 - (5) The location at which payment will be accepted;
 - (6) The date on which the Stormwater Assessment is due; and
 - (7) A statement that the Stormwater Assessment constitutes a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments.
- (b) A general notice of the lien resulting from imposition of the stormwater assessments shall be recorded in the official records of St. Johns County, Florida. Nothing herein shall be construed to require that individual liens or releases be filed in the official

records.

- (c) The City shall have the right to appoint or retain an agent to foreclose and collect all delinquent Stormwater Assessments in the manner provided by law. A Stormwater Assessment shall become delinquent if it is not paid within thirty (30) days from the date any installment is due. The City or its agent shall notify any property owner who is delinquent in payment of his or her Stormwater Assessment within sixty (60) days from the date the Stormwater Assessment was due. Such notice shall state in effect that the City or its agent will initiate a foreclosure action and cause the foreclosure of such property subject to a delinquent Stormwater Assessment in a method now or hereafter provided by law for foreclosure of mortgages on real estate, or otherwise as provided by law.
- (d) All costs, fees and expenses, including reasonable attorney's fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the City may be the purchaser to the same extent as an individual person or corporation. The City may join in one foreclosure action the collection of Stormwater Assessments against any or all property assessed in accordance with the provisions hereof. All delinquent property owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City and its agents, including reasonable attorney's fees in collection of such delinquent Stormwater Assessments and any other costs incurred by the City as a result of such delinquent Stormwater Assessments including, but not limited to, costs paid for draws on a credit facility, and the same shall be collectible as a part of or in addition to, the costs of the action.
- (e) In lieu of foreclosure, any delinquent Stormwater Assessment and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided, however, that:
- (1) Notice is provided to the owner in the manner required by law and this article; and
 - (2) Any existing lien of record on the affected parcel for the delinquent Stormwater Assessment is supplanted by the lien resulting from certification of the Stormwater Assessment Roll to the tax collector.

Sec. 7-20. - Collection of Stormwater Assessments from Government Property.

- (a) Unless directed otherwise by the Commission, the City may provide Stormwater Assessment bills by First Class U.S. Mail to the owner of each affected parcel of government property. The bill or accompanying explanatory material shall include:
- (1) A brief explanation of the Stormwater Assessment;
 - (2) A description of the ERUs or other unit used to determine the amount of the Stormwater Assessment;
 - (3) The number of ERUs (or other units used to calculate the amount of the Stormwater Assessment) attributed to the parcel;
 - (4) The total amount of the parcel's Stormwater Assessment for the appropriate period;
 - (5) The location at which payment will be accepted; and
 - (6) The date on which the Stormwater Assessment is due.
- (b) A Stormwater Assessment shall become delinquent if it is not paid within thirty(30) days from the date any installment is due. The City shall notify the owner of any government property that is delinquent in payment of its Stormwater Assessment within sixty (60) days from the date the Stormwater Assessment was due. Such notice shall state in effect that the City will initiate a mandamus or other appropriate judicial action to compel payment.
- (c) All costs, fees and expenses, including reasonable attorney's fees and title search expenses, related to any mandamus or other action as described herein shall be included in any judgment or decree rendered therein. All delinquent owners of government property against which a mandamus or other appropriate action is filed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City, including reasonable attorney's fees in collection of such delinquent Stormwater Assessments and any other costs incurred by the City as a result of such delinquent Stormwater Assessments including, but not limited to, costs paid for draws on a credit facility, and the same shall be collectible as a part of or in addition to, the costs of the action.

Sec. 7-21. - Responsibility for Enforcement.

The City and its agent, if any, shall maintain the duty to enforce the prompt collection of Stormwater Assessments by the means provided herein. The duties related to collection of Stormwater Assessments may be enforced at the suit of any holder of Obligations in a court of competent jurisdiction by mandamus or other appropriate proceedings or actions.

DIVISION 5. - GENERAL PROVISIONS

Sec. 7-22. - Issuance of Obligations.

- (a) Upon adoption of the Final Stormwater Assessment Resolution imposing Stormwater Improvement Assessments, or at any time thereafter, the Commission shall have the power and is hereby authorized to provide by ordinance or resolution, at one time or from time-to-time in series, for the issuance of Obligations of the City to fund the Projects Cost thereof, and any amounts to be paid or accrued in connection with issuance of such Obligations, including, but not limited to capitalized interest, Transaction Costs and reserve account deposits.
- (b) The principal of and interest on each series of Obligations shall be payable from Pledged Revenue. At the option of the Commission, the City may agree, by ordinance or resolution, to budget and appropriate funds to make up any deficiency in the reserve account established for the Obligations or in the payment of the Obligations, from other non-ad valorem revenue sources. The Commission may also provide, by ordinance or resolution, for a pledge of or lien upon proceeds of such non-ad valorem revenue sources for the benefit of the holders of the Obligations. Any such ordinance or resolution shall determine the nature and extent of any pledge of or lien upon proceeds of such non-ad valorem revenue sources.

Sec. 7-23. - Revisions to Stormwater Assessments.

If any Stormwater Assessment made under the provisions of this article is either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the Commission is satisfied that any such Stormwater Assessment is so irregular or defective that the same cannot be enforced or collected, or if the Commission has failed to include any property on the Stormwater Assessment Roll that should have been so included, the Commission may take all necessary steps to impose a new Stormwater Assessment against any such property, following as nearly as may be practicable, the provisions of this article and

in case such second Stormwater Assessment is annulled, the Commission may obtain and impose other Stormwater assessments until a valid Stormwater Assessment is imposed.

Sec. 7-24. - Procedural Irregularities.

Any irregularity in the proceedings in connection with the levy of any Stormwater Assessment under the provisions of this article shall not affect the validity of the same after the approval thereof, and any Stormwater Assessment as finally approved shall be competent and sufficient evidence that such Stormwater Assessment was duly levied, that the Stormwater Assessment was duly made and adopted, and that all other proceedings adequate to such Stormwater Assessment were duly had, taken and performed as required by this article, and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding the provisions of this section 7-24, any party objecting to a Stormwater Assessment imposed pursuant to this article must file an objection with a court of competent jurisdiction within the time periods prescribed in section 7-15 of this article.

Sec. 7-25. - Correction of Errors and Omissions.

- (a) No act of error or omission on the part of the Commission, City Manager, Property Appraiser, Tax Collector, City Clerk, or their respective deputies, employees or designees, shall operate to release or discharge any Obligation for payment of any Stormwater Assessment imposed by the Commission under the provisions of this article.
- (b) The number of ERUs attributed to a parcel of property may be corrected at any time by the City Manager. Any such correction which reduces a Stormwater Assessment shall be considered valid from the date on which the Stormwater Assessment was imposed and shall in no way affect the enforcement of the Stormwater Assessment imposed under the provisions of this article. Any such correction which increases a Stormwater Assessment or imposes a Stormwater Assessment on omitted property shall first require notice to the affected owner in the manner described in section 7-12 hereof, providing the date, time and place that the Commission will consider confirming the correction and offering the owner an opportunity to be heard.
- (c) After the Stormwater Assessment Roll has been delivered to the Tax Collector, any

changes, modifications, or corrections thereto shall be made in accordance with the procedures applicable to errors and insolvencies for ad valorem taxes.

Sec. 7-26. - Applicability.

This article and the City's authority to impose Stormwater Assessments pursuant hereto shall be applicable throughout the City.

Sec. 7-27. - Alternative Method.

This article shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This article, being necessary for the welfare of the inhabitants of the City, shall be liberally construed to effect the purposes hereof.

ARTICLE II. - STORMWATER ILLICIT DISCHARGE

Sec. 7-~~21~~28. - Authority.

The city is authorized by the Florida Constitution and the provisions of the F.S. Chs. 125, 163 and 403, to establish and administer programs for stormwater management, including the control of pollution discharged to the city's storm sewer system.

Sec. 7-~~22~~29. - Findings.

The city commission finds, determines and declares as follows:

- (1) The contribution of pollutants through discharges from storm sewer systems has a significant impact on receiving waters in the city.
- (2) Improperly treated discharges from industrial or commercial activities, interconnected municipal separate storm sewer systems, illicit discharges and discharges from spilling, dumping or disposal of material other than stormwater to the municipal storm sewer system of the city adversely affects the quality of water receiving such discharges.
- (3) The United States Environmental Protection Agency, pursuant to Title 40,

Section 122.26 of the Code of Federal Register, has mandated the city, through the issuance of National Pollution Discharge Elimination System (NPDES) permit, to control discharges from the city's storm sewer system to waters of the United States.

Sec. 7-2330. - Definitions.

For the purposes of these regulations, the following definitions shall apply; words used in the singular shall include plural, and the plural, singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use.

Best management practices or BMPs. Schedules of activities, prohibitions of practices, maintenance procedures, treatment methods and other management practices to prevent or reduce pollutants from entering the municipal storm sewer system or being discharged from the municipal storm sewer system.

City. City of St. Augustine Beach, Florida.

Clean Water Act or CWA. Public Law (PL) 92-500, as amended PL95-217, PL95-576, PL96-483, PL97-117 and 33 U.S.C. 1251 et seq., as amended by the Water Quality Act of 1987, PL100-4.

Construction activities. The alteration of land during construction and include such activities as clearing, grading and excavation.

Director. Director of public works of the city or his or her designee.

Discharge. The release of liquid, solid or gaseous material and includes, but is not limited to, a release, spilling, leaking, seeping, pouring, emitting, emptying and/or dumping of any substance of material.

Illicit connection. Point source discharge to the city's municipal stormwater system or to waters of the United States, which is not entirely of stormwater and/or which is not authorized by a permit.

Illicit discharge. A discharge to the city's storm sewer system or to waters of the United States which is not composed entirely of stormwater, unless exempted pursuant to this

regulation, and/or the discharge to the city's storm sewer system or to waters of the United States and which is not in compliance with federal, state and city permits.

Industrial activities. Activities at facilities identified by the United States.

Environmental Protection Agency. Requiring an NPDES stormwater permit in accordance with 40 Code of the Federal Register, Part 122.26 and/or amendments thereto.

Municipal separate storm sewer system (MS4). A conveyance, storage area or system of conveyances and storage areas including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, storm drains, treatment ponds and other structural BMPs, owned or operated by local government that discharges to waters of the United States or to other MS4s, that is designed solely for collecting, treating or conveying stormwater, and this is not part of a publicly owned treatment works (POTW), as defined by 40 Code of the Federal Register 122.2 or any context may require.

Person. Any individual, partnership, firm, organization, corporation, association or other legal entity, whether singular or plural, as the context may require.

Point source. Any discernible and confined conveyance including, but not limited to, any pipe, ditch, channel, conduit, well, container, rolling stocks, concentrated animal feeding operation, vessel or other floating craft from which pollutants are discharged. This term does not include return flows from irrigated agriculture.

Pollutant. Includes, but is not limited to, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq.), heat, wrecked or damaged equipment, rock, sand and industrial, municipal (excepting the city's discharges) and agricultural waste discharged into the MS4, and not excluding other materials which the director, his/her representative, federal or state regulatory agencies may deem appropriate to be included.

Reclaimed water. Water that has received at least advanced secondary treatment and basic disinfection and is reused after flowing out of a wastewater treatment facility.

Reuse. The deliberate application of reclaimed water, in compliance with Florida Department of Environmental Protection and/or St. Johns River Water Management District

rules, for a beneficial purpose.

Runoff. The surface flow of water which results from, and occurs following, a rainfall event.

Significant construction activities. Construction activities which result in the disturbance of five (5) acres or more of total land area.

Significant redevelopment. The alteration of an existing development which results in the increase and in the discharge of a stormwater facility beyond its previously designed and constructed capacity, or increased pollution or changed points of discharge, except emergency repairs.

Spill. Illicit discharge.

Stormwater. Surface runoff and the discharge of runoff water resulting from rainfall.

Waters of the United States. Surface and ground waters as defined by 40 Code of the Federal Register 122.2.

Sec. 7-~~2431~~. - Discharges to the municipal separate storm sewer system.

- (a) No discharge to the city's municipal separate storm sewer system ("MS4") shall be permitted to impair the operation of the MS4 or contribute to the failure of the MS4 to meet any local, state or federal requirements, including, but not limited to, NPDES permits.
- (b) Stormwater discharges to the MS4 from industrial, commercial or construction activities and from new development or redevelopment projects are required to obtain appropriate local, state and/or federal permits prior to discharging the MS4.
- (c) Any person determined by the city to be responsible for a discharge contributing to the failure of the city's MS4 to comply with the provisions and conditions of an NPDES permit shall be guilty of a violation of this chapter and shall provide corrective measures as determined necessary by the director, and shall be liable for fines and damages.

Sec. 7-~~2532~~. - Stormwater discharges from industrial, commercial and construction activities.

- (a) Stormwater discharges from industrial and commercial activities shall be treated or managed on site, in accordance with appropriate federal, state or local permits and regulations, prior to discharge to the city's MS4.
- (b) Stormwater discharges from significant construction activities shall be treated or managed on site in accordance with appropriate federal, state or local permits and regulations, prior to discharge to the city's MS4. Erosion, sediment and pollution control for the construction site shall be properly implemented, maintained and operated according to a pollution prevention plan required by an NPDES permit for the discharge of stormwater from construction activities, or according to a state permit issued by the Florida Department of Environmental Protection or St. Johns River Water Management District.
- (c) Construction activity which is characterized as an illicit connection or illicit discharge if the activity causes and impairment of the operation of the MS4 or contributes to the failure of the MS4 to meet any local, state or federal requirements, including, but not limited to, NPDES permits.
- (d) The owners or operators of industrial facilities, commercial entities and construction sites which discharge stormwater to the city's MS4 shall provide prior written notification to the city of the discharge and shall have received prior approval of the discharge from the city.

Sec. 7-~~2633~~. - Control of pollutant contributions from interconnected municipal storm sewer systems.

The discharge of stormwater between interconnected state, county, cities or other MS4s shall not be permitted to cause the city's MS4 to be in violation of the provisions of an NPDES permit. Owners of any portion of the city interconnected MS4 shall be responsible for controlling the quality and quantity of discharge of stormwater to the city's MS4.

Sec. 7-~~2734~~. - Prohibition of illicit discharges and illicit connections.

- (a) Illicit discharges and illicit connections to the city's MS4 are prohibited.
- (b) Failure to report a connection to the city's MS4 or to waters of the United States from industrial activities, commercial entities or construction activities constitutes

an illicit discharge.

(c) Failure to report to the city a discharge to the city's MS4 or to waters of the United States from industrial activities, commercial entities or construction activities constitutes an illicit discharge.

(d) Any discharge to the city's MS4 or to waters of the United States which is in violation of federal, state or local permits or regulations constitutes an illicit discharge.

(e) Persons responsible for illicit discharges or illicit connections shall immediately cease the illicit discharge or connection, and obtain appropriate approvals from regulatory agencies prior to resuming the discharge or connection.

Sec. 7-~~2835~~. - Inspection and monitoring for compliance.

City personnel shall be granted access for inspection of facilities discharging or suspected of discharging to the city's MS4 or waters of the United States in order to effectuate the provisions of this article and to investigate violations or potential violations of any of the terms herein. All structures and processes which allow discharges to the city's MS4, as well as records concerning them, shall be made accessible to the city's personnel for this purpose.

Sec. 7-~~2936~~. - Maintenance of structures.

Structural control and other BMPs used for controlling the discharge of pollutants to the city's MS4 or to waters of the United States shall be operated and maintained so as to function in accordance with permitted design and performance criteria and in compliance with federal, state or local permit conditions and regulations.

(Ord. No. 08-31, § 1(7-9), 12-1-08)

Sec. 7-~~3037~~. - Exemptions.

The following activities shall not be considered an illicit discharge or illicit connection, unless such activities cause, or significantly contribute to, the impairment of the use of the city's MS4 or the violation of the conditions of the city's NPDES permit.

(1) Discharges from:

- a. Water line flushing;
- b. Flushing of reclaimed water lines;
- c. Street cleaning;
- d. Sidewalk/building power washing;
- e. Construction dust control;
- f. Landscape irrigation;
- g. Diverted stream flows or lake waters;
- h. Foundation, footing and roof drains;
- i. Uncontaminated groundwater infiltration (as defined at 40 Code of Federal Register 35.205(20));
- j. Discharges from potable water sources;
- k. Air conditioning condensate or cooling water;
- l. Irrigation water;
- m. Springs;
- n. Lawn watering;
- o. Individual residential car washing;
- p. Flows from riparian habitat and wetlands; and
- q. Discharges or flow from emergency fire-fighting activities and emergency response activities done in accordance with adopted spill response/action plan.

(2) Discharges for which all appropriate federal, state and local permits have been obtained.

Sec. 7-3138. - Discharges of polluting matter in storm systems prohibited.

(a) It shall be unlawful for any person to drain, deposit, place or otherwise discharge pollutants into any stormwater system within the city, or to cause or permit to be drained, deposited, placed or otherwise discharged into such stormwater systems any organic matter which causes pollution, pursuant to the water quality standards established by all applicable regulatory agencies. Polluting matter includes, but is not limited to, the following:

- (1) Petroleum products, including, but not limited to oil, gasoline and grease;
- (2) Solid waste;

- (3) Paints;
- (4) Steam cleaning waste;
- (5) Pesticides, herbicides or fertilizers;
- (6) Degreasers, solvents;
- (7) Sanitary sewage;
- (8) Chemically treated cooling water;
- (9) Antifreeze and other automotive products;
- (10) Lawn clippings, leaves, branches, etc.;
- (11) Animal carcasses;
- (12) Recreational vehicle waters;
- (13) Dyes;
- (14) Construction materials;
- (15) Any liquids in quantity or quality which are capable of causing a violation of the city's NPDES permit; and
- (16) Solids in such quantities or of such size capable of causing interference or obstruction to the flow in the city's stormwater system.

(b) It shall be unlawful to wash any public or private streets, buildings, sidewalks or parking areas, unless all visible debris and sediments have been removed prior to washing. If the removal of the debris and sediments is not feasible (as determined by the public works director), then the street, building, etc., may only be washed with the public works director's written approval, which may include requirements to clean the affected drainage pipelines or provide treatment of wastewater to prevent downstream pollution.

Sec. 7-3239. - Enforcement, penalties and legal proceedings.

(a) This regulation may be administered by the director. All persons in violation of this regulation shall remedy such violations immediately. All persons in violation shall, in addition to all other required remedial actions, upon detection and/or written notification by the city, provide a written response to the director outlining the temporary and permanent measures that will be taken to correct the violation and a proposed schedule for completion of the corrective measures. All such

proposals for corrective action are subject to the approval of the director.

- (b) The director is authorized to issue cease and to desist orders in the form of written official notices hand delivered or sent by registered mail to the persons(s) believed to be responsible for the violation and/or the owner of the property from or on which the violation is believed to be occurring. Specific activities and operations may be ordered to cease based upon the following conditions:
 - (1) In a situation that may have a serious effect on the health, safety or welfare of the public or the environment, including the quality of stormwater in the city's MS4; or
 - (2) When irreversible or irreparable harm may result, in the reasonable opinion of the director, and immediate cessation of the activity is necessary to protect the quality of the stormwater in the city's MS4, the public or the environment.
- (c) Any person who violates this regulation and/or who fails to comply with the requirements of any provision of this regulation shall, without limitation on the city's legal recourse, be subject to prosecution before the St. Augustine Beach Code Enforcement Board or a special magistrate of the city. Each day of violation shall constitute a separate violation.
- (d) In addition to any fines which may be imposed by the St. Augustine Beach Code Enforcement Board or a special magistrate, persons responsible for violation of this regulation shall be liable for all costs incurred by the city in sampling, analyzing and/or monitoring the discharge, together with all state and/or federal fines imposed as a result of the discharge and cost of removing, remedying or properly treating the discharge.
- (e) Should any person responsible for a violation of this regulation fail to take the remedial action as required by the city, the city shall take such remedial action, and all costs incurred by the city shall be the responsibility of the person or persons responsible for the violation, and the city may record a lien against the personal and/or real property of the violators to recover said costs and to collect all fines and penalties imposed.
- (f) In addition to the remedies provided herein, the city may make application to a

court of competent jurisdiction for injunctive relief to restrain any person from violating or continuing to violate the provisions of this regulation. In addition, the city may also seek entry of a court order requiring restoration and mitigation of any impacted facilities, land or waters, and may request any other appropriate legal remedy, including reimbursement of court costs. The city shall be entitled to an award of attorney's fees in prosecuting such actions, together with all attorney's fees and costs on appeal.

(g) In accordance with the City Code, any person willfully or negligently violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine in the lesser amount of the maximum amount permitted by law, one thousand dollars (\$1,000.00) or by imprisonment not to exceed the maximum amount permitted by law for violation of a municipal ordinance or one (1) year, or by both such fine and imprisonment. Additionally, any person who has violated or continues to violate this chapter shall be liable to the city for a civil penalty of up to maximum amount permitted by law per day, and in no event, plus damages, for as long as the violation continues, together with attorney's fees, court costs and other expenses incurred by the city associated with the enforcement activities, including, but not limited to, sampling and monitoring expenses.

(h) The city may elect to take any or all of the above remedies concurrently, and the pursuit of one shall not preclude the pursuit of another.

Section 3 - Codification.

The provisions of this Ordinance shall be codified in the Code of Ordinances of the City of St. Augustine Beach, Florida.

Section 4 - Conflict and Severability.

In the event any provision of this Ordinance conflicts with any other provision of the Code or any other ordinance or resolution of the City of St. Augustine Beach on the subject matter of this Ordinance, the more strict provision shall apply and supersede. If any provision of this Ordinance is held to be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Ordinance, which shall be deemed separate, distinct, and independent

provisions enforceable to the fullest extent possible.

Section 5- Scrivener's Error.

The City Attorney may correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the City Clerk.

Section 6 - Effective Date.

This Ordinance shall become effective upon final adoption by the City Commission.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this 6th day of March 2023.

MAYOR DONALD SAMORA

ATTEST:

CITY MANAGER

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: ASSET SURPLUS RESOLUTION 23-02
DATE: 2/14/2023

Resolution 23-02 is to surplus equipment on the attached list. The equipment will be placed for auction in the next few months.

If further information is needed, please let me know.

RESOLUTION 23-02

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

**RE: TO DECLARE AS SURPLUS
AND AUTHORIZE THEIR
DISPOSAL ITEMS LISTED ON
EXHIBIT A**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in regular meeting duly assembled on Monday, March 6th, 2023, resolves as follows:

WHEREAS, from time to time the City's departments have items of property which have reached the end of their useful life, or are broken and for which the cost of repairs would exceed the value of the item(s), or are obsolete and/or no longer of use to the department, and

WHEREAS, Section 10 of the City's Capital Asset Policy requires that the City Commission approve the disposal of any property that is declared surplus.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, does declare as surplus items from various departments listed on Exhibit A (attached), and authorizes their disposal.

RESOLVED AND DONE, this 6th day of March 2023 by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

Mayor

ATTEST:

City Manager



**City of St. Augustine Beach
Disposal/Retirement of Capital Asset**

Date of Transaction: 2/10/23

					To be completed by Finance only.	
Asset Tag #	VIN/Serial #	Asset Description	Department	Location	Sold/Destroyed/Donated	Proceeds Received
1289	1GCEK14V35Z193131	chev 4x4 pickup	Street	PWD		
1324	1GCEK14V96Z247484	chev 4x4 pickup	Street	PWD		
1345	1GCEK14V97Z164400	chev 4x4 pickup	Street	PWD		
1325	1FVHCYDC06HW92904	Freightliner M2 refuse tyruck	Sanitation	PWD		
1348	1FVHCYAK03HM04810	Freightliner M2 cab/chases	Street	PWD		

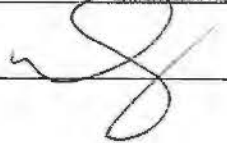
Comments: #1348 not running/needs brakes

Dept Head Approval:

Ken Gatchell
Digitally signed by Ken Gatchell
DN: cn=Ken Gatchell, o=City, ou,
email=k.gatchell@cityofseab.org, c=US
Date: 2023.02.10 11:02:34 -0500


Date: 2/10/23

Finance Dept Approval:



Date: 2/14/23

MEMORANDUM

TO: Mayor Samora
Vice Mayor Rumrell
Commissioner Morgan
Commissioner George
Commissioner Sweeny
FROM: Max Royle, City Manager  mk
DATE: February 22, 2023
SUBJECT: Review of Updated Draft

INTRODUCTION

After your workshop with the Planning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC) on October 5, 2022, the proposed Vision Plan was revised by former Commissioner England as a result of the discussion. Some later revisions were made, based on the comments received from some Board and Committee members, as well as Chief Carswell. The Plan thus is now ready for another review by you.

SUMMARY OF TOPICS

Below is a summary of the Plan's topics. It should provide you with a comprehensive look as to what is in the Plan, so that you can judge whether any topics significant to the City's future have been omitted.

- Introduction
- Vision Statement
- Mission Statement
- Purpose of the 2006 Vision Plan
- Results of the 2006 Vision Plan
- Existing Conditions
- Purpose of the 2023 Vision Plan
- Smart City Projects
- Zoning and Land Use Ordinances
- Safe and Complete Streets
- Parking
- Use of Plazas
- Beach-Related Matters
- Sustainability and Resiliency
- Public Safety
- Parks/Recreation

- Historic Preservation and Best Use of Pier Park
- Timetable for Development and Adoption of the 2023 Plan

SUGGESTED CHANGE

The suggested change is to the last topic, the timetable for adopting the 2023 Vision Plan. It is that instead of having more reviews and meetings concerning the Plan and adopting it in September 2023, you adopt it now. This change is suggested because the Plan is meant to be a “living” document, reviewed yearly and revised in accordance with changing conditions and citizen and Commission priorities, as well as any mandates that may be imposed on cities by the Florida Legislature.

If you agree with this suggestion, then the key question will be when your annual review is to be done. It may be best not to have it done in January because every other year there may be a new Commissioner or Commissioners taking office that month; and the Legislature’s session each spring ends in May. Thus, the best time for your annual review of the Vision Plan may be July or August of each year.

ACTION REQUESTED

It is that you discuss this draft of the Vision Plan and that you decide whether to adopt it now, or have additional meetings/discussions concerning it with adoption later in 2023.

Former Commissioner England will be at your March meeting to present the Plan. It was under her leadership when she was a Commissioner that the 2023 Vision Plan was drafted. Her efforts showed that the City has abilities in-house to develop such a plan, thus sparing the taxpayers the expense of hiring a consultant to provide the leadership.

I. INTRODUCTION

The City of St. Augustine Beach is located five miles southeast of St. Augustine and is approximately 2.5 square miles in area. Its boundaries are Anastasia State Park (north), Atlantic Ocean (east), western boundary of State Road A1A, except for subdivisions and other properties west of that highway that have been annexed into the City; and the southern boundary of the Sandpiper Village subdivision. The City's main industry is tourism with numerous hotels, motels and restaurants along its main street, A1A Beach Boulevard. Though the beach and ocean are the magnets that attract thousands of overnight and day visitors from interior areas of Florida and many states for swimming, sunbathing, fishing, and surfing, the City's character is largely residential with an estimated 2023 population of 6,914.

Illustration 1



II. VISION STATEMENT

St. Augustine Beach is an ocean-front paradise committed to preserving its natural resources, inspiring a socially responsible and engaged citizenry by means of communication, transparency and accountability, and supporting a safe and exceptional quality of life for its residents and visitors.

III. MISSION STATEMENT

To maintain and enhance standards and activities that will ensure an exceptional quality of life for residents and visitors through effective and efficient municipal services.

IV. PURPOSE OF THE 2006 VISION PLAN

In 2006, the City Commission hired a consultant, Wallace, Roberts and Todd, to do the City's first vision plan. The Commission appointed a 14-member Vision Plan Steering Committee, to develop the plan with the consultant and the Planning Board. The 2006 Vision Plan had five basic purposes:

1. To establish a coherent long-term vision for the A1A Beach Boulevard corridor, both in the public and private realms, by identifying community aspirations and integrating prior initiatives.
2. To proactively manage the growing pressure for redevelopment and infill by determining a desirable mix of land uses, intensities, and visual character of development, and by modifying development standards and regulations accordingly.
3. To activate the corridor and create a sense of identity and community by identifying opportunities for nodes of mixed activity at key locations.
4. To maximize the utility of City-owned squares (plazas) by identifying optimal uses and potential design prototypes, in line with the vision for the corridor.
5. To enhance the overall visual aspect and functionality of the corridor by creating pedestrian and bicycle linkages, providing amenities, and enhancing parking opportunities.

V. RESULTS OF THE 2006 VISION PLAN

The Vision Plan was focused on the City's "main street," A1A Beach Boulevard. Several of the actions/projects listed in the 2006 Plan have been implemented and several have not been accepted:

1. Building height limits strengthened.
2. Business sign regulations updated.
3. The mixed-use district was enacted and applies to a section of Boulevard between Pope Road and F Street. However, certain recommended modifications to the Land Development Regulations were not done.
4. Some design guidelines for buildings along the Boulevard were included in mixed-use district regulations.
5. The Comprehensive Plan was amended in 2020 to incorporate a mixed-used district as a land-use type.

6. Initiatives Not Accepted or Created:

- Activity center
- A Street Town Center
- One goal in the 2006 Plan was to investigate funding/grant opportunities for parking and open space/recreation improvements for the plazas along the Boulevard. The grant sources listed were: Florida Communities Trust/Florida Forever program, Florida Land and Water Conservation Fund, Community Development Block Grant program, Florida Recreation Development Assistance Program, National Scenic Byways Program, Greenways and Recreational Trails Program, and Federal Urban Parks and Recreation Recovery Program. However, none of these applied to the very small (under a quarter acre) plazas in the City. Rather, the City sought Florida Recreation Development Assistance Program grants for the much larger Ocean Hammock Park.
- Initiate a dialogue with the County for possibly changing the name of A1A Beach Boulevard to Beach Boulevard was rejected.
- Create a logo for banners, signage, and marketing material in conjunction with creating town centers at A Street and the City's north end. As the centers weren't created, the logo wasn't created.

VI. EXISTING CONDITIONS

- A. As part of the foundation for the development of the 2023 Vision Plan, the following are existing features or characteristics that are beneficial to the City:
1. Public beach accesses: over twenty-five (25) beach access points.
 2. Five (5) public parks.
 3. Three (3) major pedestrian walkways.
 4. Over one thousand hotel/motel rooms available to visitors, in addition to private bed-and-breakfasts and short-term rentals.
 5. Two hundred twenty (220) small businesses, including four banks, and chain and non-chain restaurants and stores.
 6. Fifty-two (52) public plazas.
 7. St. Augustine Beach Hotel and Beachfront received U.S. National Park Service "National Register of Historic Places," January 2022.

Illustration 2



B. The following are existing features in the City that are unlikely to change and thus will not be addressed in the Plan:

1. **Road network:** If no new subdivisions are created, there'll likely be no addition to the existing road network. Nearly all of the existing roads have been paved. Comprehensive network of paved roads includes arterial highways (SR A1A and A1A Beach Boulevard), plus County-owned collector streets and City-owned residential streets that provide access to all residential subdivisions.
2. **New subdivisions:** It is unlikely that there will be any significant new subdivisions because there are no large tracts remaining in the City to be developed nor are there any large, vacant tracts adjacent to the City that could be annexed and developed as new subdivisions.
3. **Water and sewer systems:** Except for upgrades, it is unlikely that the County-owned potable water system currently in place throughout the City will be changed. There is only one small area without a connection to the County-owned sewer system.
4. **Major commercial development:** Only one large commercial tract remains between 4th and 5th streets, west of A1A Beach Boulevard. However, renovation is possible in other buildings or buildings destroyed by fire or flood.
5. **Parkland:** Within its limits, the City already has five City- and County-owned parks, which are sufficient for the City's population of about 7000 residents, plus bordering the City to the north and outside its limits is the 800-plus acre Anastasia State Park. Also, because of the high level of the City's current long-term debt, the City is unlikely to incur additional debt in order to buy more parkland for recreation/open space purposes, or to provide a match for a grant to buy additional parkland.

VII. PURPOSE OF THE 2023 VISION PLAN

Since 2006, cities have emphasized the use of technology and data to become more efficient and to prioritize planning to meet such new challenges as sustainability and climate change. Many cities now collect and make optimal use of all the interconnected data, information and communication technologies to address the issues and challenges with the goal of achieving efficient and sustainable infrastructure. Use of such technologies has created the phrase "Smart City".

"Smart City," according to Wikipedia, is defined as "...a technologically modern urban area that uses different types of electronic methods and services to collect specific data. Information gained from that data is used to manage assets, resources, and services efficiently; in return, that data is used to improve operations across the city. This includes data collected from citizens, devices, buildings, and assets that are processed and analyzed to monitor and manage traffic and transportation systems...utilities...waste, criminal investigations, information systems, schools, libraries...and other community services. Smart cities are defined both in the ways in which their governments harness technology as well as in how they monitor, analyze, plan, and govern the city."

St. Augustine Beach's Smart City goals are those which improve the quality of life for City residents by:

- Enhancing operational performance

- Optimizing resources
- Reducing waste and consumption
- Improving responsiveness
- Acting upon data collected
- Identifying funding for projects
- Identifying technology to implement Smart City projects

VIII. SMART CITY PROJECTS

To meet the goals listed above, the following are suggested projects for the 2023 Smart City Vision Plan:

A. Zoning and Land Use Ordinances

The City shall remain proactive in the maintenance and upkeep of its land use ordinances and Comprehensive Plan policies. Suggested improvements include:

1. Encourage desired commercial and mixed-use development and redevelopment by means of a thorough review of parking and shared parking ideas, thoughtful and realistic buffers between land uses and continued efforts to explore the use of flexible setbacks in commercial areas.
2. Develop architectural design features and restrictions for buildings along A1A Beach Boulevard, both commercial and those allowed for residential use by conditional use permits, in order to maintain the City's beach culture and character. Guidelines should be created to address the following:
 - rooflines
 - uninterrupted planes or walls
 - allowance for architectural features, such as cupolas
 - setbacks
 - parking
 - landscaping

B. Safe and Complete Streets

The City is committed to providing safe and walkable streets, public parking, as well as easy access to the beach. Initiatives include:

1. Identify additional thru streets or sidewalks between F Street and the shopping center to increase the City's walkability by providing connections between A1A Beach Boulevard and State Road A1A on the south end of the City.
2. Identify streets where sidewalks are needed and budget for repair of existing sidewalks.

3. Underground utilities wherever street construction is done.
4. Provide additional and improved streetlighting.
5. Participate with St. Augustine on studies to increase mobility between the two cities.
6. Provide speed calming devices in certain high-traffic streets.
7. Work with the County on providing measures for safety of pedestrians using the crosswalks on A1A Beach Boulevard and other County Roads in the City.
8. Actively participate in the proposed River-to-Sea Loop.
9. Develop a bicycle-friendly map using a network of existing roads and trails.

C. Parking

The demand for more parking by out-of-town visitors, the need to encourage tourism and stimulate the economy and the desire of residents to maintain the laid-back and safe, pedestrian-oriented beach community creates a conflict for the use of City property. However, the following guidelines may assist in the development of improved parking:

1. Restrict the use of plaza for improved parking to commercial areas along A1A Beach Boulevard.
2. Review and update City parking requirements in commercial land use districts. Take into consideration pedestrian, bicycle traffic, recent trends in parking requirements for urban areas, shared parking, and the need to encourage commercial and mixed use along A1A Beach Boulevard.
3. Designate by a numbering system the improved and unimproved parking spaces in the City and through the use of technology enable visitors to find open or unused parking spaces.
4. Encourage St. Johns County to provide improved parking spaces along County-owned property in the City, such as Pope Road and the Pier Park. By letter dated August 26, 2021, the City officially requested additional public parking on Pope Road.
5. Keep paid parking as a viable option in conjunction with decisions by the County concerning having paid parking in areas it owns that are in the City's limits.
6. Investigate having possible parallel parking spaces along (adjacent to) commercial property and the side streets east of A1A Beach Boulevard.
7. Encourage parking areas to be beautified and well landscaped.
8. Advocate for new alternative transit options, such as an intercity circulator with St. Augustine or park and ride options to the beach and the pier.

D. Use of Plazas

The City is blessed with 52 plazas that can be used as landscaped areas to beautify A1A Beach Boulevard, or utilized as appropriate and necessary in commercial zones. Illustration 4 shows the locations of the

plazas: nine are used for parking, eight are currently landscaped park areas, and 35 are currently undeveloped.

The following guidelines may assist in deciding the future uses of the plazas:

1. Restrict the use of the plazas for improved parking to commercial plaza areas along A1A Beach Boulevard.
2. Create a plan to develop the unimproved plazas with examples of native plants or as rain gardens to educate the public about sustainable gardens.
3. Use some of the plazas for displays of public art.

Illustration 3

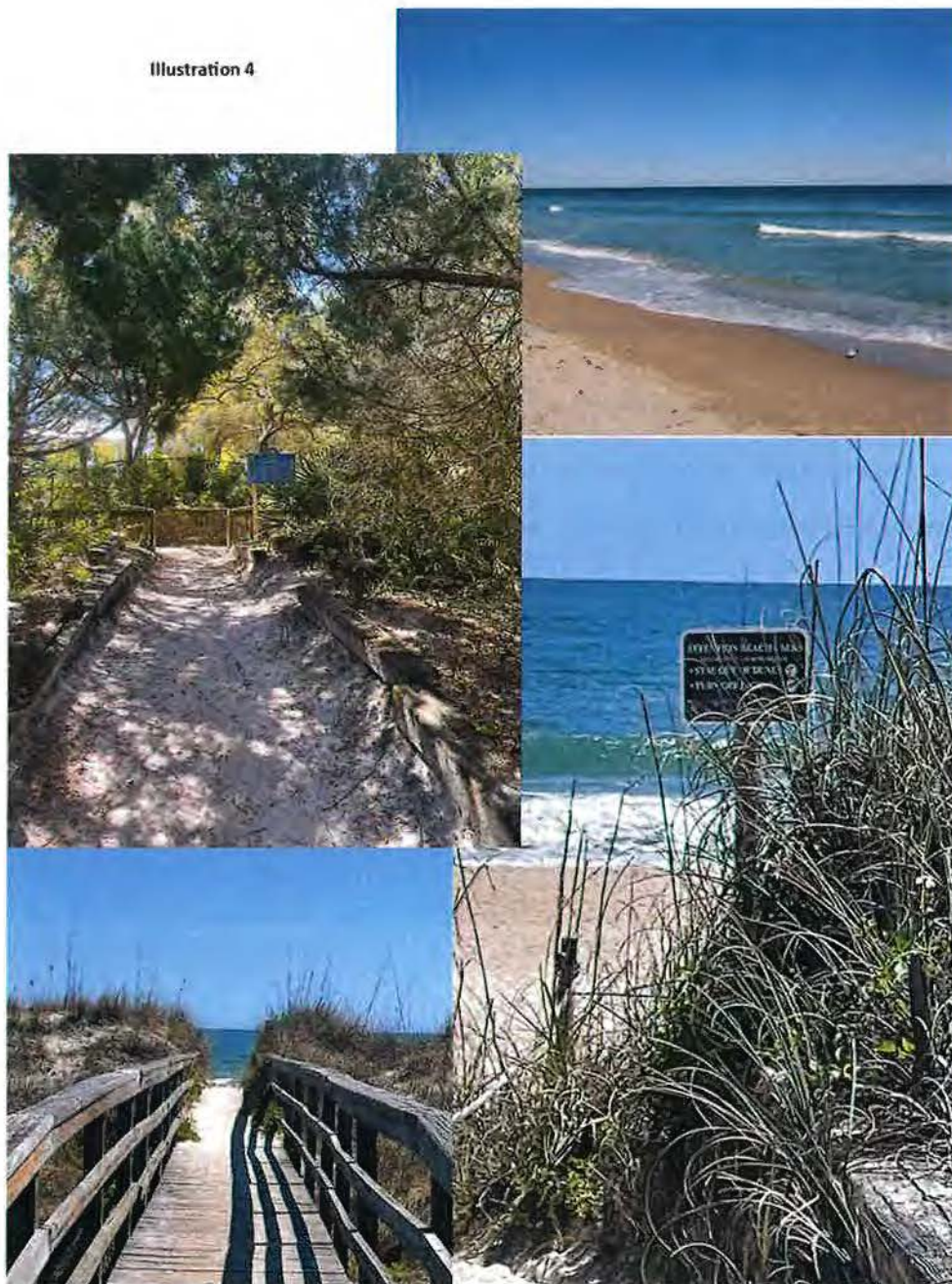


E. Beach-Related Matters

The pristine beach within the City is one of its most beautiful assets. It attracts tourists, contributes to the economy, and creates a paradise-like atmosphere for residents. Therefore, it is imperative that the City give high priority to the following beach-related matters:

1. Work with County for periodic beach restoration projects to restore sand to eroded sections of the beach.
2. Continue to advocate for more improved beach walkovers for public access to the beach.
3. Participate in sea oats planting projects to strengthen dunes that protect the beach from erosion.

Illustration 4



F. Sustainability and Resiliency

Sustainability is most commonly referred to as the ability to maintain the quality of living standards and to avoid depletion of the earth's natural resources so that they may be passed on from one generation to the next.

A threat to sustainability is the effect of long-standing CO2 emissions that are spawning catastrophes around the world, such as the increased magnitude of rainfall events with devastating flooding, areas suffering from extensive droughts and wildfires, and the increased intensity of hurricanes due to the warming of the oceans. The impacts of climate change and sea level rise present an eminent threat to the City's sustainability.

Resiliency means the ability to withstand efficiently and economically a changing environment and climate. Resiliency indicates how quickly a city can recover from an unusual event, be it economic- or weather-related.

As part of its ongoing efforts to strengthen its sustainability and resilience, the City has completed a Vulnerability Study and is in the process of revising its Master Stormwater Drainage Plan.

Sustainability Goals and Policies

1. Maintain and Restore Urban Tree Canopy

- a. Will maintain its Annual Arbor Day celebration with a free-tree giveaway program and will encourage residents to plant trees on their property.
- b. Will establish an "Urban Tree Farm" on Public Works facility property.
- c. Will adopt the Urban Forestry Management Plan as an official City document.
- d. Will improve tree protection regulatory codes by updating the Land Development Regulations to incorporate tree protection policies.

2. Reduce Stormwater Runoff and Downstream Water Pollution

- a. Adopt a right-of-way ordinance that requires roadside swales on all residential streets and allow for the dry retention of the first half (1/2) inch of rainfall runoff.
- b. Public Works Department and the Sustainability and Environmental Protection Advisory Committee (SEPAC) should identify, design and where feasible add dry retention areas in City-owned plazas and appropriate street right-of-way locations to provide for the natural retention of stormwater runoff and to protect at-risk neighborhoods from flooding during periods of extensive rainfall.
- c. Encourage commercial properties to retain the first half (1/2) inch of stormwater runoff from their properties, using rain gardens or rain storage barrels.
- d. Encourage residential properties to retain the first half (1/2) inch of stormwater runoff from their properties using rain gardens or storage barrels.

3. **Adopt Climate Change Initiatives to Reduce the Use of Fossil Fuels**

- a. Implement climate change initiatives to reduce the City's use of fossil fuels, such as purchasing electric vehicles and retrofitting City buildings to make them more energy efficient.

4. **Reduce solid waste and increase recycling.**

- a. Continue to explore ways to explore ways to recycle, such as the recycling of glass containers, and encourage residents to compost waste by having a compost site on City property.

5. **Have the Sustainability and Environmental Planning Advisory Committee do a yearly assessment of the City's sustainability projects and programs.**

G. Public Safety

The City is characterized by a very active pedestrian and bicyclist community. There are several major pedestrian corridors, such as Mickler Boulevard, 2nd Avenue and A1A Beach Boulevard. These corridors shall be preserved, protected, and improved as much as possible for pedestrians, bicyclists, and types of micro-mobility, as appropriate.

Other initiatives for Public Safety improvements include:

- 1. Improve crosswalks on A1A Beach Boulevard by means of technology, lights, and audio.
- 2. Continually evaluate the need for additional traffic safety measures to ensure safe and fluid travel within the City.
- 3. Educate citizens on road safety for pedestrians, bicyclists and vehicles.
- 4. Evaluate the need for adoption of new technology and equipment for more efficient and transparent policing.

H. Parks/Recreation

There are five (5) parks in the City, either City- or County-owned:

- 1. Pier Park (County)
- 2. Ron Parker Park (County)
- 3. Lakeside Park (City)
- 4. Ocean Hammock Park (City)
- 5. Hammock Dunes Park (City)

Also, the beach could be considered a park because it offers areas for such recreation activities as swimming, fishing, volleyball, jogging, surfing and the numerous games, such as horseshoe throwing, that persons bring to the beach.

These parks provide sufficient park and recreation space for a city the size of St. Augustine Beach (2.5 square miles in area with about 7,000 residents). It is unlikely that any future parkland will be available.

Illustration 5



Therefore, it is advisable that the City adopt policies and pursues initiatives to ensure the highest and best use of these properties.

1. **Pier Park** (four acres): Both the City and the County own parcels within this Park, which is a critical destination point for beach access, recreational activities, and special events. The City is actively working with St. Johns County to maximize the Park's highest and best use. The County has agreed to move the fire station to another location near the City. This relocation will provide an opportunity to demolish or repurpose outdated buildings to better utilize the property. Some ideas include creating more parking and to obtain grants to build a community center on the fire station site close to A1A Beach Boulevard.
2. **Ron Parker Park** (four acres): The City will work with the County to maintain existing sports-related facilities, such as paddle tennis courts, and to create new ones.
3. **Lakeside Park** (one acre): It is located on the north side of 11th Street adjacent to the City's Police Department. It currently contains a veterans' memorial, sculpture garden, walk/bicycle path, picnic area and a dock by the lake.
4. **Ocean Hammock Park** (18 acres): The City has obtained grants and having design and permitting work done for certain amenities, such as restrooms, trails, and an overlook. Other grants will also be sought. The grants will enable the City to complete the management plan that it agreed to do as a condition of the grants from the Florida Communities Trust to purchase the property.
5. **Hammock Dunes Park** (six acres): It is located on the west side of A1A Beach Boulevard and north of the shopping center. It has no trails, walkways, or other amenities for the public. A long-range park use plan should be developed and then grant funding sought to construct the amenities that the residents and Commission decide the Park should have.

I. Historic Preservation and Best Use of Pier Park

Pier Park is a major destination for both residents and visitors to St. Augustine Beach. It provides beach access, a place for events, such as the weekly farmers' market, music-by-the-sea summer concerts, weddings, and any more special and seasonal events. Some suggestions to improve this Park, preserve the historical civil rights significance and provide additional parking include but are not limited to the following:

1. Relocate the County fire station. The fire station is outdated and St. Johns County has listed its relocation (possibly to the Anastasia Mosquito Control District property) in its five-year capital improvements plan.
2. Create a Civil Rights memorial to commemorate the "Wade Ins" which occurred on the segregated St. Augustine Beach during the summer of 1964.
3. Investigate the possibility of renovation of the second floor of the old city hall (St. Augustine Beach Hotel and Beachfront) and further preservation. Working with the St. Johns Cultural Council explore available grants to preserve the property, improve its economic usefulness and highlight its historical significance. Anticipate and prepare for Cultural Council lease expiration in 2026.

4. Investigate and discuss possible other uses of the property in a public forum, such as a community center on A1A Beach Boulevard, a raised boardwalk or raise retail buildings with parking underneath and/or storage for the St. Augustine Beach Police Department, County Marine Rescue, and vendors.
5. Maintain citizen engagement through current special events at Pier Park and throughout the City, and continually improve communication with residents through the City's Communications and Events Coordinator.

Illustration 6



IX. TIMETABLE FOR DEVELOPMENT AND ADOPTION OF 2023 PLAN

The suggested schedule is:

- a. March 2023: Commission reviews draft of Vision Plan that incorporates changes proposed at the October 5, 2022, workshop with the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee and the comments received since then and decides whether further revisions are needed.
- b. April 2023: Commission reviews latest draft of Plan and forwards it to the Planning Board and SEPAC for review and possible additional changes.
- c. May 2023: Commission reviews proposed changes and schedules community workshop with residents and members of SEPAC and Planning Board to discuss the Plan.
- d. June 2023: Commission holds community workshop.
- e. July 2023: Commission discusses results of the community workshop and directs that changes be made for a final draft of the Vision Plan.
- f. September 2023: Commission adopts the Vision Plan.

MEMORANDUM

Agenda Item # 4

Meeting Date 3-6-23

Date: February 24, 2023
To: Patty Douylliez, Finance Director
From: William Tredik, P.E., Public Works Director
Subject: Budget Resolution 23-05 for Professional Engineering Services to Determine Impervious Surface Areas and Equivalent Residential Units (ERUs) within the City of St. Augustine Beach

BACKGROUND

At their November 14, 2022 regular meeting, the City Commission adopted the non-binding Resolution 22-15 expressing intent to use the uniform method of collection for the stormwater assessment program beginning with FY 23-24 as required by Section 197.3632, Florida Statutes. Resolution 22-15 was forwarded to the County Tax Collector's office as required by Florida Statute to establish a non ad valorem assessment.

At their February 6, 2023 regular meeting, the City Commission passed Ordinance 23-01 on first reading, setting the framework for adoption of a stormwater utility fee in the upcoming budget year. The second reading of Ordinance 23-01 is scheduled for March 6, 2023.

DISCUSSION

The second reading of Ordinance 23-01 is scheduled to be considered in the March 6, 2023 City Commission meeting. In order to impose a stormwater utility fee in Fall 2023, the following steps must be taken in the coming months, including:

- Pass Initial Stormwater Assessment Resolution (June 2023 at the latest)
- Hold Public Hearing (July 2023 at the latest)
- Pass final assessment resolution; enter agreement with Tax Collector (August 2023)

Noticing Required for Public Hearing

To impose a non-ad valorem assessment, the City must comply with Florida Statutes 197.3632, which requires a public hearing with the following noticing requirements:

- At least 20 days prior to the public hearing, the local government shall notice the hearing by first-class United States mail and by publication in a newspaper generally circulated within each county contained in the boundaries of the local government. The notice by mail shall be sent to each person owning property subject to the assessment and shall include the following information:
 - Purpose of the assessment
 - Total amount to be levied against each parcel
 - Unit of measurement to be applied against each parcel
 - Number of such units contained within each parcel
 - Total revenue the local government will collect by the assessment

- Statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title
- Statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.
- At the public hearing, the Commission shall receive written objections and shall hear testimony from all interested persons. The local governing board may adjourn the hearing from time to time. If the local governing board adopts the non-ad valorem assessment roll, it shall specify the unit of measurement for the assessment and the amount of the assessment.

In order to be able to meet the noticing requirements for the public meeting, the City must compile all required information and determine the values for the information required in the notice. These values will be set by the Initial Stormwater Assessment Resolution in the month prior to the Public Hearing.

Work required for Initial Stormwater Assessment Resolution

The following work is required to assemble the required information to meet the public hearing noticing requirements:

1. Development of GIS Impervious Area Features

- Digitize and tabulate all impervious areas on developed parcels within the City using available high-resolution aerial imagery.
- Classify each parcel as either "Residential" or "Non-Residential."
- Export attribute data to a table and calculate the average "Residential" impervious area. This average will be used to develop the square footage of impervious area per Equivalent Residential Unit (ERU).

2. Development of the ERU

- Developed "Residential" properties will be assessed one ERU per dwelling unit.
- ERUs for developed "Non-Residential" parcels will be determined by dividing each parcel's total impervious area by the square footage of impervious area per ERU .

3. Determine of program costs and funding options

- Calculate stormwater program operation and maintenance (O&M) costs associated with staff, equipment, fuel, materials, maintenance contracts, engineering and inspection, etc.
- Estimate Stormwater Capital Improvement (Project) costs associated with design, permitting, construction, project management, etc. using existing 10-year capital improvement plan, stormwater master plan update, vulnerability assessment, etc.
- Develop funding strategy for O&M and Project costs and a planning horizon for the stormwater utility
- Calculate total revenue requirements and develop a financial plan.

4. Prepare a Stormwater Utility Study Report

- Prepare a draft stormwater utility report based upon collected data and analysis.
- The Stormwater Utility Study Report will include recommendations for all information to be included in the Initial Stormwater Assessment Resolution and noticing for the Public Hearing.

5. Develop letters to impacted parcels

- Develop standard letter to residential parcels notifying the City's intent to impose a stormwater utility fee and hold a public hearing. Letters must be mailed at least 20 days in advance of the public hearing. Letter must include the proposed assessment for the residential parcel.
- Develop unique letters to non-residential parcels notifying the City's intent to impose a stormwater utility fee and hold a public hearing. Letters must be mailed at least 20 days in advance of the public hearing. Letter must include the number of ERUs to be imposed on the non-residential parcel and include the calculated total assessment for the parcel.

As described in Item 1 above, determining the impervious surface areas of developed residential and non-residential properties within the City is the first step in developing the stormwater utility fee. The Public Works Director requested that CMT prepare a scope and fee to digitize the impervious surface areas of developed parcels with the City. The attached Amendment No. 40 to the Contract with CMT provides the scope and fee for the requested work. The Public Works Director has reviewed the proposed scope and fee and has determined it to be a reasonable fee for the services to be rendered.

Note, as described above, additional work beyond determining the impervious surface areas will be required to implement a fee. Staff is currently negotiating with CMT to develop scope and fee for the remaining work associated with items 2 through 5 above.

ACTION REQUIRED

Approve Budget Resolution 23-05 Authorizing transfer of \$13,790 into the FY 2023 Budget for Development of GIS Impervious Area Features within the City.

AMENDMENT NO. 40

Engineering Services Stormwater Utility GIS Property Analysis

THIS AMENDMENT is made as of _____, 2023, by and between CITY OF ST. AUGUSTINE BEACH (City) and, CRAWFORD MURPHY & TILLY, ENGINEERS AND CONSULTANTS (formerly known as STONE ENGINEERING GROUP, INC.). This Amendment to the City / CMT Agreement for Professional Engineering Services is in connection with the City's efforts to develop a stormwater utility.

SECTION 1: PROJECT DESCRIPTION

The City of St. Augustine Beach is considering the implementation of a stormwater utility and associated fees for properties within the City's service area. City Public Works staff are analyzing options for billing rate structures based on an Equivalent Residential Unit (ERU) for residential properties and a variable rate structure for non-residential properties based on impervious area. Regardless of the specific rate structure eventually selected by the City, stormwater utilities commonly base rate structures on impervious area per property. The City currently does not possess a record of impervious area per parcel, therefore such a calculation is the initial step in further exploring the implementation of a stormwater utility to fund City stormwater maintenance, planning, and improvement projects.

The proposed project consists of digitizing impervious ESRI polygon features for each parcel using ArcGIS Pro software. During discussions with the City Public Works staff, one suggestion was to calculate and digitize impervious areas for a representative sample of residential units within the City's service area, however, given the small geographic footprint of the City (approximately 2.17 square miles), CMT and the City agreed that digitizing all impervious area within parcels would provide a more accurate and defensible calculation of impervious area within the City's service area. CMT intends to deliver a shapefile containing two classes of impervious area (residential and non-residential), which will be spatially joined to property records obtained from St. Johns County's GIS department. The final shapefile will consist of all data available from the St. Johns County parcel data, as well as a property classification and impervious area, measured in square feet.

SECTION 2: SCOPE OF SERVICES

Our services will be provided in the following Tasks:

Task 1 – Development of GIS Impervious Area Features

- a. Using the most recent publicly available high-resolution aerial imagery obtained from the Florida Department of Transportation (FDOT) (2021), create ESRI polygon features overlaying impervious areas as observed in the aerial imagery. For this task, surface waters such as swimming pools are considered impervious area. Dirt and gravel are considered pervious and are excluded from the impervious area polygons. Areas will be assessed based on available information. In cases where excessive tree cover exists, additional methods such as, but not limited to Google Street View or

other publicly available aerial imagery may be used to confirm approximate limits of impervious areas. Site visits to confirm impervious areas are not included under this Scope of Services.

- b. Classify each impervious area polygon as either "Residential" or "Non-Residential" based on the type of occupancy of the parcel, which may be confirmed by reviewing property records. No exceptions will be made for City, County, or other government-owned properties or other tax-exempt entities. Rights-of-way will be excluded from impervious area polygons.
- c. Join available attribute data to created impervious area polygons using geospatial parcel data downloaded from St. Johns County's GIS Data Depot.
- d. Calculate the impervious area for each parcel in square feet (SF) and record the area as an attribute in the shapefile.
- e. Export attribute data to a table and calculate the average residential impervious area. This calculation may not be the final ERU value but may be used in the development of the ERU in a subsequent project under a separate Scope of Services.

Task 1 Deliverables: one (1) ESRI Shapefile, one (1) Parcel Attribute Table in Excel format.

SECTION 2: PROFESSIONAL FEES

Our fee is outlined below:

Task 1 – Development of GIS Impervious Area Features	\$	13,790
		<hr/>
Total Fee:	\$	13,790

IN WITNESS WHEREOF, the parties have made and executed this Amendment, the day month and year first above written.

CITY OF ST. AUGUSTINE BEACH, FLORIDA

By: _____
Its: City Manager

Crawford Murphy & Tilly, Inc.

By: _____
Its Office Manager: Paul Ina

cc: Contracts File

BUDGET RESOLUTION 23-05

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

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

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

INCREASE: Account 001-4100-541-3400 (Law Enforcement-Other Equipment) in the amount of \$13,790 which will increase the appropriation in this account to \$21,790.

DECREASE: Account 001-381-990 (Transfer from Undesignated/Unreserved Fund Balance) in the amount of \$13,790 which will decrease the appropriation in this account to \$66,379.66.

RESOLVED AND DONE, this 6th day of March 2023 by the City Commission of the City of St Augustine Beach, St. Johns County, Florida.

Mayor – Commissioner

ATTEST:

City Manager

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
MARCH 6, 2023**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-33.

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's January 17, 2023, meeting are attached as pages 34-41. The Board did not meet in February because there were no topics for it to consider.

SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE

Attached as pages 42-54 are the minutes of the Committee's January 10, 2023, meeting. The Board did not meet in February because it lacked a quorum.

POLICE DEPARTMENT

Please see page 55.

FINANCE DEPARTMENT

Please see page 56-578. Pages 57-58 is the report of revenues and expenditures to date from American Rescue Plan Act (ARPA) funds.

PUBLIC WORKS DEPARTMENT

Please see pages 59-62.

CITY MANAGER

1. Complaints

A. Non-Functioning Sidewalk Light

It is over the sidewalk in the 2nd Avenue right-of-way between 7th and 8th streets. It is owned by FP&L. The company has been requested three times to have it repaired.

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, sewer lines and drainage pipes are being installed. At its January 9, 2023, meeting, the Commission

approved a budget resolution to appropriate \$33,000 to provide contract administration services. The project is scheduled to be completed by June 2023.

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. The project was started in early January 2023 but was delayed for several weeks because of a waterline. Construction resumed in February and will be finished by the end of February 2023.

3) A1A Beach Boulevard Crosswalk Improvements

As of the end of February 2022, the County had 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 2022, flashing signals were erected at the 16th and 11th Street crosswalks. According to the County Traffic and Transportation Department, two additional signals will be put up: one in the vicinity of the pier park and one at F Street. No dates have been set as to when these improvements will be done.

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 11, 2022, 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.

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. A Corps of Engineers representative provided an update report at the City Commission's January 9, 2023, meeting. The project will begin in mid-July 2023 and be completed by the end of February 2024.

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 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 and will be delivered in March or April. Work will be completed in May 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 and central trail) has been done. The City will advertise for bids in February with a contract for the Commission to approve at its April 3, 2023, meeting.

The picnic pavilion, children's playscape, signage and secondary trails will be done in the future as funds become available.

Concerning the request from some residents to relocate the Park's beach access: At its December 5th meeting, the City Commission provided topics to City staff that the Commission believes will help it make a decision about relocating the beach access. At its January 9, 2023, meeting, the Commission reviewed information provided by staff and decided that the persons requesting that the access be relocated should form a non-profit entity and make a proposal to the City, which the City Attorney will review. In the meantime, City staff is reviewing the management plans that the City agreed to implement as a condition for receiving two grants from the state.

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

Fiscal Year 2023 began on October 1, 2022 and will end September 30, 2023. January 31, 2023, marked the end of the first four months or one third of FY 23. As of that date, the City had received \$3,209,216 for the General Fund and had spent \$2,778,309. The surplus of revenues over expenditures was \$430,906. As of January 31, 2023, the total provided by property taxes, the City's major source of revenue, was 3,188,693, or 77% of the amount projected to be received from this source for the entire fiscal year. The City will continue to receive money from property taxes in declining amounts until June or July 2023.

C. Alternative Revenue Sources

In response to the City Commission's request that the administration suggest potential sources of revenue to fund City operations, the Public Works Director has 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 decided to hold a public hearing on November 14, 2022, concerning the fee, and at that meeting approved a resolution stating the City's intent to adopt a non-ad valorem assessment for a stormwater fee. The next step will be to adopt a range for the fee. The Public Works Director presented an ordinance to the Commission at its February 6th. The Commission passed the ordinance on first reading. It will have a public hearing and final reading at the Commission's March 6th meeting. If the ordinance is approved, the Commission at a later date will be asked to levy the fee.

4. Miscellaneous

A. Permits for Upcoming Events

In February, the City Manager approved the following permits: a. the Matanzas Riverkeeper/St. Joseph Academy's Beach Cleanup on March 14, 2023; b. the Nease High School Annual Beach Cleanup, April 1st; c. the Easter Sunrise Service on the beach at A Street, April 9th; d. the Easter Sunrise Service on the beach by the County pier on April 9th; e. the Anastasia Baptist Church's Beach Worship service at the pier pavilion on April 30th; f. the Fat Tire Single Fin Surf Contest on April 29th; g. the Sidewalk Walking Event to Honor Veterans and First Responders, May 16th.

Also, the Manager approved a commercial photography permit for a company to work north and south of the County fishing pier on February 8 or 9, 2023.

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 be at the Commission's March regular meeting.

C. Former City Hall

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. She will provide an update report at the Commission's March 6, 2023, meeting.

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
3070	115 D ST	P2100133	SFR-D	2/4/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING
3176	129 14TH ST	P2101217	SFR-D	9/24/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING
3897	15 SABOR DE SAL RD	P2200622	SFR-D	3/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4186	13 13TH LN	P2200376	SFR-D	1/24/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4411	110 RIDGEWAY RD	P2200064	SFR-D	10/18/2021	NEW SINGLE FAMILY RESIDENCE-BUILDING
4634	301 S FOREST DUNE DR	P2201349	SFR-D	8/2/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4665	171 RIDGEWAY RD	P2200670	SFR-D	3/10/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4723	282 RIDGEWAY RD	P2200346	SFR-D	1/3/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4734	23 OCEAN PINES DR	P2200462	SFR-D	1/28/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4828	106 F ST	P2200648	SFR-D	3/31/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
4894	107 E ST	P2201127	SFR-D	6/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5016	103 WHISPERING OAKS CIR	P2200667	SFR-D	3/10/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5018	507 F ST	P2201176	SFR-D	6/15/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5145	1101 LAUGHING GULL LN	P2200769	SFR-D	3/30/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5193	937 DEER HAMMOCK CIR	P2200808	SFR-D	4/6/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5256	109 8TH ST	P2200851	SFR-D	4/19/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5346	5 15TH ST	P2201519	SFR-D	9/1/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5370	9 11TH ST.	P2300307	SFR-D	12/15/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5470	386 OCEAN FOREST DR	P2201087	SFR-D	5/25/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5587	14 6TH ST	P2300483	SFR-D	2/2/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING
5592	110 7TH ST	P2201120	SFR-D	6/1/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5644	399 OCEAN FOREST DR	P2201148	SFR-D	6/16/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5662	129 WHISPERING OAKS CIR	P2201164	SFR-D	7/5/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5666	105 KINGS QUARRY LN	P2201335	SFR-D	7/26/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5724	254 RIDGEWAY RD	P2201288	SFR-D	7/12/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5839	133 ISLAND HAMMOCK WAY	P2201408	SFR-D	8/4/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
5889	2 C ST	P2300588	SFR-D	2/13/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING
6034	618 OLD BEACH RD	P2300195	SFR-D	11/4/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
6076	16 5TH ST	P2300034	SFR-D	10/7/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
6122	884 OCEAN PALM WAY	P2300322	SFR-D	12/13/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
6356	1105 LAUGHING GULL LN	P2300216	SFR-D	11/16/2022	NEW SINGLE FAMILY RESIDENCE-BUILDING
6484	454 OCEAN FOREST DR	P2300371	SFR-D	1/3/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING
6518	509 B ST	P2300369	SFR-D	1/18/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING

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
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
6012	3930 A1A SOUTH UNIT 8	P2201526	COM BUILD OUT	9/2/2022	COMMERCIAL BUILDING ALT.-- TENANT BUILD-OUT--THE ART HOUSE	COM
6065	3920 A1A S UNIT 5/6	P2300180	COM BUILD OUT	11/3/2022	COMMERCIAL BUILDING ALT.-- TENANT BUILD OUT - UNIT 5/6 PAROR DOUGHNUTS	COM
6417	3920 A1A SOUTH UNIT 7	P2300294	COM BUILD OUT	12/6/2022	COMMERCIAL BUILDING ALT.-- UNIT 7 INTERIOR TENANT BUILDOUT FOR AT&T RETAIL STORE	COM
6459	115 SEA GROVE MAIN ST	P2300352	COM BUILD OUT	12/15/2022	COMMERCIAL BUILDING ALT. -- BUILD-OUT	COM
6597	950 A1A BEACH BLVD		COMMERCIAL NEW		NEW COMMERCIAL BUILDING -- NEW PUBLIC RESTROOM - UTILITY	COM

Application Id Range: First to Last

Issue Date Range: First to 02/17/23

Expiration Date Range: First to 09/14/24

Applied For: N Open: Y

Application Date Range: First to 02/17/23

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: First to Last

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 ZONING REPORT

Application Id	Parcel Id	Property Location	Owner Name	Building Code	Activity Type	Inspector	Date	Status
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	10/18/2022	APPROVED
6527	1725610380	224 BIG MAGNOLIA CT	RICHARD J AND CATHERINE M MOLINARO	ZONING	Z-VARIANCE	BONNIE M	1/17/2023	APPROVED
6528	1725610380	224 BIG MAGNOLIA CT	MOLINARO, RICHARD J, CATHERINE M	ZONING	Z-TREE REMOVAL	BONNIE M	1/17/2023	APPROVED
6646	1629640310	1020 SALTWATER CIR	PAYNE, RYAN & MOLLY	ZONING	Z-VARIANCE		3/21/2023	OPEN

Application Id Range: First to Last Range of Building Codes: ZONING to ZONING

Activity Date Range: 10/01/22 to 03/31/23 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last

Included Activity Types: Both

Sent Letter: Y

COSAB FY'23 TREE INSPECTIONS

Application Id	Property Location	Permit No	Work Type	Issue Date	Description
6389	134 13TH ST	P2300244	TREE REMOVAL	11/21/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
6404	6 MICKLER BLVD	P2300233	TREE REMOVAL	11/17/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
6587	202 AZALEA AVE	P2300411	TREE REMOVAL	1/9/2023	RESIDENTIAL-TREE REMOVAL INSPECTION

Application Id Range: First to Last

Issue Date Range: 10/01/22 to 02/17/23

Expiration Date Range: First to 09/14/24

Applied For: N Open: Y

Application Date Range: First to 02/17/23

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 Last

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

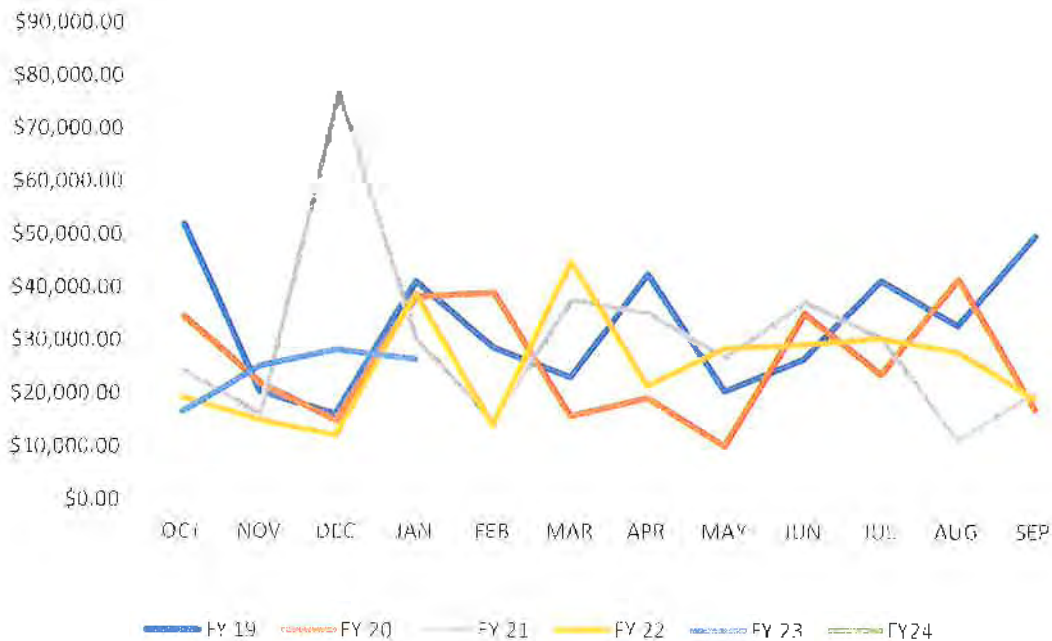


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY24
OCT	\$51,655.01	\$34,277.62	\$24,139.90	\$19,160.96	\$16,521.84	
NOV	\$20,192.42	\$21,844.58	\$15,910.52	\$14,923.51	\$25,004.85	
DEC	\$16,104.22	\$14,818.54	\$76,639.68	\$12,110.85	\$28,106.15	
JAN	\$40,915.31	\$37,993.58	\$30,011.51	\$38,549.15	\$26,335.25	
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	\$95,968.09	\$0.00

BUILDING PERMIT FEE REPORT



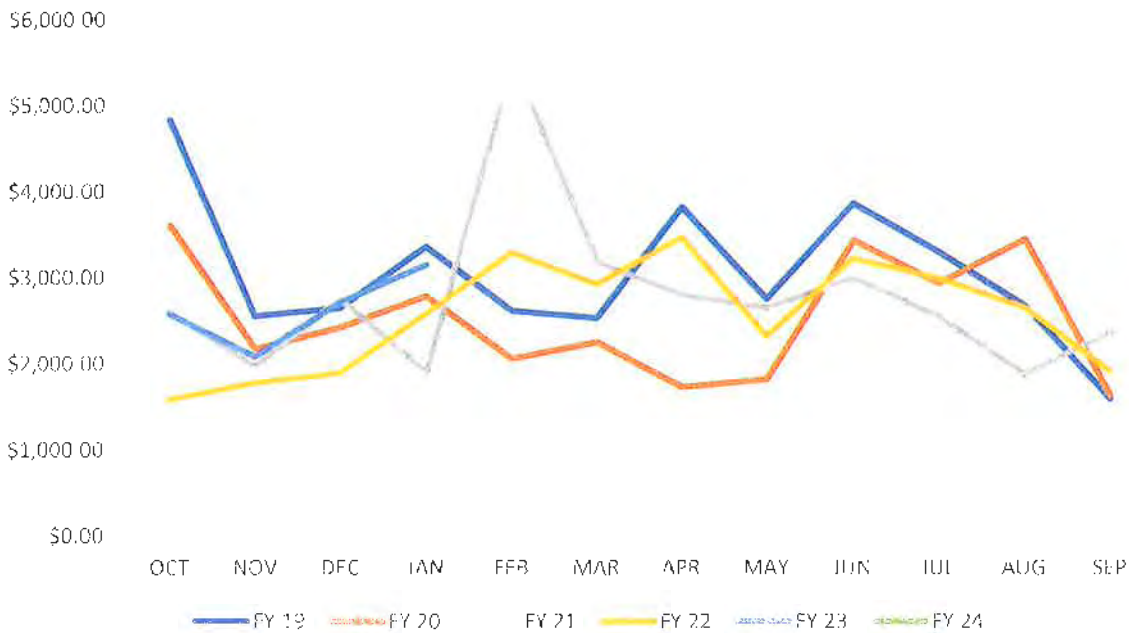


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	\$4,819.09	\$3,593.67	\$2,574.62	\$1,575.00	\$2,565.54	
NOV	\$2,541.44	\$2,160.00	\$1,963.00	\$1,771.00	\$2,073.09	
DEC	\$2,633.64	\$2,409.62	\$2,738.04	\$1,880.00	\$2,693.06	
JAN	\$3,338.69	\$2,768.47	\$1,891.99	\$2,563.12	\$3,133.88	
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	\$10,465.57	\$0.00

MECHANICAL PERMIT FEE REPORT



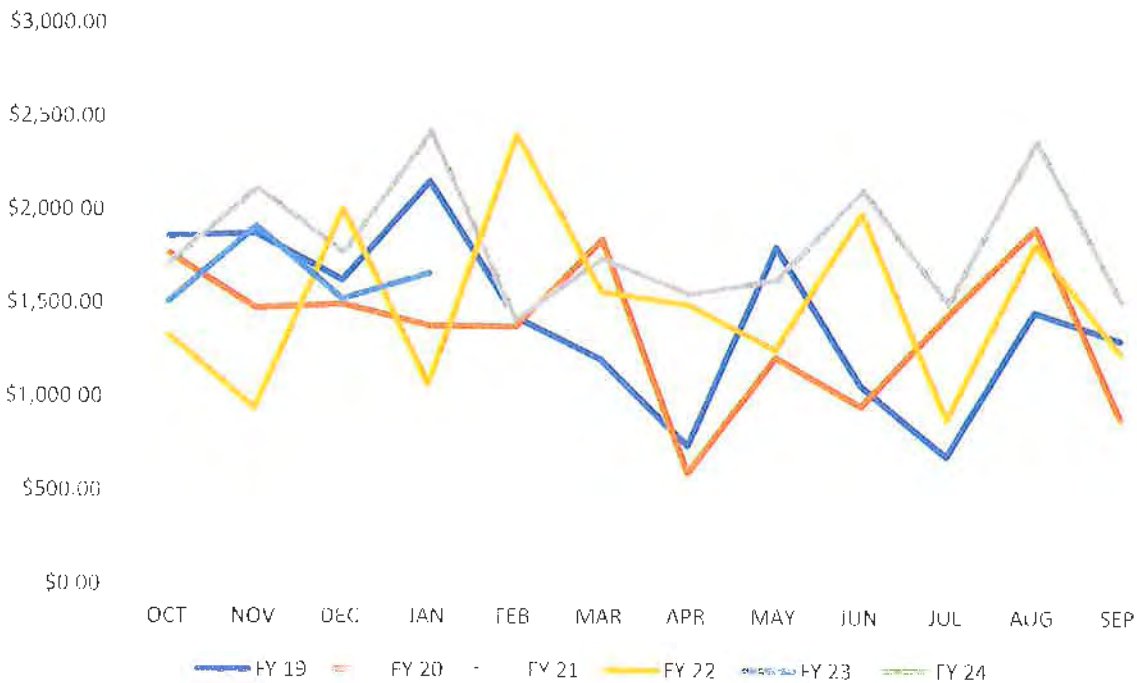


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	\$1,860.32	\$1,765.00	\$1,718.00	\$1,330.00	\$1,510.00	
NOV	\$1,872.66	\$1,475.00	\$2,115.00	\$940.00	\$1,910.00	
DEC	\$1,622.32	\$1,495.00	\$1,770.00	\$2,005.00	\$1,523.00	
JAN	\$2,151.66	\$1,380.00	\$2,418.00	\$1,065.00	\$1,660.00	
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	\$6,603.00	\$0.00

ELECTRICAL PERMIT FEE REPORT



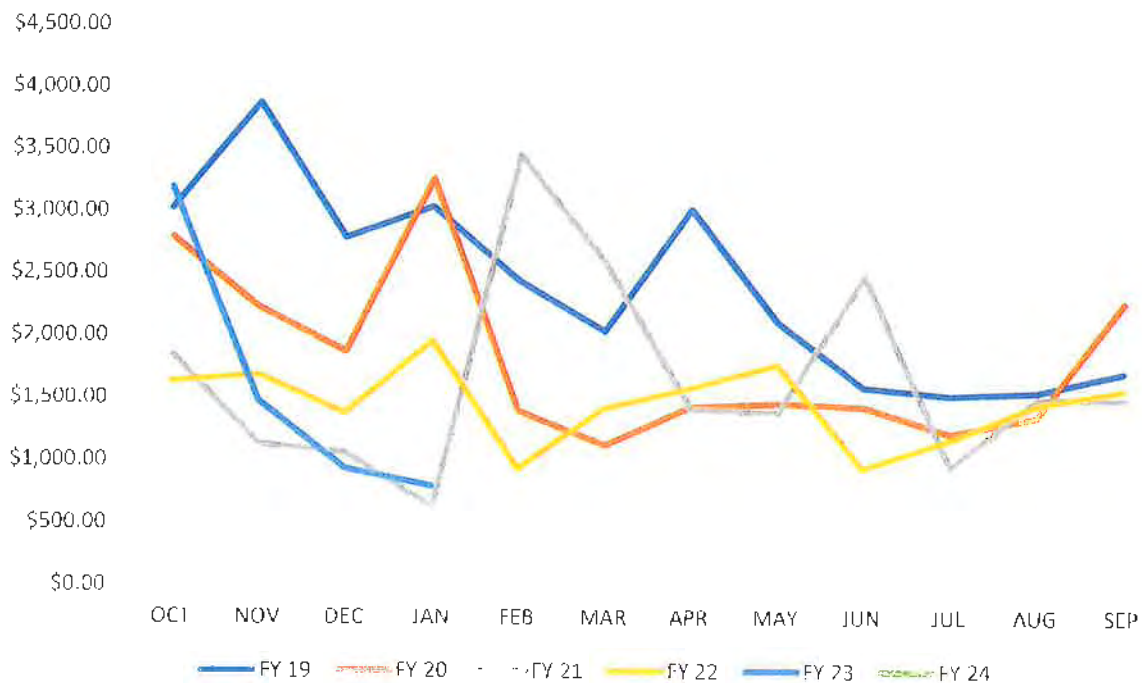


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	\$3,016.37	\$2,786.00	\$1,844.00	\$1,632.00	\$3,188.00	
NOV	\$3,867.41	\$2,221.00	\$1,133.00	\$1,686.00	\$1,476.00	
DEC	\$2,783.10	\$1,869.00	\$1,062.00	\$1,379.00	\$937.00	
JAN	\$3,031.40	\$3,256.00	\$628.00	\$1,957.00	\$795.00	
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	\$6,396.00	\$0.00

PLUMBING PERMIT FEE REPORT



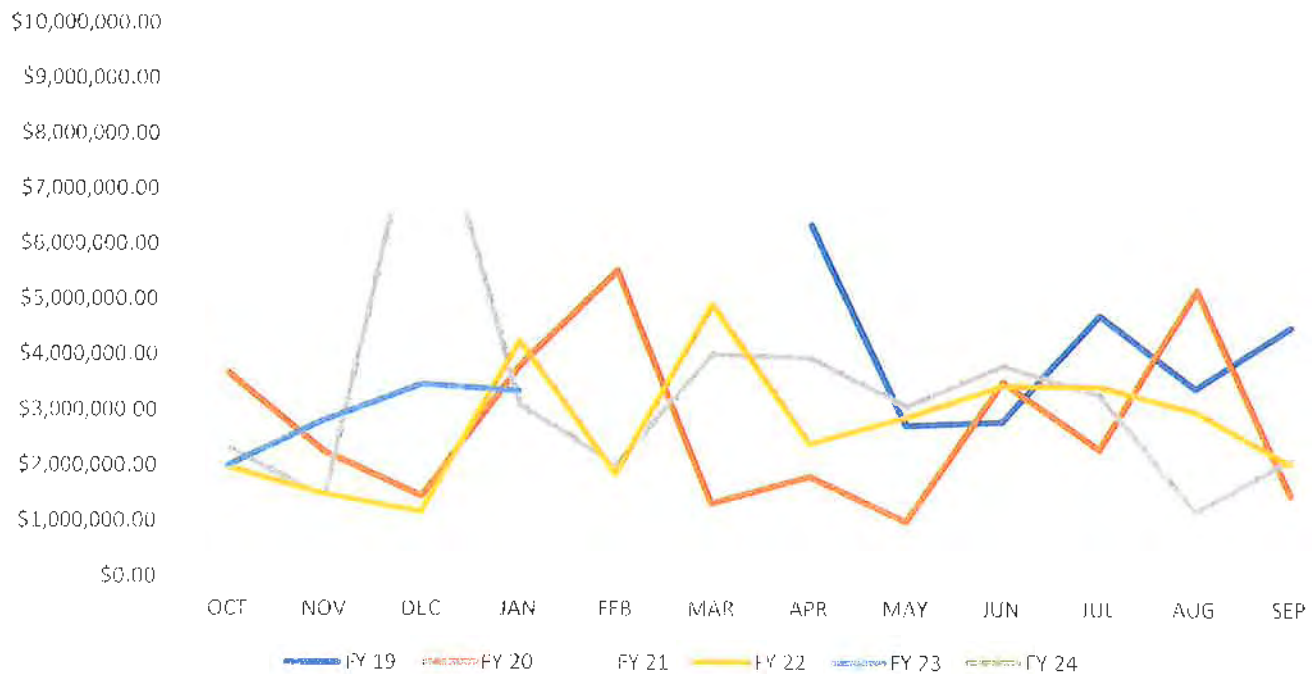


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT		\$3,657,414.56	\$2,313,298.53	\$1,961,462.00	\$1,989,945.24	
NOV		\$2,242,421.52	\$1,440,841.88	\$1,490,891.09	\$2,807,970.23	
DEC		\$1,449,915.40	\$9,160,479.89	\$1,165,362.58	\$3,462,997.96	
JAN		\$3,789,363.81	\$3,088,758.57	\$4,239,155.17	\$3,341,701.62	
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	\$11,602,615.05	\$0.00

ALTERATION COST



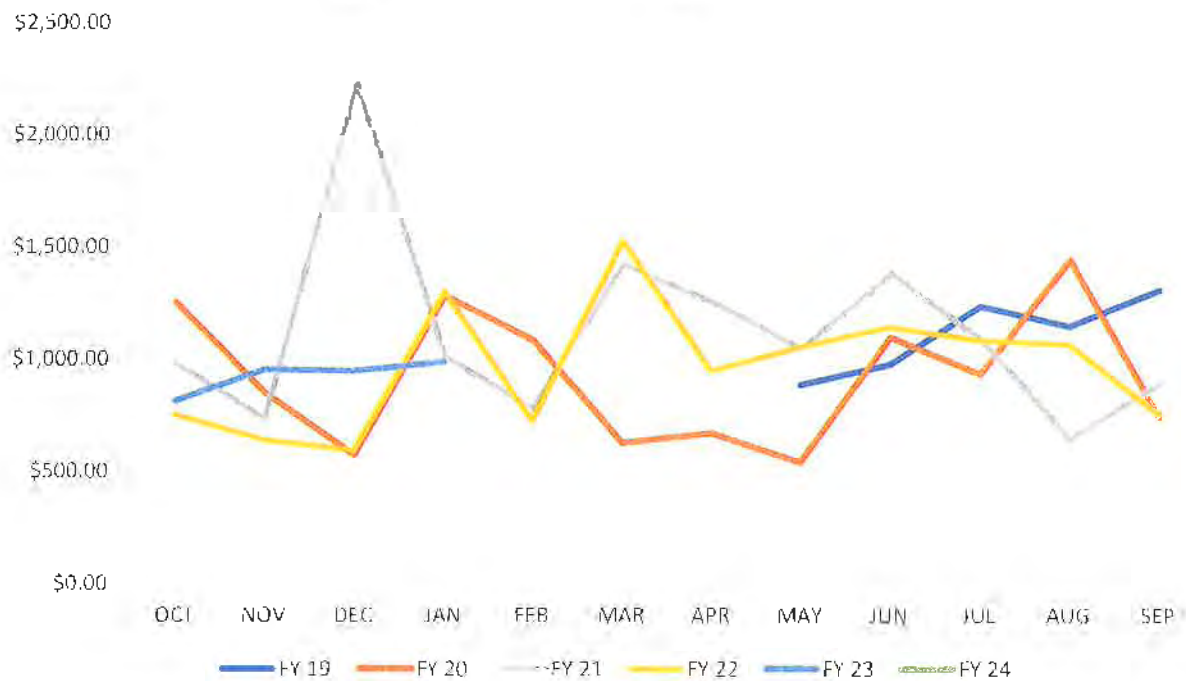


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT		\$1,247.45	\$973.01	\$747.36	\$808.73	
NOV		\$845.65	\$729.40	\$635.64	\$947.61	
DEC		\$569.37	\$2,225.95	\$589.14	\$941.33	
JAN		\$1,277.63	\$1,006.45	\$1,293.24	\$983.02	
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	\$3,680.69	\$0.00

STATE SURCHARGE PERMIT FEE REPORT



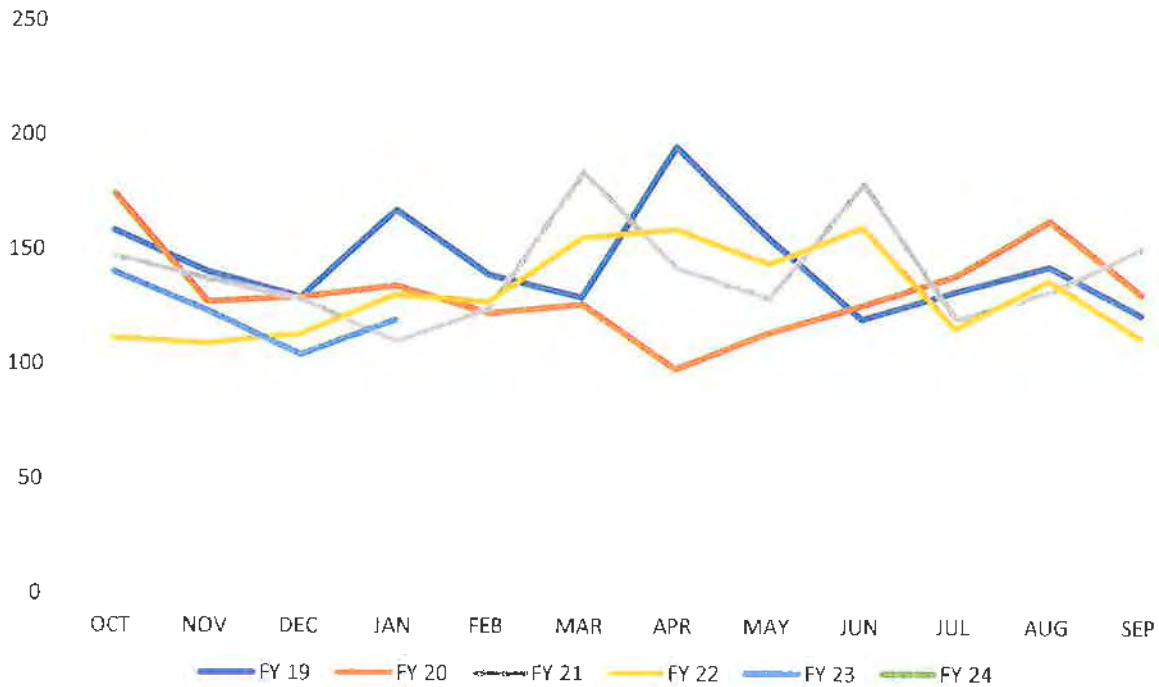


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

NUMBER OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	158	174	147	111	140	
NOV	140	127	137	109	123	
DEC	129	129	128	113	104	
JAN	167	134	110	130	119	
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	486	0

NUMBER OF PERMITS ISSUED



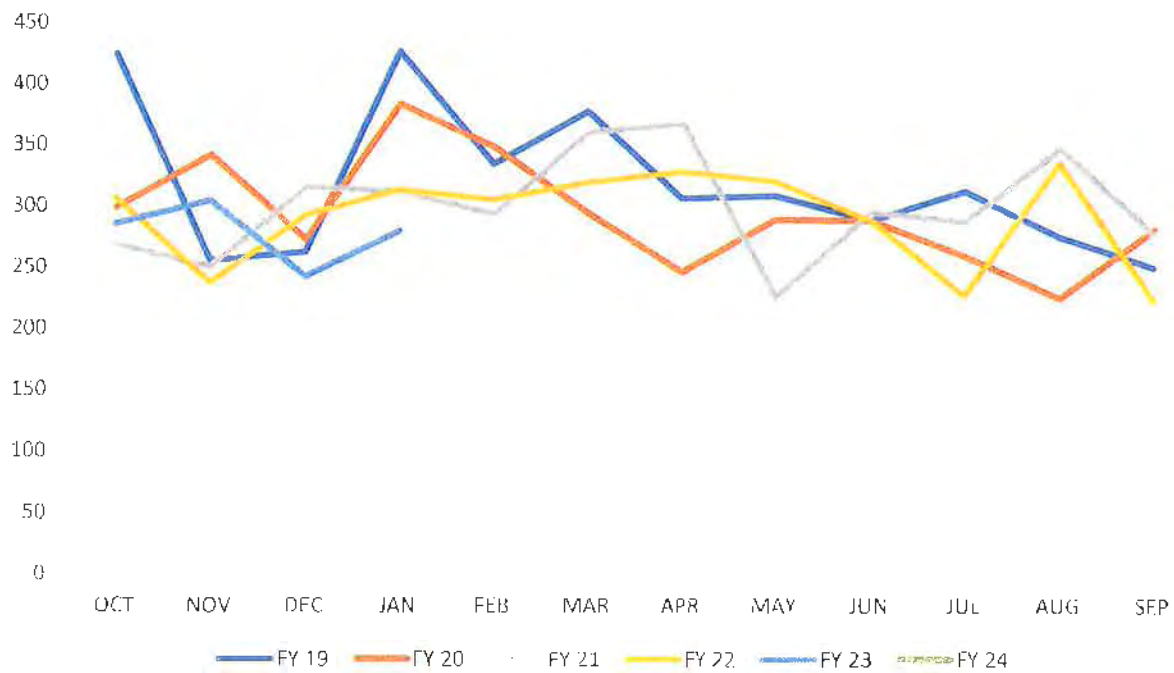


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

NUMBER OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22	FY 23	FY 24
OCT	424	298	268	306	285	
NOV	255	341	250	237	304	
DEC	262	272	315	292	242	
JAN	426	383	311	313	279	
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	1110	0

NUMBER OF INSPECTIONS PERFORMED



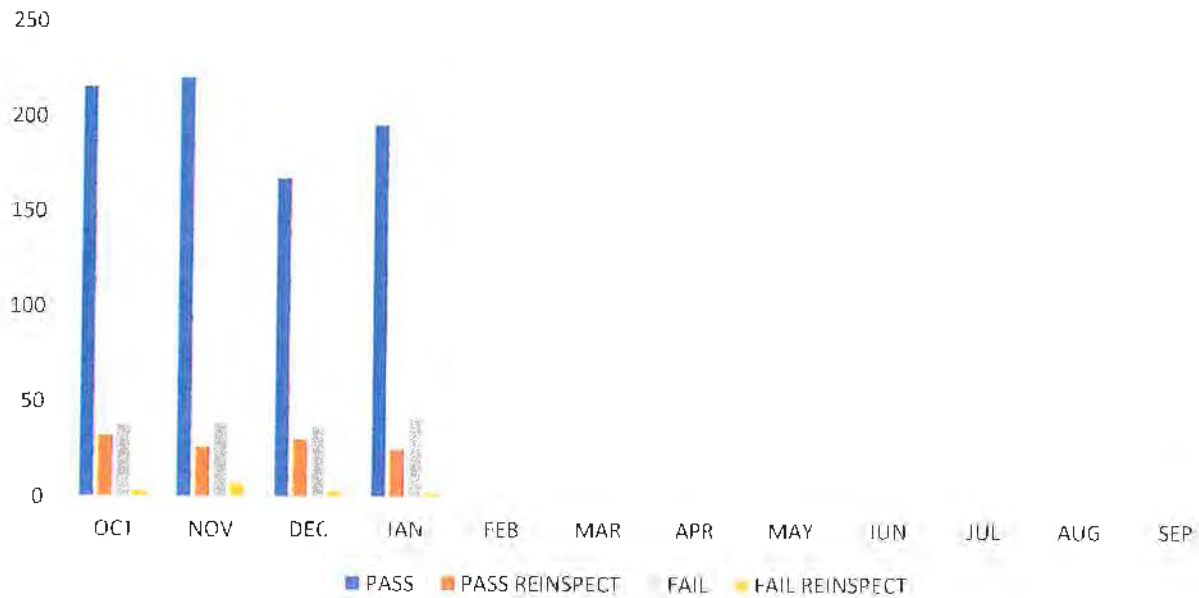


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 23 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	215	32	38	3
NOV	220	26	39	7
DEC	167	30	37	3
JAN	195	25	42	2
FEB				
MAR				
APR				
MAY				
JUN				
JUL				
AUG				
SEP				
TOTAL	797	113	156	15

FY 23 INSPECTION RESULTS



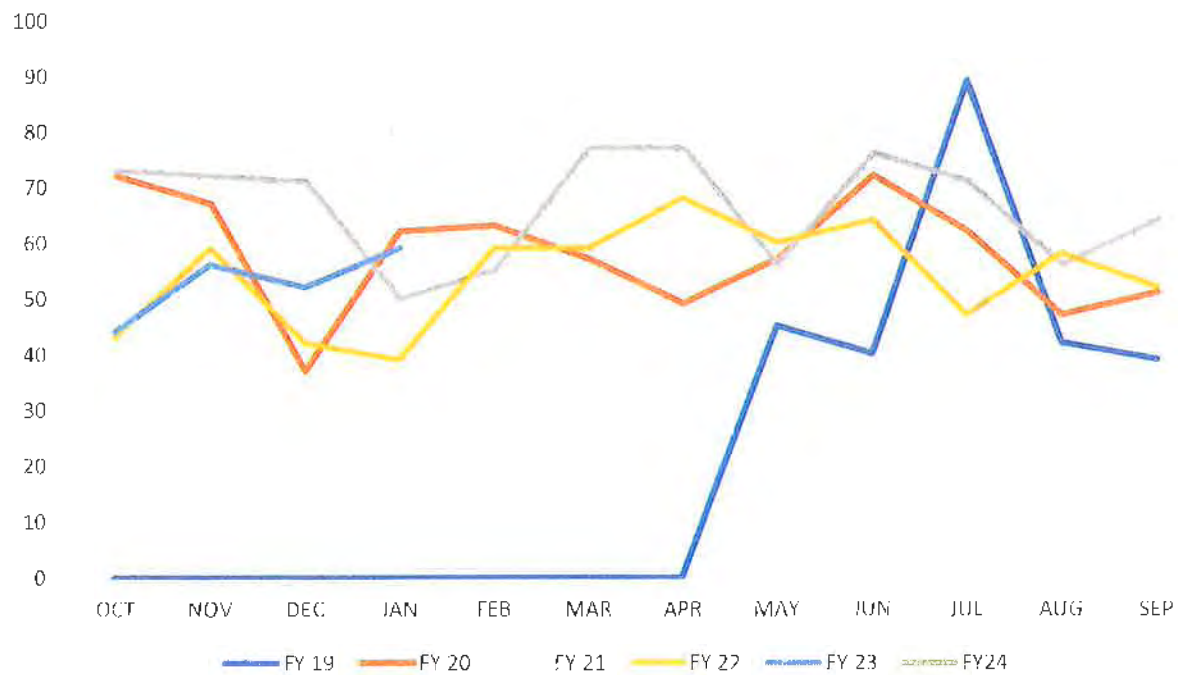


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

OF PLAN REVIEW ACTIVITIES PERFORMED BY THE BUILDING DEPARTMENT

	FY 19	FY 20	FY 21	FY 22	FY 23	FY24
OCT	0	72	73	43	44	
NOV	0	67	72	59	56	
DEC	0	37	71	42	52	
JAN	0	62	50	39	59	
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	211	0

OF PLAN REVIEW ACTIVITIES



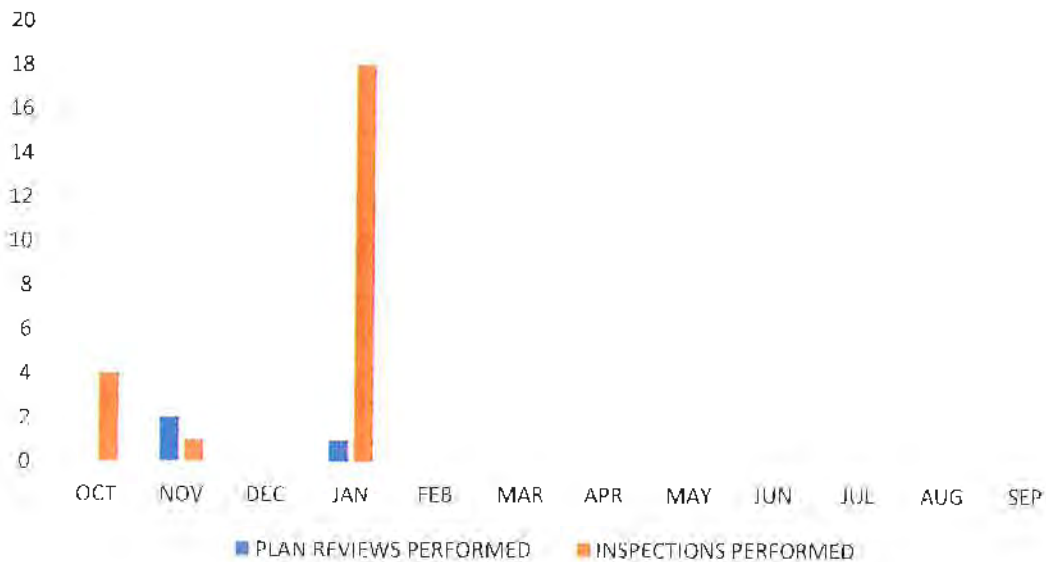


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

PRIVATE PROVIDER PLAN REVIEW AND INSEPECTIONS PERFORMED IN FY 23

	PLAN REVIEWS PERFORMED	INSECTIONS PERFORMED
OCT	0	4
NOV	2	1
DEC	0	0
JAN	1	18
FEB		
MAR		
APR		
MAY		
JUN		
JUL		
AUG		
SEP		
TOTAL	3	23

PRIVATE PROVIDER PLAN REVIEW AND INSPECTIONS FY23



Range: First to Last
Violation Date Range: 10/01/22 to 02/17/23
Ordinance Id Range: First to Last

Use Type Range: First to Last
User Code Range: First to Last

Open: Y
Completed: Y
Void: N
Pending: Y

Customer Range: First to Last

Inc Violations With Waived Fines: Yes

Violation Id: V2300001 Prop Loc: 3930 A1A SOUTH
Viol Date: 12/05/22 Status: Completed Status Date: 01/19/23 Comp Name:
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: work without permits, Also covered up work before inspection.

Created	Modified	Note
01/19/23	01/19/23	Permits issued and work has recommenced
12/05/22	12/05/22	Building official Brian Law noticed upon inspection that work had been done without issuance of permit. The work in question was attempted to be covered up before inspection. -Stop Work Order posted. -

Violation Id: V2300002 Prop Loc: 15 B ST
Viol Date: 01/05/23 Status: Completed Status Date: 01/06/23 Comp Name: joanne carlson
Comp Phone: Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Debris and rubbish in front yard.
(paint cans, water heater, fencing)

Created	Modified	Note
01/05/23	01/05/23	Mr. Timmons and Mr. Ferris made contact with the tenant on the bottom floor of 15 B St. The tenant put code enforcement in contact with the landlord via cellphone. The owner stated that the debris will be removed in two weeks (1/19/23). Code Enforcement will return to verify.
01/06/23	01/06/23	Owner made contact with code enforcement to state that he had cleaned all the debris off his property.

Violation Id: V2300003 Prop Loc: 1 13TH ST
Viol Date: 01/09/23 Status: Completed Status Date: 02/02/23
Comp Name: Michael Longstreet Comp Phone: Comp Email:

Ordinance Id	Description
CC 18-7	Sec. 18-7. - Construction within rights-of-way.

Description: Complaint of a white picket fence constructed within the right of way

Created	Modified	Note
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02/02/23	02/02/23	Fence has been removed from the right of way.
01/26/23	01/26/23	Certified letter sent to owners of the property as a "official notice" to meet compliance.
01/25/23	01/25/23	Owners were emailed about the fence still in non compliance. Additionally, an email advising owners that a certified letter would be mailed out tomorrow giving the owners one week to remove the fence out of the right away. A short time later Code Enforcement received a phone call from Gary, one of the owners father that the fence would be removed out of the right of way by next week.
01/25/23	01/25/23	The fence has not been relocated back to the property of the owner and remains in the right of way. Contact was made with Public works inquiring if the owner has made any contact in reference to what can be placed in the right of away. Public works, Russell Adams informed Code Enforcement he has had no contact or communication in regards to this matter.
01/19/23	01/19/23	Owner has agreed to relocate fence to his property or remove completely within 2 weeks.

Violation Id: V2300004	Prop Loc: 331 A1A BEACH BLVD		
Viol Date: 01/12/23	Status: Completed	Status Date: 02/15/23	Comp Name:
Comp Phone:	Comp Email:		

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Foundation for business sign poured without any permit. Stop work order posted at work site.

Created	Modified	Note
02/15/23	02/15/23	Concrete has been removed; case is closed.
01/20/23	01/20/23	Jessica Long EMAIL: regencyinnprojects@gmail.com
01/20/23	01/20/23	01/20/23 Email recieved from Jessica Long with Regency requesting how to move forward with removal of concrete slab and obtaining appropriate permits to proceede. Code Enforcement Officer Gil Timmons responded back via email informing concrete slab for unpermitted sign can be removed without a permit, and information on obtaining other permits can be addressed through the City of St. Augustine Beach's Permit Tech, Joseph Fowler.
01/20/23	01/20/23	01/19//23 Received a voice mail from Jessica with the Regency asking to speak with Gil Timmons of Code Enforcement with no other details. Code Enforcement Officer Gil Timmons returned the call with no contact and left a message on Jessica's voice1 mail advising he was attempting to return her call and for her to call back.
01/12/23	01/12/23	On 01/12/2023, Building Official Brian Law observed workers at 331 A1A Beach Blvd. pouring a concrete footer for a business sign. Code Enforcment was notified and found that no permit for this work was obtained. A stop work order was posted by Code Enforcement at the jobsite, and contact was made with an employee of the business. The employee advised she would get in touch with the owner to inform him. A short time later, the owner/representative of the business arrived at the Building Department to inquire on what was needed to continue with the work.

Danny,

Phone: 904-347-1525

Email: DANNYBH@GMAIL.COM

Additional Information:

Axesigns

16921 Via de Santa Fe
Suite C Rancho Santa Fe, Ca 92067

858-699-7011 - Vaz (president)
johnathon@axesigns.com - (727)510-7031

Florida Reps:
joe@axesigns.com - (561)603-1376
christine@axesigns.com - (407)709-8337

Violation Id: V2300005 Prop Loc: 212 3RD ST
Viol Date: 01/17/23 Status: Completed Status Date: 01/19/23 Comp Name: Beach PD
Comp Phone: Comp Email:

Ordinance Id	Description
CC 19-37	Sec. 19-37. - Prohibiting the parking of tractor trailers, other large trucks and recreational vehicles on or within the right-of-way of city streets and within residentially zoned areas.

Description: Recieved a complaint from the St. Augustine Beach Police Department in reference to someone living in an RV in the right of way on 3rd Street.

Created	Modified	Note
01/19/23	01/19/23	Code Enforcement followed up this and the RV is now out of the right way and in the drive way.
01/17/23	01/17/23	A complaint from the St. Augustine Beach Police Department was recieved on 01/17/23 in reference to someone living in an RV at the end of 3rd Street. Code Enforcement checked out the complaint and area and did find a an RV at the west end of 3rd street parked in the right of way. Upon knocking on the RV door, Code Enforcement observed a warning from the St. Augustine Beach Police Department wedged in the door of the RV. Code Enforcement then made contact with the resident of 212 3rd Street who advised this was their RV that had been parked at the end of the street while work was being performed on the RV. The resident informed Code Enforcement they would have the RV moved back to their driveway by tomorrow.

violation Id: v2300006 Prop Loc: 114 C ST
Viol Date: 01/18/23 Status: Open Comp Name: Craig Thomson Comp Phone:
Comp Email: craigthomsonaa@mac.com

Ordinance Id	Description
CC 18-7	Sec. 18-7. - Construction within rights-of-way.

Description: Recieved a complaint about a driveway width exceeding 18 feet.

Created	Modified	Note
02/09/23	02/09/23	Certified letter sent to owner of property to remove pavers in rights-of-way by 03/23/2023 or obtain a rights-of-way permit from Public works by 03/23/2023.

01/18/23 01/18/23 Code Enforcement received a complaint in reference to a driveway on 114 C Street in regards to the width of the driveway. Upon inspection of the driveway Code Enforcement found no permit was obtained for the driveway. The width of the driveway is in question due to no permit being pulled or the approval of Public Work. A door knock requesting contact with Code Enforcement was placed on the front door of the residence.

Violation Id: V2300007 Prop Loc: 16 EWING ST
Viol Date: 01/18/23 Status: Completed Status Date: 02/09/23 Comp Name: Kayla Polk
Comp Phone: (813)394-8562 Comp Email: kaylapolk10@gmail.com

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.

Description: Complaint recieved about a possible illegal vacation rental.

Created	Modified	Note
02/09/23	02/09/23	Owner has complied with obtaining all necessary permits, inspections, and license. Case closed out.
01/23/23	01/23/23	Received confirmation of certified letter sent to Ms. Maza.
01/19/23	01/19/23	Contact with the property managment group (Lipsy Maza). Contact information: e-mail: Lipsydm@gmail.com Phone: +1(305)992-6699. Paperwork for short-term rental has been e-mailed. MS. Maza has been made aware of required parameters concerning the airBnB listing.
01/18/23	01/18/23	Complaint was received regarding Code Enforcement to look into an illegal transient rental at 16 Ewing Street. Upon arrival Code Enforcement spoke to the tenants who advised they were renting the residence for thirty-plus days. A search for a transient rental/short term rental permit showed no results. Further investigation found the air bnb listing as seen in attachments. Certified letter of cease and desist was sent out 01/18/23.

Violation Id: V2300008 Prop Loc: 378 ALA BEACH BLVD
Viol Date: 01/18/23 Status: Open Comp Name:
Comp Email: Comp Phone:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Vending machine with no permits or site plans.

Created	Modified	Note
02/17/23	02/17/23	Owner came into the Building Department to obtain information on getting proper permits to move ice vending machine. Spoke with Code Enforcment and Permit Tech.
02/07/23	02/07/23	Certified letter sent instructing owner to remove ice maker or relocate with proper permits.
01/19/23	01/19/23	Code Enforcement spoke to the person responsible for the ice vending unit. Email: blsutch831@gmail.com Phone: +1(516)650-4376. Information has been passed to the building department to insure unit is brought into compliance.

01/18/23 01/18/23 Code Enforcement received information from the Building Official on 01/18/23 in reference to an ice maker/vending machine installed in the parking lot of Rita's Ice/Antonio's Pizza. Code Enforcement went to the location and found the ice maker/vending machine in the south west corner of the business parking lot. The ice maker/vending machine is on a poured concrete slab with electric and water installed to the machine. An Employee at the counter of Antonio's Pizza informed Code Enforcement that the owner of the property had the ice maker/vending machine installed. A search of permits revealed a Business Tax Receipt was issued for the machine; however, no other permits were issued for the electric, water or site plan.

Violation Id: V2300009 Prop Loc: 430 ALA BEACH BLVD
Viol Date: 01/24/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Sign is over twelve feet in height which is not compliant with city code. (Hampton Inn)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/24/23 01/24/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is not in compliance with the city code of St. Augustine Beach. Compliance must be met by 08/01/23.

violation Id: V2300010 Prop Loc: 331 ALA BEACH BLVD
Viol Date: 01/24/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not compliance with code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/24/23 01/24/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage.

Business sign on property is not in compliance with the city of code of St. Augustine Beach and must be in compliance by 08/01/23.

Violation Id: V2300011 Prop Loc: 461 A1A BEACH BLVD
Viol Date: 01/24/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is not in compliance with code. (Mayday)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/24/23	01/24/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign has until 08/01/23 to be compliance with code.

Violation Id: V2300012 Prop Loc: 860 A1A BEACH BLVD
Viol Date: 01/25/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Pool resurfacing with out permit.

Created	Modified	Note
01/27/23	01/27/23	Building Permit/Clearance Sheet Application received for review.
01/25/23	01/25/23	Code Enforcement was notified by the Building Official of the possibility of the pool at Guy Harvey Resort being resurfaced without a permit. Code Enforcement made contact with a worker who put him in touch with his foreman via phone. Jose, the foreman advised Code Enforcement that the owner of the resurfacing/paver company was aware of getting the proper permits. Jose provided the following email to make contact with his boss. (mgarcia@vermon.com)

Violation Id: V2300013 Prop Loc: 18 A ST
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Pit Surf Shop/Stir It Up: Business signs not in compliance.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1, 2023.

Violation Id: v2300014 Prop Loc: 15 1ST ST
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. This is Anastasia Vet.

Created	Modified	Note
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1, 2023.

Violation Id: v2300015 Prop Loc: 741 AIA BEACH BLVD
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Sunshine Realty)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and

twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300016 Prop Loc: 770 A1A BEACH BLVD
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Tasa)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300017 Prop Loc: 541 A1A BEACH BLVD
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Best Western)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: V2300018 Prop Loc: 770 A1A BEACH BLVD
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance with city code. (Sea Forest Design)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: V2300019 Prop Loc: 818 A1A BEACH BLVD
Viol Date: 01/26/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign not in compliance. (Fiesta Falls)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/26/23	01/26/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: V2300020 Prop Loc: 1097 A1A BEACH BLVD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign for community shopping center does not comply with city code. (Anastasia Plaza)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be meet compliance with city code prior to or by August 1st, 2023.

Violation Id: V2300021 Prop Loc: 1115 A1A BEACH BLVD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Circle K business sign is not in compliance with city code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

Violation Id: V2300022 Prop Loc: 1115 A1A BEACH BLVD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign for Dunkin Donuts does not meet compliance with city code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign for Dunkin Donuts is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

Violation Id: V2300023 Prop Loc: 3955 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is over twelve feet in height which is out of compliance with city code.
(Americas Best Value Inn)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet city code prior to or by August 1st, 2023.

Violation Id: V2300024 Prop Loc: 4001 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign over twelve feet in height which is out of compliance with city code.
(Island Prep School)

Created	Modified	Note
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with

Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height which is out of compliance and must be brought into compliance prior to or by August 1st, 2023.

Violation Id: V2300025 Prop Loc: 4100 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is over twelve feet in height which is out of compliance with city code. (Sandpiper Plaza)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance with city code prior to or by August 1st, 2023.
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Violation Id: V2300026 Prop Loc: 3970 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is over twelve feet in height which is out of compliance with city code.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage,
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electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

Violation Id: V2300027 Prop Loc: 3942 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign/s for this property 3942-3950 are over twelve feet in height. (Coastal Rental Property)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign/s for Coastal Rental Property, 3942-3950 A1A S are over twelve feet in height. Compliance must be met prior to or by August 1st, 2023.

Violation Id: V2300028 Prop Loc: 3175 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Watson Realty business sign is over twelve feet in height and must be brought into city code compliance prior to or by August 1st, 2023.

Violation Id: V2300029 Prop Loc: 2060 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet city code prior to or by August 1st, 2023.

Violation Id: V2300030 Prop Loc: 2010 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: 711 Store sign is over twelve feet in height.

Created	Modified	Note
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must meet compliance prior to or by August 1st, 2023.

Violation Id: V2300031 Prop Loc: 2040 A1A S
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Wendy's business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign must be brought into compliance prior to or by August 1st, 2023.

Violation Id: V2300032 Prop Loc: 421 A1A BEACH BLVD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Sunset Grille business sign over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet and will need to meet compliance prior to or by August 1st, 2023.

Violation Id: V2300033 Prop Loc: 4000 A1A SOUTH
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Oasis Restaurant business sign for parking lot is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/27/23 01/27/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign in parking lot is over twelve feet in height and must meet city code compliance prior to or by August 1st, 2023.

Violation Id: V2300034 Prop Loc: 590 A1A BEACH BLVD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Obies Filling Station business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/27/23 01/27/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300035 Prop Loc: 1005 POPE RD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Andy's Taylor Rental business sign is over twelve feet in height.

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.

01/27/23 01/27/23 Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications

equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and must be in compliance prior to or by August 1st, 2023.

Violation Id: V2300036 Prop Loc: 303 A1A BEACH BLVD
Viol Date: 01/27/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.

Description: Business sign is over twelve feet in height. (Little Margies Cafe)

Created	Modified	Note
02/02/23	02/02/23	Letter for business sign compliance hand delivered to business on 02/01/23 along with a letter mailed to business owner today.
01/27/23	01/27/23	Signs Must Maintain Clearance from Utilities and Shall Not Interfere with Surface and Underground Water or with Drainage. Signs shall maintain a minimum distance of six (6) feet horizontal clearance and twelve (12) feet overhead clearance from electrical conductors and from all communications equipment or lines. Signs and their supporting structures shall maintain clearance from and noninterference with all surface and underground facilities and conduits for water, sewage, electricity, or communications equipment or lines. Sign placement shall not interfere with surface or underground water or with natural or artificial drainage. Business sign is over twelve feet in height and will need to meet compliance prior to or by August 1st, 2023.

Violation Id: V2300037 Prop Loc: 677 OCEAN PALM WAY
Viol Date: 01/27/23 Status: Completed Status Date: 02/01/23
Comp Name: Marshall Shenieder Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Footer poured without permits.

Created	Modified	Note
02/01/23	02/01/23	Wall is completed and is under six foot in height which will not require a permit.
01/31/23	01/31/23	Complaint investigated and found there was a masonry wall on the back side of the property by the shared driveway which appeared to be new and not completed. A contractor was on site installing some cabinets and informed Code Enforcement the owner was not present, but he would inform the owner to make contact with the Building Department to obtain a permit. The contractor further explained the wall was new.
01/27/23	01/30/23	Received verbal complaint from Code Board Member Marshal Shneider in reference to a footer being poured without permits at 677 Ocean Palm Way. Electrical permit is the only active permit at this time. Inspection scheduled for Monday morning to investigate complaint.

Violation Id: V2300038 Prop Loc: 119 13TH ST
Viol Date: 02/06/23 Status: Open Comp Name: George Cole Comp Phone:
Comp Email:

Ordinance Id	Description
6.07.06	Sec. 6.07.06. - Care of premises.

Description: Care of premises.

Created	Modified	Note
02/06/23	02/06/23	The front yard of this property has two vehicles without license plates with one vehicle having some small kitchen appliances laying behind the vehicle. From the street, a van can be seen on the side of the house that appears to have not moved in a long time with rubbish on both sides of the van. A door hanger with the code violation and contact information was placed on the front door with a compliance date of 02/28/23.

Violation Id: V2300039 Prop Loc: 807 MICKLER BLVD
Viol Date: 02/09/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Masonry wall ovr 6' without permits.

Created	Modified	Note
02/14/23	02/14/23	Owner came by the Building Department to discuss what he needed to do to be in compliance. Owner was informed to obtain the proper permit/s and follow through. This took place on 02/13/2023.
02/09/23	02/09/23	Certified letter sent to owner to obtain proper permit/s by 03/01/2023 or removal of masonry fence by 03/01/2023.
02/09/23	02/09/23	Masonry fence constructed over 6' without obtain permit/s.

Violation Id: V2300040 Prop Loc: 351 A1A BEACH BLVD
Viol Date: 02/17/23 Status: Open Comp Name: St. Augustine Beach PD
Comp Phone: Comp Email:

Ordinance Id	Description
CC 13-4	Sleeping in Public Places or Vehicles Prohibited

Description: Employee of Circle K living in vehicle on back side of store.

Created	Modified	Note
02/17/23	02/17/23	Recieved an email and pictures from St. Augustine Beach Police Department in reference to an employee of the Circle K Store living in a vehicle on the back side of the store.



MINUTES

PLANNING AND ZONING BOARD REGULAR MONTHLY MEETING

TUESDAY, JANUARY 17, 2023, 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FL 32080

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Vice Chairperson Chris Pranis, Hulsey Bray, Conner Dowling, Larry Einheuser, Hester Longstreet, Victor Sarris, Senior Alternate Gary Smith.

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: Building Official Brian Law, City Attorney Jacob McCrea, Planner Jennifer Thompson, Recording Secretary Bonnie Miller.

IV. APPROVAL OF MINUTES OF REGULAR PLANNING AND ZONING BOARD MEETING OF OCTOBER 18, 2022

Motion: to approve the minutes of the October 18, 2022 meeting. **Moved** by Mr. Dowling, **seconded** by Mr. Bray, **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. Election of chairperson and vice-chairperson of the Board, per Section 11.02.02.H of the City's Land Development Regulations, the election of officers consisting of a chairperson and vice-chairperson shall take place every year as the first order of business at the regularly scheduled meeting for the month of January

Motion: to re-elect Chairperson Kevin Kincaid for the next one-year term. **Moved** by Mr. Pranis, **seconded** by Mr. Dowling, **passed 7-0** by the Board by unanimous voice-vote, with no other nominations made for chairperson.

Motion: to re-elect Vice-Chairperson Chris Pranis for the next one-year term. **Moved by** Mr. Kincaid, **seconded** by Mr. Einheuser, **passed 7-0** by unanimous voice-vote, with no other nominations made for vice-chairperson.

- B. Land Use Variance File No. VAR 2023-01, for reduction of the minimum 25-foot front yard setback requirement to 17 feet for proposed new construction of a single-family residence in a low-density residential land use district on Lot 38, Whispering Oaks Subdivision, Phase 2, at 224 Big Magnolia Court, Cora M. Johnston, Agent for Richard and Catherine Molinaro, Applicants

Jennifer Thompson: The next two agenda items are for the same property, so I will present them together, however, the Board will have to vote on them separately. This first item is for a variance for a reduction of the minimum 25-foot front yard setback requirement to 17 feet, for new construction of a single-family residence at 224 Big Magnolia Court. This is due to the topographical issue of a body of water in the back yard of the property. Cora M. Johnston is the agent for the property owners, Richard and Catherine Molinaro. The next agenda item is a tree removal application for removal of a 42-inch diameter-at-breast-height (DBH) oak tree in the building footprint of the home.

Cora Johnston, Generation Homes LLC, 5860 US Highway 1 North, St. Augustine, Florida, 32095, Agent for Applicants: The Molinaros approached us to help them design and build a house on their lot at 224 Big Magnolia Court in Whispering Oaks Subdivision, which has mostly 100-foot-deep lots. The setback requirements are 25 feet minimum in the front and rear, which leaves a 50-foot-deep building area. They designed a house that is only 39 feet deep, but because of that body of water that is in the back, they are asking to move the house forward 8 feet. I think this is a body of water that has gotten pushed, over the years, more and more onto their lot, as there really is no recorded lake on the lot, nothing that demarks a lake in the back yard. Across from this pond area is a house in Anastasia Dunes Subdivision that has a retaining wall holding back the water and building this house up out of the wet area, so again, I think the natural environment that is there has created more water on this lot, as about 18% of it is water. There is a curve in the road in front of this lot that actually leaves quite a bit of easement area in the front. Looking at the front of the house from the road, the house will appear to be in line with the other houses along it, so because of the way this road was developed, you won't really miss the 8-foot front yard setback reduction that is being requested, at least not visually.

Conner Dowling: Is the retaining wall on the site plan existing at the lake on this lot?

Cora Johnston: No, it is something the property owners will build. Depending on what happens with storms and water, as there is no way to control that, and as far as they know, this lake water doesn't drain anywhere, this will at least give them protection and allow them to build their house up just a little bit higher to make sure water doesn't encroach or flood into their house. The street is at an elevation of 11.77 feet, and the back of this lot is at an elevation of 8.9 feet, so by building the retaining wall, it will allow them to build the house up a little bit, at an elevation of 13.5 feet, about 2 feet above the street. The retaining wall will keep the house up and away from that water in the back.

Hulsey Bray: The retaining wall will not stop water, as it is porous, built of 2'-by-8's or 2'-by-10's. Even if it is built with metal sheet pile, it will still transfer water back and forth. Is the engineering done to see if it is even possible to put in a pool that close to that pond?

Cora Johnston: No, the pool has not been designed yet.

Kevin Kincaid: You've said something to the effect that over time, that pond has encroached further onto the applicants' property, so I am wondering if the design of the retaining wall is to stop that encroachment of the pond into their lot over time.

Cora Johnston: I think it will help a little bit, because if there is water that comes periodically, then it will not erode. There really isn't any visual evidence today of erosion, but the retaining wall could help with that, and it could stabilize the property in front of that retaining wall. Yes, ground water will seep in, but it won't come into the house.

Kevin Kincaid: And is there any danger of that wall pushing water onto other properties or creating other issues?

Brian Law: Anytime you build a vertical structure to hold horizontal movement of a body of water, the water is going to go somewhere, if need be. As Ms. Johnston said, however, this is just an area between two subdivisions, and when subdivisions are developed, sometimes water just inadvertently gets pushed around, until it finds a resting spot after development. This retaining wall would require review by the City's Public Works Department engineers for that reason, so we would farm this out to them.

Hulsey Bray: How high above grade are you talking about doing the retaining wall?

Cora Johnston: I believe we're only talking about 2 feet above grade. Looking at the whole area, there is actually quite a large area of open land for that water to spread out.

Larry Einheuser: if the retaining area is there already, and there are tie-backs, they would be incorporated into the shell of the pool, to hold it.

Brian Law: I would ask that we stick to the topic at hand. No disrespect Mr. Einheuser, but the design of the pool and retaining wall will be done by professionals outside of this Board, so this is something I want to caution the Board from giving advice on.

Conner Dowling: Is there an Architectural Review Board (ARB) process for Whispering Oaks Subdivision, or does this happen after the Board's approval of the variance?

Cora Johnston: This is the one community where the process happens after the City issues a permit. After the property owners have a permit, they will submit the plans to the ARB, but I have already sent it to the primary ARB member, who said she thought it would be approved. I included this email with the variance application submittal.

Victor Sarris: How does this affect the houses and lots to the left and right of this lot?

Cora Johnston: The property on the east side, which is Lot 37, has a house on it, marked on the site plan with a finished elevation of 13.92 feet, so the elevation of the applicants' lot is four-tenths of a foot less, or under, that. Generally, what they will do is stair-step, to make sure they are not dumping water. The currently vacant lot to the left, Lot 39, is very similar to the applicants' lot, but the primary water or pond is on the applicants' lot. You can see from the submitted site plan that there is 25 feet from the applicants' front property line to the curb of the street, whereas in most yards in this subdivision, that easement is 15 feet. From the front property line to the front building wall of the new house, the proposed front setback per the variance request will be 17 feet, but there is that 25 feet of right-of-way easement area in the front of this lot, because of how the road curves, so visually, there will be no impact from this setback reduction.

Victor Sarris: The benefit of moving the house forward is because of the encroachment of this water in the back of the lot.

Hester Longstreet: It shouldn't matter to the house, as the encroachment of this water has no bearing on the house. The future location of the pool is not what we are here to look at, we are looking at a front setback reduction for the house.

Hulsey Bray: Is the reason the variance is requested is to have room in the back for the pool?

Cora Johnston: The variance is requested to move the house farther away from the encroachment of the water in back of the lot. If the house was moved back 8 feet so that it had a 25-foot front setback, it would be in the middle of where the pool is proposed.

Chris Pranis: This brings in the hardship component of the variance. Is the hardship that the lake in the back covers 18% of the lot, or that the applicants need to move the house forward to have a pool? Obviously, not being able to put in a pool is not really a hardship.

Kevin Kincaid: The hardship would be created by the unique topographical attributes of this lot, from what I understand.

Cora Johnston: The pool could actually be moved over to either corner of the lot, so the variance is requested to primarily just keep the house away from the water in the back of the lot and to have at least 12 feet of usable property in the back yard.

Victor Sarris: So, we could somewhat define this hardship as a concern for the water in the back of the lot encroaching onto the home and the loss of 18% of the lot that is not useable due to this water.

Hester Longstreet: But the applicants knew that when they bought the property.

Kevin Kincaid: Yes, but it is a unique attribute to this lot that 18% of its use is lost due to this water. I don't think we should be looking at variances where people want to move the house forward so that they can put a pool in. My point is, I think it is irrelevant

whether the owners want to put a pool in or not, but I do think it is relevant that the use of 18% of this is lost due to this water encroachment in the back. The visual effect that is mitigated by having the large right-of-way easement in the front and the fact that 18% of the use of the lot is lost shows a hardship I can see, so I am inclined to support the variance to move the house forward 8 feet to take up that slack for having that pond in the back.

Victor Sarris: Yes, I think this does sort of give us somewhat of a leg to stand on.

Hester Longstreet: I don't know, I don't see it that way, but that's me. The applicants knew that the lake was there before they bought the property, so if they wanted to build this particular style of house, they could have looked for a different piece of property.

Cora Johnston: They are just building a two-story house that is only 39 feet deep, which is not deep for a house. Yes, they knew the water was back there, absolutely, but I can tell you they absolutely did not know what the buildable area of the lot was. Most people are not aware of that, as most people do not plot a house out in a very heavily treed area and understand what they are buying or what they can build on what they are buying.

Chris Pranis: I think the amount of easement on the corner in front of the lot helps benefit the property owners, with the visual distance from the road to where they want to move the house forward 8 feet, so I am okay with that, and I understand the hardship. Again, we are not talking about future development, but the house the applicants want to build today, and the hardship of 18% of the lot that is unusable due to the lake in the back.

Kevin Kincaid: Is there any public comment on this variance request?

Brandon Kachmar, 8-A Ewing Street, St. Augustine Beach, Florida, 32080: I live adjacent to this neighborhood, and what it seems to me is that some people bought a lot with plans to build a house, and now they are trying to sneak a pool in the back door, or they are trying to pull something here. I've been watching this as someone who lives within a few hundred yards of this property, and my taxes go to this, so it does affect me. I don't quite understand the reason for moving the house forward, as I agree, the property owners should have thought of this beforehand. I am just one person, and I think it is strange.

Kevin Kincaid: Any other public comments? There were none. Do we have a motion?

Jacob McLeod: I would request that in the motion to approve or deny this variance request, the basis of the hardship be stated and spelled out.

Hester Longstreet: I honestly don't see the lake as a hardship, because there seems to be plenty of space on the lot, with or without a pool. I just don't see using that as a hardship.

Motion: to approve Land Use Variance File No. VAR 2023-01 as requested, to allow a front yard setback reduction from 25 feet to 17 feet, for proposed new construction of a single-family residence in a low density residential land use district on Lot 38, Whispering Oaks Subdivision Phase 2, at 224 Big Magnolia Court, in light of the demonstrated

hardship of the unique topographical attributes of this property. **Moved** by Kevin Kincaid, **seconded** by Victor Sarris, **passed 5-2** by the Board by roll-call vote, with Victor Sarris, Kevin Kincaid, Hulsey Bray, Conner Dowling, and Larry Einheuser assenting, and Hester Longstreet and Chris Pranis dissenting.

- C. Tree Removal Application for removal of a 42-inch diameter-at-breast-height (DBH) oak tree in the building footprint of proposed new construction of a single-family residence in a low density residential land use district on Lot 38, Whispering Oaks Subdivision Phase 2, at 224 Big Magnolia Court, Cora M. Johnston, Agent for Richard and Catherine Molinaro, Applicants

Jennifer Thompson: This tree removal application is for the removal of the 42-inch DBH oak tree shown on the site plan in the middle, and on the west side, of the lot.

Hester Longstreet: Unfortunately, I don't see any way to keep that tree, as there is no way to move that house in any direction that would enable the tree to be kept.

Conner Dowling: To me, the previous discussion of the hardship of the lake in the back of this lot is more of a math problem, as it is pretty easy to look at the size of the lot and the buildable area and compare it to what is sort of standard and what has to be subtracted in the case of this lot that has a big piece of water on it. Hester is correct, a house could be redesigned a million different ways to accommodate that, but that opens up a much bigger can of worms. Something like this, however, is really hard from a Board standpoint, as what I deal with daily are clients who push to save trees like this, and redesign around them. There are ways to incorporate trees into the design, which is really for the betterment of everyone, because of all the water intake they absorb and the wind protection they provide. Trees are tough, as to me that is sort of different from the earlier issue dealing with the buildable area of the lot with the hardship of the lake in the back.

Victor Sarris: I think it's also very important to identify what type of oak tree it is, such as a Spanish oak or a water oak, because if it is a water oak, you're fighting a losing battle, but if it is a Spanish oak, it is worth fighting for.

Conner Dowling: Yes, I completely agree, and the tree health is also important to consider, because not all trees are worth saving, just because they are this big on paper.

Hester Longstreet: If there is a way of saving a tree, I want it to be saved, but with this particular lot in mind, that 18% of the lot being underwater didn't seem to be that big of a deal to me, in regard to reducing the front setback from 25 feet to 17 feet. I don't see that as being a hardship, but unfortunately, I do see the tree as being problematic.

Motion: to approve the removal of a 42-inch diameter-at-breast-height (DBH) oak tree in the building footprint of proposed new construction of a single-family residence in a low density residential land use district on Lot 38, Whispering Oaks Subdivision Phase 2, at 224 Big Magnolia Court. **Moved** by Hester Longstreet, **seconded** by Larry Einheuser, **passed 7-0** by the Board by unanimous voice-vote.

VI. OLD BUSINESS

There was no old business.

VII. BOARD COMMENT

Chris Pranis: I have a question for Brian Law please, regarding Panama Hattie's becoming Crabby's Beachside. What's going on out front there, and what's the situation?

Brian Law: Panama Hattie's is now Crabby's Beachside, which was authorized to open at 4:00 p.m. by the City's zoning and code enforcement staff, and the St. Johns County Fire Marshal, which performed an inspection. In front, they are doing access points that are more pedestrian-friendly, with an architectural knee wall in the front. They appeared before the Sustainability and Environmental Planning Advisory Committee (SEPAC) with their landscaping plan which will be coming in once the pavers, which were supposed to be delivered today, are put in. Crabby's Beachside is part of a larger restaurant chain.

Chris Pranis: How were the number of parking spots affected?

Brian Law: It's the same. That was a big issue, and the zoning staff spent quite a while jousting with the new business owners about this. Another issue was that fire truck access per the Fire Marshal had to be provided around the building, and this was accomplished on about the fifth site plan revision. All of the applicable agencies have now been made happy, and Crabby's Beachside should now be open for business today.

Chris Pranis: Yes, I saw that they were opened for business when I drove by there today.

Gary Smith: In front of Rita's and Antonio's Pizza is a vending water ice machine, located outside their parking lot area along A1A Beach Boulevard. I was wondering how something like that out along there along the Boulevard was able to get by regulations. It certainly does not flow with the architecture and design of the beach community and all the things the City is trying to accomplish.

Chris Pranis: It doesn't beautify the Boulevard, that's for sure.

Gary Smith: Yeah, and I mean, it just looks trashy.

Brian Law: First and foremost, there is no overlay district regulations along the Boulevard, but this is something that is being contemplated by the City Commission as part of the Vision Plan, which is still in the works, to discuss what the City wants the corridor of A1A Beach Boulevard to look like in the future. No permit was issued for this ice vending machine, so this is something the City's zoning staff is looking into, as I am unaware of any submittal to put an ice dispensing machine in front of Rita's and Antonio's Pizza.

Gary Smith: Okay, so in other words, it just got put out there?

Brian Law: Stranger things have happened, but it appears that is the case. Zoning is looking into this and will also be looking into what is providing electricity and potentially water to make the ice for the ice vending machine.

Gary Smith: Going back to the new restaurant, being that it is a franchise, I am not up to snuff on what the rules and regulations are for bringing franchises to the Island, but aren't we trying to keep that more local?

Brian Law: There is no rule regarding that. Crabby's Beachside owns about 10 or 11 other restaurants in this chain. I think the closest other one is in Daytona.

Gary Smith: So in other words, if you wanted to put in a McDonald's along A1A Beach Boulevard, you could do that.

Brian Law: Yeah, as long as you comply with the zoning regulations for the restaurant and the drive-thru provisions, which would require Planning and Zoning Board approval of a conditional use permit for the drive-thru. There are no restrictions I would caution the Board about regarding limiting restaurant chains. I believe there are 10 or 11 other Crabby's Beachside sister stores. Salt Life is a chain that has other restaurants too.

Chris Pranis: Has there been any permitting put in for the old Wendy's location?

Brian Law: There has not, we have not heard anything since the building was repainted. Both the Wendy's in this City and the Wendy's off the Island by the St. Johns County Courthouse complex were repainted the same color at the same time.

Kevin Kincaid: Are we making an announcement now that we will be having no meeting next month, or is that not final yet?

Brian Law: Even though the official cut-off for accepting new applications for next month's Planning and Zoning Board meeting was at 4:00 p.m. today, we are not cancelling the meeting at this time, but leaving it open just in case something happens.

IX. ADJOURNMENT

The meeting was adjourned at 6:34 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

TUESDAY, JANUARY 10, 2023, 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 6:00 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, Nicole Miller, and Edward Edmonds.

Also present: City Clerk Dariana Fitzgerald and Building Forman Tom Large.

Member Miller advised that she will be resigning from the Committee, but would still like to attend meetings as a resident in the future. Chair Bandy thanked her for her contributions and said that she understands that she has an exciting new job and that hopefully we will be able to work together in that capacity.

Chair Bandy said that since there is an opening on the Committee, to please spread the word and ask friends or neighbors if they want to get involved with what SEPAC is doing.

Chair Bandy moved on to Item IV.

IV. SELECTION OF CHAIR AND VICE CHAIR

Chair Bandy advised that she would not be able to serve as the Chair for SEPAC again this year due to her new full-time position, but that she would be able to serve as Vice Chair if that is the decision of SEPAC.

The Committee decided to select Sandra Krempasky to serve as Chair and Lana Bandy to serve as Vice Chair.

V. APPROVAL OF MINUTES OF DECEMBER 13, 2022, REGULAR MEETING

Motion: to approve the minutes of December 13, 2022, with correction of typographical errors.

Moved by: Member Thomson. **Seconded by:** Member Candler. Motion passed unanimously.

VI. PRESENTATION OF REPORTS:

1. Review of Landscaping Plan for Crabby's Beachside (361 A1A Beach Boulevard)

James Merritt, Live Aloha Landscape and Design, presented the landscaping plan [Exhibit A] for Crabby's Beachside, which is going into the former Panama Hattie's site. He advised that he had been asked to attend this meeting to answer questions about the landscaping plan. Vice Chair Bandy advised that the plan was emailed to SEPAC, but not until after 3:00 p.m. today so everyone may not have had a chance to review it.

Mr. Merritt advised that the plan that was sent this afternoon is a revision that was done after St. Johns County Fire Department required him to remove the boulders, which he replaced with plants. Member Thomson asked if there is currently paving in front of the building where the new landscaping would be, so that it would add green space. Mr. Merritt said yes, that they are adding green space where it was blacktop, which has already been removed, at a considerable cost to the client, and that they are going with a permeable turf block in the Plan area depicted with the fire truck and that the walkway will be semi-pervious pavers built without polymeric sand so that water can seep through. He advised that the plantings are approximately eighty-eight percent Florida native and twelve percent Florida friendly. Member Thomson asked if the existing palms would stay. Mr. Merritt said yes that they are in the legend as "existing" and everything else is to be added.

Chair Krempasky advised that SEPAC reviewed this when Panama Hattie's reopened and that we had suggested that there be a landscape buffer between Panama Hattie's and the gas station to the north and she asked if that could be considered. Mr. Merritt said that he is neutral on this because this client was at the top of their budget before the alteration and the creation of the fire lane, which is an expensive addition. He said that if the City wants it, that he would be happy to design it but that he is not sure what their budget tolerance is. Chair Krempasky asked if he would be willing to take that back to the client as a suggestion. Mr. Merritt advised that he could talk to the client about it but that the area available for landscaping is very narrow, which is where he would normally use something like Podocarpus, but that it may change the Florida friendly numbers on the plan. He said that he was working with a limited number of plants that were salt tolerant and either Florida native or Florida friendly but that it would not hurt anything to clean that area up. He advised that they would also grade a swale in the back corner and plant Bahia sod. Chair Krempasky asked if they were able to increase the parking. Mr. Merritt advised that they have a magic number of forty-six spaces and there was a lot of maneuvering to reposition the spaces and still come up with that same amount of parking.

Member Thomson pointed out that there could be a palm tree planted at the back west corner near the triangle depicted on the Plan to the west of the dumpster. Mr. Merritt agreed that something could be planted there but it is too narrow to the east near parking spaces 31 and 32. He advised that he did not know if that was accurate to exactly what is there because he did a trace-over off of a survey and he did not verify where the blacktop ended. Member Thomson said that it would be nice to have an aerial of what is there now. Mr. Merritt said that he could bring it up to his client. Member Thomson said that he was surprised that that regulation had not come up because the Avenue of Palms regulation requires palms every so many feet along the Boulevard for new development, not that this is new, but with all the other work that you are doing, one palm tree would help out a lot. Mr. Merritt pointed out all the palm trees on the Plan for a total of six. Member Thomson said that you cannot get it on the south because it would be off the property but on the north side, he believed it is a Code requirement or a requirement that we want that Avenue of Palms continuous which

also specifies how tall and how many feet apart they have to be, how they have to be trimmed, etc. He said that he was surprised that it had not been indicated to Mr. Merritt that it is a Code requirement. Mr. Merritt said that he is adding two new Sable Palms to the new landscape. Member Thomson advised that one developer called them soldiers because they are spaced off the sidewalk evenly up and down the Boulevard and this would just be continuing that line to the north. Mr. Merritt pointed out a space on the Plan that has a little property there but there is a lot of junk in it like guide wires for telephone poles, etc. He said that if he could fit a palm in there, he would be happy to plant it. He said that when he first looked at that area, it did not look promising but that he could look at it again.

Chair Krempasky asked Foreman Large if he thought there would be room for a palm there. Foreman Large advised that there is room, but there is a lot of stuff in there and it is also used for parking by the Police Department during the Wednesday Farmers Market, Beach Blast Off, etc. and that he did not know if it would be a good spot for a palm and that he would have to look at it.

Chair Krempasky asked if this design was going to Planning and Zoning next week and would it require SEPAC to sign off on it first. City Clerk Fitzgerald said that she was not sure but according to the last ordinance that was passed, SEPAC has until this Friday to write its memo and comments. She advised that SEPAC could address their comments with Mr. Merritt now or draft a memo and turn them in to the Building Department.

Member Thomson said that his only comment is that SEPAC reviews the landscaping to make sure that there is buffering for parking and that the Avenue of Palms is continued specifically for new development and even though this is not new development, there is a big break there and it would be nice to have that continuous palm line established. He said that our responsibility is to say that you are not really showing the continuation of the Avenue of Palms. Mr. Merritt advised that he would go there tomorrow morning and if he could fit another palm in at the north entry, that he would just tell the client that is what we are doing. He said that there are a bunch of employees that are trying to get back to work and they are desperately trying to open their doors on Monday. He said that it is his understanding that all that is needed from Zoning is that the hardscape is in and that there is a safe entry into the front and that the landscaping area could be roped off while the landscaping takes place. He said that he would be happy to work out any details later in order to get this thing rolling so that those employees can go back to work.

Chair Krempasky said that she was surprised because SEPAC does not approve plans, we make recommendations to Planning and Zoning whose next meeting is not until Tuesday and they are planning to open the restaurant on Monday. City Clerk Fitzgerald advised that she was given this plan last week with very little notice and that SEPAC's responsibility according to Ordinance 22-06 is to offer recommendations due by the Friday following your meeting which is the extent of your involvement.

Member Thomson said that there is some latitude for landscaping in terms of opening the building and that he would be willing to make a motion and that Mr. Merritt did a good job indicating the native plants and it is a plus because he is adding green space where there is currently parking. He said that because the parking is existing, that we could not really require the landscaping that would normally be required to buffer that, but it does appear that you have the ability to complete the Avenue of Palms. He said that his only recommendation is

that we recommend approval with the exception that the Avenue of Palms be established on the north boundary by adding at least one palm. Chair Krempasky asked if Member Thomson was saying that in the form of a motion. Member Thomson said yes.

Motion: To recommend approval of the plan as drafted with the suggestion of adding an additional palm tree to the north along A1A Beach Boulevard, if possible, to complete the Avenue of Palms. **Moved by** Member Thomson, **Seconded** by Chair Krempasky. Motion passed unanimously.

Chair Krempasky moved on to Item VI.2.a and asked Foreman Large for his update report.

2. Reforestation and Landscaping Projects

a. Mickler Boulevard

Foreman Large reported that the wildflower area has some weeds and other things growing but that he could not tell if they were wildflowers or not. He said that he also checked the pollinator boxes, which do not have anything in them yet and that he would wait to see what pops up after winter. Vice Chair Bandy said that she also looked at the area and that some of the existing plants got frozen and hopefully they will come back.

Foreman Large advised that they also removed a dead Oak tree on Mickler Boulevard and planted a new one. He said that the water truck broke down and that he would move forward with things once it is repaired.

Chair Krempasky moved on to Item VI.2.b. and advised that she would take Public Comments at this time.

b. Parkette Planning/Green Infrastructure

Damion LaPier, 312 D Street, St. Augustine Beach, FL, thanked everyone for their transparency for what is being planned for the public parkettes; read from a letter [Exhibit B].

Jim LeClare, 115 Whispering Oaks, St. Augustine Beach, FL, is here in support of SEPAC and the owners and knowing what rain gardens are supposed to do; that if you live near a rain garden that your home is taking care of it at times; this meeting is getting involvement/feedback from the citizens, and we want to do something that is right; the ultimate goal is the sustainability, community involvement, and to figure it out; said that he cleans up trash at Ocean Hammock Park all the time because it is ultimately the citizens that get involved; understands what Mr. LaPier is saying; need to work out a solution that limits any downside; fought hard to get a rain garden near his Washington D.C. home and he did most of the maintenance.

Karen Bromirski, 115 C Street, St. Augustine Beach, FL, lives at the corner of that parkette and has children that play there; has no problem with beautification that is kept up; there is an area next to her property that is not maintained, grass is never cut; does not want to see fencing.

Deason Clifford, 208 D Street, St. Augustine Beach, FL, said that there is a pump station right there; most people that come down do not know what the parkette is and wind up

parking on it; already planted six new trees out there and half of them have died in the past two years; clean out and extend the parkettes before investing in something else.

Vice Chair Bandy read emails from Karen Mathis [Exhibit C] and David Farina [Exhibit D]. Chair Krempasky advised that after receiving Ms. Mathis' suggestions that she went and looked at the two parkettes and contacted Foreman Large to see if he could take a look at them. Foreman Large handed out photos of the parkettes referenced by Ms. Mathis [Exhibit E 1-4]. He advised that the area is not that low for holding water, so he does not know if it would work well for a rain garden. He advised that [Exhibit E-1] is a photo of the northwest corner of D Street and 3rd Avenue and that that resident would definitely be against it because he maintains it and the neighbors use it for a sports field. Member Thomson agreed that location is not a good one. Foreman Large said that [Exhibit E-2] is the northwest corner of D Street and 4th Avenue which has a fence in the back and the neighborhood kids use that area quite a bit. He advised that it does not hold a lot of water and if a rain garden is put there that it may need to be irrigated. He said that Public Works would want SEPAC to get the public's feedback, and get a survey to check the property line to make sure that it would be put in the City lot.

Member Thomson said that the size of the proposed rain garden is approximately ten feet. Chair Krempasky advised that it is 15 x 40. She said that it is sort of a misconception about the fence and that it is an open fence and that she believed Foreman Large had pictures of it and that it was branded to plant vines on it. She said that it is not for privacy, just to establish the back corner, plant a native vine on it, and build the garden off of that. Vice Chair Bandy said that there are similar fences in some of the parkettes along A1A Beach Boulevard and the thought was to do a branding using the fence. She advised that SEPAC has looked at options with and without a fence and that nothing is final. She said that SEPAC's goal is to beautify the community and look at environmental solutions such as rain gardens and to do something that the community would like which is why public comments are helpful. She said that the plants have been carefully selected by Native Plant Consulting and they are making sure that they are environmentally and Florida friendly, low maintenance, etc.

Member Thomson said that what he is hearing about this property and was mentioned in one of the letters is that the picture window of the adjacent house faces the parkette, so anything that is not to their liking would be directly in their view. He said that there are benefits and there are adverse effects, and that SEPAC has made concessions in the past for someone that had a picture window facing a parkette. He said that since this is a prototype, and we are still experimenting, and that at least fifty percent of the D Street residents have come out, that we could either take one of the suggestions (assuming 4th and D Street) and/or find another location, which he has two others in mind on the Boulevard. He said that they could both take the palm trees, etc. and demonstrate the concept of a rain garden. He advised that one is at the northwest corner of A Street and 2nd Avenue which has two parkettes. He said that half of the parkette is parking and the other is wetlands. He said that the residence that just went in put up a fence but there is a disparity in topography and that Public Works actually just planted a Cypress tree knowing that it is a wetter area and he suggested putting the rain garden in that corner. He said that his second suggestion is on the Boulevard at 15th Street which is in front of the Marriott which is a low grassy area and the City put in hard paving down 15th Street

which could use a little buffering and to plant that corner and put a sign up would work. He said that immediately opposite of that area there are a few Red Cedar trees that are not doing very well and then there is the auto service shop which could be improved by a rain garden.

Chair Krempasky asked if there are places on the Boulevard other than Playa Chac Mool that tend to pool. Member Thomson said that the one in front of the Marriott is a natural dry retention area on the northwest corner of 15th Street which currently has grass in the area. Foreman Large said that Public Works has talked about that area in the past and that he believed that the Marriott was not in favor of putting anything in there because they maintain it but that he would have to check on it because it was a while ago.

Vice Chair Bandy advised that it was her preference from the beginning to try to put something on the Boulevard because more people would see it and it is SEPAC's goal to educate people on the good things that they could do themselves to help control flooding, etc. Member Thomson said that A Street would be similar and is a highly viewed area.

Member Thomson said that we have had great input and he suggested to look at more sites before we make any decisions.

Karen Mathis, 201 D Street, St. Augustine Beach, FL, said that D Street is beautiful and is not highly trafficked and the residents of the City would not see the improvements made along that street; we would love to have improvements but recommend putting them on Mickler Boulevard, A Street, or the Boulevard where people would see them instead of D Street; we love the green space on D Street and do not need improvements.

Chair Krempasky said that ideally we would love to do things along the Boulevard but that the City plans to use a lot of that for improved/enlarged parking. She said that we could check these locations out and would probably have to go to the Commission to get permission to use it and pay an additional \$195 for the designer to look at the site. Vice Chair Bandy asked if the design we already have could be used in the other spaces. Chair Krempasky said that she would not know until she sees the space and there would be different conditions, more sun in some places, etc. and that this particular lot on D Street had a combination of sun and shade. Vice Chair Bandy said that if it is flat or if there is not a water issue then there is no reason to create a rain garden. Member Candler said that the intention of the rain garden is being missed because it is not about being pretty.

Member Thomson said that Salt Run extended the dune structures along 2nd Street and the water tends to gravitate from 3rd and 4th Streets down to 2nd Street and that it is going to be wet. He said that if we get atmospheric water with a lot of rain it would take a long time to dry out. The rain garden is supposed to help absorb water as well as the Oak trees that were planted. We understand that if it is experimental, it is better to try it somewhere else because of the issues with the adjacent properties and that we should consider it as we have done in the past.

Motion: with public comments and letters of opposition, we should consider additional properties over the next month to continue looking at 4th Avenue and D Street NW corner, 2nd Avenue & A Street NW corner, A1A Beach Boulevard and 15th Street NW corner

parkettes. **Moved** by Member Thomson. **Seconded** by Chair Krempasky. Motion passed unanimously.

Chair Krempasky advised that she did a lot of work on this and asked if any bids were received. Vice Chair Bandy said no but maybe she missed it and that she did not know how many of each plant we needed and asked if she overlooked something.

Chair Krempasky said that the cardboard is supposed to be used as mulch and that she thought as a result of them saying that we needed to give 1,400 square feet of cardboard that that meant that SEPAC had to do the soil prep, but we do not. She checked the price of the cardboard which is pretty cheap at \$287.60 and that they will cut and lay the cardboard and it will actually disintegrate and mulch over time to help keep the weeds down. She advised that she got a price from Leonardi's for three palms at \$2,390 so the total price from Native Plant Consulting is almost \$4,300 with a rain garden. She said that she would ask if they could look at the new locations to see if any elements of the design could work in them so that we do not have to spend \$195 for another design. Vice Chair Bandy asked if she should get quotes. Chair Krempasky said not until we know more about the space. Foreman Large advised that it may need a totally different landscaping because of it being so sunny there.

Someone from the audience spoke away from the microphones and it was inaudible for the minutes. Chair Krempasky asked if they had something to speak about on the next three issues. She advised that SEPAC has already discussed the parkettes. Someone spoke from the audience that was inaudible for the minutes. Chair Krempasky asked if they would like to put their thoughts in a memo and send it to the City Clerk. She said that usually she is a pushover for public comments but that she has been instructed to be firm and we are done with the parkettes and to follow up with a memo.

Discussion ensued regarding the City turning parkettes into parking lots; if SEPAC beautified this that it would not turn into a parking lot; etc.

Chair Krempasky moved on to Item VI.2.c

c. Urban Forestry and Planning Projects

Foreman Large advised that they planted one Oak tree on Mickler Boulevard that he previously spoke about and that they are not planting the one on 15th Street until the water truck is repaired.

Chair Krempasky advised an audience member that they are welcome to speak again but not on what SEPAC just discussed. Someone spoke from the audience away from the microphones, which was inaudible for the minutes.

Chair Krempasky asked to go back to the parkette topic to discuss quotes.

3. Educational Programs

a. Environmentally Friendly Landscaping Recognition

Chair Krempasky said that several Members have samples of locations to check out. Vice Chair Bandy advised that she has a couple addresses, and she did not know how we would

want to do this. Member Thompson advised that he has six more locations in addition to the ones that the City Clerk already gave to everyone.

Chair Krempasky said that from reading the minutes that SEPAC would just send them a questionnaire with a cover letter. Vice Chair Bandy advised that we were just going to send a letter stating that we noticed your property and ask if they would be interested in applying, then they could go to the website so that we would not have mail the entire packet. Member Thomson asked if the letter could state that we have this program and that your property appears to meet the criteria and if they would have any objection to being recommended and have a sign of recognition for their yard from the City. Vice Chair Bandy advised that we talked about going out and looking at the properties to make sure they meet the standard. Member Thomson said that he did not think that they should have to go on the website and fill out the form. Vice Chair Bandy said then maybe we should not have developed the whole questionnaire and done it that way. Member Thomson said that either they can fill it out or we can fill it out but that the first thing is whether they object to being recognized. Member Edmonds said the point of the questionnaire was to ensure that they meet the criteria for recognition, so we would not actually know until they have completed the questionnaire. Member Thomson advised that the questionnaire does not specify that you would have to do this, this, and this, but it gives you points and educational connections, so it is more of an educational tool.

Member Edmonds advised that he had understood that this was to recognize people who have more native plants, unless we are going ourselves with a checklist to essentially assess the criteria which is already provided in the packet. He said that he thought we were trying to be environmentally conscious and send them a note asking if they want to be involved and then the onus is on them. He said it may be easier for us to do it, but if the homeowner does not want to be recognized and does not want to take the time to do it, then what is the point in recognizing someone who does not want to be recognized. Member Thomson said that you would not recognize those that do not want it, but there are also a lot of people that do not have the time to do it. Vice Chair Bandy said that if they do not care enough to complete the questionnaire, then they probably do not want to be recognized. She said that we could go knock on people's doors and tell them that that we like their yard and ask if they want to put this sign in it, but she did not think that was the point. Member Thomson advised that he thought that the letter should say that their yard has been identified as meeting the criteria for the Environmentally Friendly Landscaping Recognition and reference the website and ask if they would be willing to fill out the questionnaire or willing to accept it if a volunteer did it. The Chair and Vice Chair agreed that that was a fair idea.

Chair Krempasky said that we should also let them know that we would like to recognize them, have them fill out the questionnaire, and that we could drop it off to them. She advised that the Florida Friendly Landscape Awards are way bigger than what we are doing. Member Thomson said that maybe he would be surprised but if it were extra work for him on his busy schedule that he would not do it. He said that the initial letter should state that they have been indicated and whether they are willing to be recognized and if they have time to fill out the form and if not that maybe we could. Chair Krempasky said that it is important for them to understand why they are being recognized. Member Thomson said that should be in the letter. Chair Krempasky said that it is in the

questionnaire. Member Thomson said that those addresses will get a letter along with the questionnaire. Chair Krempasky said yes, she could do that and that she would work on a draft of a cover letter.

Member Thomson advised that we should leave our nominations in for the record. City Clerk Fitzgerald advised that they did not need to be read for the record and just having them on a list is all that is required and that someone would need to draft a letter. Chair Krempasky advised that she would draft the letter and asked the City Clerk to forward the addresses to her. City Clerk Fitzgerald asked if they were planning to hand deliver the letters or mail them out on their own. Chair Krempasky advised that she would just do a couple of pages and she asked how many addresses there are. Vice Chair Bandy said that she has three and that she could drop a couple of them off and asked if she would send her the letter to print it and give it to them. Chair Krempasky asked if a property search would say who is living there. City Clerk Fitzgerald advised that a property search would tell who the owner is. Chair Krempasky asked how they feel about that. Member Thomson advised that typically the owner is paying for the landscaping and maintenance.

Chair Krempasky thanked everyone for their efforts, and she moved on to Item VI.3.b.

b. Environmental Speaker and Film Series

Vice Chair Bandy advised that the next event is the Flight of the Butterflies which is an IMAX film that is a little older. She said that it explains about Monarch butterflies and where they migrate to, etc. She advised that she found a speaker who is an expert on Monarch butterflies and that the film does not get into the crisis, the milkweed, etc. It will be held on January 26th at 5:45 p.m. She said that we had such little attendance last time, that it is posted at the library and on NextDoor, and she asked for publicity suggestions since the St. Augustine Record does not have any local reporters or coverage anymore. Member Thomson suggested sending it out to the Fish Island Preservation group and the Matanzas Riverkeeper. Chair Krempasky advised that she could put it on Facebook's "32080" page. Member Thomson said that Marineland also has a list that they send out relative to environmental speakers. Chair Krempasky encouraged everyone to come because the last program had more people on the panel than in the audience.

Jim LeClare, 115 Whispering Oaks, St. Augustine Beach, FL, said that films about the Monarch butterfly may get more folks if you put the urgency in because they have recently been put on the endangered species list; it is not just an educational film but for anyone interested in their grandkids being able to see Monarch butterflies and make it more interactive because of the urgency of it; he sees this as a representation of the work that SEPAC has been doing to keep what we have; he showed a photo taken at the end of Ocean Hammock Park's boardwalk which is a male tortoise courting a female and that there will be more tortoises as a result of this which is what SEPAC is trying to do. Member Thomson advised that that is their territory and people are not supposed to block them.

Vice Chair Bandy advised that at the last SEPAC meeting Director Tredik agreed that we could use milkweed.

Chair Krempasky moved on to Item VI.3.c.

c. Newsletter Topics

Member Thomson said that we just accomplished our sustainability goals, policies, and projects list with the six items for the Vision Plan. Vice Chair Bandy advised that she has not received any feedback from the Commission. Member Thomson said that whether they approve the projects is a matter of money, but we have separated these specific six areas as goals and plan to do some kind of assessment, and that he is very proud of the work that SEPAC did on it. He said that it focuses on what SEPAC does as a committee and our interests in addition to the projects that we try to get done. He said that he would like to maintain an interest in those six areas. He said that at one point the Commissioners had divided themselves up and each one had a specific responsibility, and it would be great if we took those six topics and each of us created some research and educational data and when we get our Environmental Corner set up, then we could focus on these areas and have blurbs.

Vice Chair Bandy asked if this would be for a Newsletter topic. Member Candler said that we could do one section at a time which would be six different Newsletters. Member Thomson said no it would not be for the Newsletter, that he was just saying as a group that there is so much going on and that we could maybe focus on one of those topics, since our goals and policies highlight six different areas of environmental concerns. He suggested that each Member select one of those areas for further study and we use that study to monitor and produce a yearly assessment report and the combined reports could be a referenced document and presented to the Commission once a year. He said that he does not want that focus to go away, and recently there were two articles in the Times about reducing your carbon footprint and an article that took a Google Earth map and that each municipality would be assessed for their average carbon usage/emissions per year. He said that he was going to make a suggestion for how we educate and advocate for reducing that by initiating a "reducing my carbon footprint" contest; that the average American household creates a forty-ton carbon footprint each year; explain the steps of big and small conscientious boundaries it takes to reduce their tonnage; list fifty ways a family could reduce their household carbon footprint; track and predict their tonnage loss month-to-month; offer a big prize to the biggest loser each month; make a poster which says, "I lost four tons". He said to keep those things focused and come up with a way to sell it to the general public and maybe introducing that there are these six areas of concern to educate and advocate for. It is not that we are just trying to beautify these parkettes because there is storm drainage, biodiversity, and other things involved.

Member Thomson said we have our Environmental Corner and that he was asked to work on a display, and he did, and that he is not sure if anyone is aware of the work that went on. He advised that the City Manager, Director Tredik, and he exchanged emails all month so he could report on that if SEPAC would like him to but at the same time he would like all Members to have the correspondence. He asked if those emails could be sent out now. City Clerk Fitzgerald advised that she could do it tomorrow morning when she brings her computer back up. Member Thomson advised that he would provide a summary tonight.

Chair Krempasky advised that before we move on to the Environmental Corner that we need to pick a Newsletter topic. Member Thomson said that his suggestion was the sustainability goals and policies. Chair Krempasky advised that she was not sure that it could be published because it is not really SEPAC's product, it belongs to the City at this

point, and we would not want to publish it. Member Thomson suggested to say that SEPAC has identified six areas of environmental concern and planning that is a focus that may or may not be put into the Vision Plan. He said that they are goals, and that SEPAC was given that task by the Commission to create them. Member Edmonds suggested to say that SEPAC advised the Commission. Vice Chair Bandy suggested not mentioning the Vision Plan and to just say that here are some of things that SEPAC stands for. Member Candler agreed that they should be SEPAC's goals whether the Commission picks them up or not.

Chair Krempasky asked the City Clerk for her opinion. City Clerk Fitzgerald advised that if it were kept as purely a SEPAC related document that she would agree, but it was submitted to the Commission for inclusion into the Vision Plan so now it is part of the Commission's draft to discuss and decide whether to include it or not. She advised that SEPAC should not use any information that has not yet been approved by the Commission.

Vice Chair Bandy suggested that the Newsletter article could be a summary of our Monarch butterfly information and encourage people to learn about the crisis. Member Thomson agreed with that suggestion. Chair Krempasky asked if the Newsletter could support a link to a brief bit of information about the Monarch butterfly crisis. City Clerk Fitzgerald advised yes. Vice Chair Bandy said that she would want to make sure that it is a really well-organized presentation that gives clear information, and we could pick which part we want to use. Member Edmonds suggested that there may also be something that is already prepared that we could direct them to such as on YouTube for example. Chair Krempasky advised that we want to be specific to Florida.

Chair Krempasky moved on to Item VII and said that we could hear from Member Thomson regarding the Environmental Corner display cases.

VII. OTHER COMMITTEE MATTERS

Member Thomson advised that he would like for this topic to become Item D under Educational Programs on the agenda because he is looking for a way to get our information posted and out to the public. He said that the minutes were pretty clear about what we were asking to do. He read an email that he sent to the City Manager [Exhibit G] stating that he did research on the type and cost of the display boards and that he suggested buying two 36 x 48-inch wall mounted corkboard display boards to be placed vertically in the City Hall corridor at a cost of less than \$250. He said that there could be a sign at the top that says, "Environmental Center" and that Public Works could use one of them to post what they need to. He said that City Manager Royle advised him that Director Tredik is in charge of City buildings and therefore would have to approve the bulletin board, make sure that it does not damage the corridor walls, and that anything displayed would require his and Director Tredik's approval and could not be counter to a Commission decision and/or policy. He advised that Director Tredik recently replied to him and that he stated that he found three types of display boards and that his preference is to have a glass cover with the cheapest being a 3 x 5-foot glass case for \$580. He said that they want it to be a glass case with a lock so that people cannot remove things.

Vice Chair Bandy asked if we would only need one of the 3 x 5-foot glass cases. Member Thomson advised that he likes the transparency and ease of being able to get to it without the glass and lock because sometimes he has trouble seeing through things but at least we are on track to do

something, and Director Tredik is on board. He said that he does not know who is going to pay for the \$580 case and maybe we just start with one but that we need to get the concept approved. He said that if we have programs that we are trying to do that we could possibly have a brochure counter below the display case that could work down the road. He suggested to talk with the library about what SEPAC is doing and to ask them if we could have display space there as well. Chair Krempasky said that the library just has it centered around whatever the film is going to be that month. Member Thomson said that this is on the agenda for next month, that he assumes that SEPAC will get a final recommendation from Director Tredik, and that basically we are asking to move forward with the display.

Chair Krempasky asked Member Thomson if he would manage this project. Member Thomson advised that he just did with Foreman Large, we would take Director Tredik's recommendations or ask for something else, and take it to the Commission along with the question of who is paying for it. Chair Krempasky advised that SEPAC cannot have Foreman Large manage the project. Member Thomson advised that he would only hang the display. Chair Krempasky asked if Member Thomson would be providing the content. Member Thomson said yes that SEPAC would provide the content, but that Director Tredik could provide some too because it would be a shared display case with Public Works. Vice Chair Bandy said that we would need someone that is crafty or artistic to make it look nice. Member Thomson said that there could be brochures about trees, poster contests, landscape awards, etc. Foreman Large advised that he would talk with Director Tredik and have more information for the next meeting.

City Clerk Fitzgerald advised that this is a SEPAC project and that they would need to put everything together, find a cabinet that meets Director Tredik's requirements, and that it will come out SEPAC's budget. She said that Public Works would make the purchase and install it, assuming that they have the labor to do so. She said that she did not know if two could fit and that she was having trouble picturing where even one could go. Member Thomson said that he is sure that Director Tredik would get his way and that it would be glass enclosed and that we would just go with his recommendations for now. Foreman Large advised that he would talk with Director Tredik and see if they could mark the area off to give SEPAC an idea of where it would be located and provide that information for the next meeting.

Chair Krempasky moved on and asked if there were any other committee matters.

Vice Chair Bandy advised that Florida Arbor Day is January 20, 2023, from 10:00 a.m. to 12:00 p.m., with a tree giveaway at the beach library. She said that they are giving away Southern Red Cedar, River Birch, Buttonbush, Fringe Tree, Dahoon Holly, and Cherry Laurel which could help us determine what trees the City should give away for its Arbor Day event. Foreman Large advised that our Arbor Day is coming up soon and to keep that in mind. Chair Krempasky asked if next month would leave enough time to order trees. Foreman Large advised that he would get a price list from the nursery next month to review. Chair Krempasky said that she liked the little packages that we had last year. Foreman Large agreed and said that they come that way and that that is what they planned to do again but that he has not been in touch with the nursery, and he would see if they are still doing it the same way.

Member Thomson brought up that the maintenance of the palm trees is in direct conflict with the 2019 Management Plan and asked if this had been adopted. Chair Krempasky advised not yet. Member Thomson said that what was adopted was that SEPAC fought to reduce the width of driveways so that the impervious paving would be limited to eighteen feet when it crosses the

right-of-way. He said that he has seen several residences on A Street that have added an additional 18 x 20-foot parking area off to the side of yard which is paved. He said that at 114 C Street that they did a circular drive which added a loop and paved the right-of-way to connect the two driveways and he questioned how that would be possible. Foreman Large advised that he would have to discuss that with either the Building Department or Director Tredik. Member Thomson asked Foreman Large to see if Director Tredik would look at 114 C Street and that they just finished doing the paving. Foreman Large agreed. Chair Krempasky advised that they probably are not getting permission and they would need to be turned over to Code Enforcement. Member Thomson advised that it is in our Land Development Regulations and if a paving company is doing it and not reading the regulations, that they would wind up having to tear it all out and they would learn pretty fast. He said that he does not think that the Building Department or Public Works is reviewing site plans because they are not reviewing any of these new paving projects and telling them that a permit is not required so how would they review it. Chair Krempasky said that she did not think that was true because Planning and Zoning has reviewed requests to make driveways larger, so they are being reviewed and being told no and to get a variance. Vice Chair Bandy said only if it is submitted. Chair Krempasky said that new construction can easily be nipped in the bud as opposed to someone adding a pad later. Member Thomson said that this is much more than a pad and takes up ten feet of right-of-way. Chair Krempasky said then it would have to be reported to Code Enforcement. Member Thomson said that he would not do that because it is a neighbor and he just wanted to find out if there is a permit process for remodeled driveways and if whomever is permitting it is reading the Code. Chair Krempasky said that she has been to enough Planning and Zoning Board meetings where people asked for a variance for a driveway.

Member Thomson said that it is under New Business but that he would like to revisit it with comments from Public Works next time.

Vice Chair Bandy asked to talk with the Chair about splitting up such things as the monthly Commission updates. Chair Krempasky suggested to alternate doing it and that she would do January and the Vice Chair would do February. Vice Chair Bandy agreed.

Chair Krempasky moved on to Item VIII

VIII. ADJOURNMENT

Motion: to Adjourn. **Moved by** Member Thomson. **Seconded by** Vice Chair Bandy. Motion passes unanimously.

Chair Krempasky adjourned the meeting at 7:43 p.m.

Sandra Krempasky, Chair

ATTEST

Darlana Fitzgerald, City Clerk

COMMISSION REPORT

February 2023

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS January 20th, 2023 - February 21st 2023

CALLS FOR SERVICE – 1918

OFFENSE REPORTS - 44

CITATIONS ISSUED – 67

LOCAL ORDINANCE CITATIONS - 11

DUI - 2

TRAFFIC WARNINGS- 182

TRESSPASS WARNINGS - 11

ANIMAL COMPLAINTS - 21

ARRESTS - 8

- **ANIMAL CONTROL:**

- St. Johns County Animal Control handled 21 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES –

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 2/23/2023

Finance

The requested documents for Hurricane Ian have been submitted to FEMA for their review. The total is estimated at \$70,000. I am waiting to see what was approved or what further information will be requested. We have also been working with our auditors for the annual audit and the single audit for the Weir project for the past few weeks. We have not received the final reports or documents at the time of this report.

Communications and Events

No updates.

Technology

The IT Department has no updates.

ARPA Worksheet

\$3,507,979.00

APPROVED TO SPEND

Approval Date	Police Department ARPA List				
	Item		Qty	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

Amt Spent	
\$	37,657.68
\$	50,561.18
\$	50,299.47
\$	51,005.47
\$	9,848.00
\$	199,371.80

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	
11/14/2022	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

\$5,942.70
\$0.00
\$0.00
\$178,317.00
\$25,724.55
\$25,724.55
\$29,533.55
\$8,654.15
\$100,000.00
\$150,000.00
\$100,000.00
\$20,000.00
\$200,000.00
\$161,439.30
\$12,465.47
\$241,483.49
\$241,483.49
\$1,500,768.25

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, cyberinsurnace			
9/26/2022	MFA Citywide	underwriters are goind 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	

\$20,000.00
\$25,000.00
\$40,000.00
\$75,000.00

4/19/2022	Pipe Ditch-Vacant Alley	2nd/3rd Street-West of 2nd Ave		\$100,000.00			\$100,000.00	
5/2/2022	Ocean Hammock Park	Restroom completion-in addition to grant		\$300,000.00			\$300,000.00	
12/2/2022	Ocean Hammock Park	Completion of Ph 2 improvements		\$100,000.00			\$100,000.00	
6/6/2022	Beach Access Walkovers	\$67k in FY22, remainder in FY23		\$335,000.00			\$166,400.00	
6/6/2022	Paving Projects	Needed paving throughout the city		\$200,000.00			\$0.00	
11/14/2022	Paving Projects	Increased Paving throughout the city		\$230,057.00	\$1,225,057.00		\$239,691.94	\$1,066,091.94

Pay Increases

4/19/2022	Pay Increases-FY22	Increase pay to \$15/hr minimum or bonus		\$136,000.00	\$136,000.00		\$136,000.00	\$136,000.00
Total Approved						<u>\$3,120,000.00</u>		

ADOPTED BY COMMISSION

Public Works ARPA List

Water tanker	**REMOVED**	1	\$0.00			\$0.00	
Storm drain cleaning		1	\$100,000.00	\$100,000.00		\$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	
					\$160,000.00			\$160,000.00

Pay Increases

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

\$260,000.00

Total Spend

\$3,380,000.00

\$3,162,231.99

MEMORANDUM

Date: February 23, 2023
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Public Works Monthly Report – February 2023

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
Project Stage: Construction Complete / Final invoice submitted
- **Mizell Pond Weir and Stormwater Pump Station**
HMGP grant – FEMA/FDEM
Grant amount \$1.81 Million
Project Stage: Construction Complete / Final invoice pending
- **Ocean Hammock Park Phase 2**
Florida Recreation Development Assistance Program
Grant amount \$106,500
Project Stage: Construction
- **Ocean Hammock Park Phase 3**
Coastal Partnership Initiative Grant – NOAA funded
Grant amount \$60,000
Project Stage: Bidding
- **Ocean Walk Drainage Improvements**
Legislative Appropriation Request
Grant Amount - \$694,000
Project Stage: Final Design/Bidding
- **C.R. A1A/Pope Road Storm Surge Protection – Phase 1 Design**
HMGP grant (Dorian) - FEMA/FDEM
Grant amount \$52,500
Project Stage: Permitting
- **Dune Walkovers**
St. Augustine Port, Waterway and Beach District
Grant amount \$335,000
Project Stage: Phase 1 construction complete

- **Magnolia Dunes/Atlantic Oaks Circle Drainage Improvements**
Legislative Appropriation Request
Grant amount \$1,200,000
Project Stage: Consultant Contract Negotiation
- **7th 8th and 9th Street Drainage**
Legislative Appropriation Request
Grant amount \$90,000
Project Stage: Consultant Selection
- **Vulnerability Assessment Update**
FDEP – Resilient Florida Program
Grant amount \$50,000
Project Stage: Grant Contract Development

The City has submitted the following grant and/or appropriation requests for the upcoming Florida legislative session:

- **Ocean Oaks Subdivision Flood Protection**
Legislative Appropriation Request: \$1,500,000
- **Stormwater Treatment Facility Capacity Improvements**
Legislative Appropriation Request: \$1,300,000
- **Seaside Villas Drainage**
Legislative Appropriation Request: \$1,300,000
- **Dune Restoration / Sea Oats Planting**
Legislative Appropriation Request: \$400,000
- **Ocean Walk Drainage Improvements**
SJRWMD Districtwide Cost Share Request: \$354,088

DRAINAGE PROJECTS

Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [FINAL INVOICING]
Construction is complete and the facilities are operational. Bidding exceeded the approved grant budget and FEMA reduced the federal funding level to 62.6% due to then insufficient non-allocated Hurricane Matthew funds. The City has requested the federal funding level be restored to 75% and Change Order No. 1, in the amount of \$43,643.79, be added to the approved budget. The City anticipates a revised contract from FDEM with the aforementioned changes, and will submit the final reimbursement request to FDEM upon execution of the contract amendment.

\$632,070 of construction costs were funded by the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program. A final invoice to SJRWMD has been submitted.

Ocean Walk Drainage Improvements [FINAL DESIGN] – Design 95% complete. SJRWMD permit has been received. Design cost estimates indicate that the construction costs will exceed available funds. The Contractor revised the plans to reduce project costs, however, the reduced estimate still exceeds available funding. The City has submitted a SJRWMD Districtwide Cost Share application to help address the increased projected cost. If successful, SJRWMD funds will not become available until October 2023, and will not pay for any construction prior to that date. Bidding of the project will be scheduled for late Spring to allow time to determine if additional funding is forthcoming, or whether the project requires phasing or scope adjustment.

Oceanside Circle Drainage [ON HOLD - VALUE ENGINEERING] – Plans are complete and permits are in hand. Bids were opened on January 19, 2023. The low bid was more than double the Engineer's estimate and exceeds available construction funding. At their February 6, 2023 meeting, the City Commission opted to reject all bids, re-budget and rebid the project in FY 24, possibly in conjunction with one or more other capital improvement projects, so as to potentially realize overall economies of scale. In the interim, Public Works is working to value engineer the design to reduce project cost.

C.R. A1A / Pope Road Storm Surge Protection [DESIGN/PERMITTING] – The project will prevent storm surge from Salt Run from entering the City at Pope Road. Design is 80% complete. SJRWMD has issued a letter stating no permit required. The City is awaiting a similar letter from the U.S. Army Corps of Engineers. The Plans will be submitted to FDEM/FEMA for approval upon completion. Bidding and Construction will commence upon receipt of a Phase 2 (Construction) grant agreement from FDEM.

Magnolia Dunes / Atlantic Oaks Circle Stormwater Resiliency improvements [Consultant Negotiations] – Grant agreement complete. The staff selection committee has reviewed and scored consultants' statements of qualifications. The City Commission authorized staff to negotiate with the highest ranked consultant on February 6, 2023. Negotiations remain underway. Design is scheduled to take place in FY 2023 and into FY 2024. Construction is anticipated to commence in late FY 2024 and be completed in FY 2025.

7th, 8th, 9th Street Drainage Improvements [Consultant Selection] – The City has received the executed grant agreement for the subject project and is proceeding with selection of a design consultant. The City is negotiating with its continuing contract engineering consultant, CMT, on a fee to design and permit the project. Design is scheduled for FY 2023 with construction in FY2024.

Stormwater Master Drainage Plan [PLAN DEVELOPMENT] – CMT is developing the Stormwater Master Drainage Plan Update. Upon completion of the preliminary assessment, a public meeting will be scheduled to discuss initial findings, gather additional

information and feedback, and to discuss the areas in need of stormwater improvements for inclusion in the Stormwater Master Drainage Plan Update.

A Street Drainage/Sidewalk [Construction/SJC]

St. Johns County completed installation of drainage and sidewalk improvements along A Street east of A1A Beach Boulevard in Late February.

PARKS

Ocean Hammock Park Phase 2 [CONSTRUCTION] – Phase 2 improvements include handicap accessible restrooms (including a sanitary lift station and force main), an outside beach shower, drinking fountain/bottle filling station, a 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, ARPA funds, and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Construction commenced on February 27, 2023 and is anticipated to be complete by mid-May. The parking lot will be closed to vehicles during this time frame, however, the beach boardwalk will remain open to pedestrian traffic.

Ocean Hammock Park Phase 3 [BIDDING] – Design and permitting is complete. The permitted Phase 3 design 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 Phase 3 (Phase 3.1) will be funded by a \$60,000 grant from the Coastal Partnership Initiative. Project bidding for Phase 3.1 is pending.

Dune Walkovers [CONSTRUCTION] – Dune walkovers have been completed on 3rd Street, 4th Street 5th Street and 8th Street. Two locations of the four walkovers are ramped only. Though the 10th Street location was initially targeted for ramped access, such a configuration has subsequently been deemed impractical due to the height of the dune and the need to drop more than 10 vertical feet to the beach from the dune crest. The 10th Street ramp will thus require stairs. Staff will explore other locations where ramped walkovers are more practical.

Streets / Rights of Way

2nd Street Improvements and Extension [CONSTRUCTION] – Utilities and stormwater piping construction is complete. The 3rd Lane Ditch has been piped. Roadway construction of the west block is underway. The project is currently scheduled for completion in May 2023.

A Street to 1st Street West Parking Lot [DESIGN/PERMITTING]– Design is underway. Construction is anticipated in Summer 2023

PENDING ACTIVITIES AND PROJECTS

1. **LAND DEVELOPMENT REGULATIONS CHANGES.** The City Commission at its June 6, 2022, 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 will prepare language for a new ordinance.

2. **UPDATING VISION/STRATEGIC PLAN.** Former Commissioner Margaret England during her 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 2, 2022, 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. The Commission then held 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 and SEPAC at its November 17th and December 13th meetings. The next step is for the Commission to review the revised draft at their March 6, 2023, meeting.

3. **PARKING IMPROVEMENTS.** At this time, the only parking project is paving the dirt plazas on the west side of the Boulevard between A and 1st Streets. Money to pay the costs will 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.

4. JOINT MEETINGS:

a. With the County Commission: No date has been proposed yet in 2023 for a meeting.

b. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC): No date has been proposed yet in 2023 for a meeting.

5. **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. The consultant is reviewing the current Manual and will work with the department heads on revisions, which will be reviewed by the City Commission.

6. **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. 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. Because the original bid was well over the estimate, the Public Works Director purchased prefabricated restrooms. Also, because inflation has increased the costs significantly, the Director has negotiated with the vendor to lower them. Restrooms will be delivered by the end of April. The parking lot will be closed between the end of February and mid-May. The beach boardwalk will remain open for pedestrians.

b. Coastal Partnership Initiative: The Public Works Director applied for a Partnership grant for \$60,000 to construct the improvements to Ocean Hammock Park, which the state approved. The City will advertise for bids once it has received a signed contract from the state. Construction is planned to start in the spring of 2023.

c. Vulnerability Study Update. The City has received a \$50,000 grant from the Florida Department of Environmental Protection's Resilient Florida Program. The grant will pay the costs to update the City's vulnerability study to ensure that it complies with recent changes to state law.

7. **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 have notified the 25 businesses of this requirement and that their signs must be brought into compliance by August 2023.

8. **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. Another update was provided by a representative of the civil engineering consultant, the Matthews Group, at the Commission's November 14th meeting. The City will advertise for bids in the spring of 2023.

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 done and the St. Johns River Water Management District has issued a permit. A request for bids was advertised with January 19, 2023, the deadline for receiving them. Three bids were received, all well above the \$500,000 estimate provided by the City's civil engineering consultant. At its February 6, 2023, meeting, the Commission approved the Public Works Director's recommendation to reject the bids. This project could be funded in the future by money from the stormwater utility fee, or by assessing the owners of the properties adjacent to the street, or by grants.

c. St. Augustine Beach and Tennis Complex and the Sabor de Sal subdivision. The area has two ponds: one for the condo complex, the second between properties along Ocean Trace Road and along Sabor de Sal Road. Both are small. The condo complex pond floods during periods of heavy rain, threatening adjacent condo units. Each pond is privately owned and there is no outlet or pipe for stormwater from each. The area needs to be included in the update, currently being done, of the City's master stormwater management plan. The updated plan will be completed in March of April 2023. A solution to the Ocean Trace area flooding will involve the City, private property owners, the St. Johns River Water Management District and possibly the Florida Department of Transportation. On November 21, 2022, the Public Works Director and the City Manager met with residents of the area to hear their concerns and discuss possible solutions. Once the updating of the City's master stormwater plan is done, the Director and the City Manager will hold another public meeting.

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 project was started in early January but then delayed because of a conflict with a County water pipe. The delay has been resolved and construction resumed in February. The project should be finished by the middle of February 2023.

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 a 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. Permitted has been completed.

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. At its February 6th meeting, the City Commission approved the staff negotiating a fee for services with Environmental Consulting and Technology of Jackson. 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 has signed a grant agreement with the Florida Department of Environmental Protection. The City will select a consultant to do the design and permitting work in 2023. Construction should begin in 2024.

9. 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 on November 14th meeting. At that meeting, the Commission approved a resolution stating the City's intent to adopt the non-ad valorem assessment. The next step will be for the Public Works Director to develop a proposed range of the fee to be charged. The range will be presented to the Commission after an ordinance is approved on final reading in March. The ordinance will allow the City Commission to levy a stormwater utility fee in 2024, should the Commission adopt a specific yearly fee.

10. 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 in early 2023. 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. She will give another update at the Commission's March 6, 2023, meeting.

11. 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 the middle of July 2023 and the end of February 2024. The federal government will pay the entire \$37 million cost. At the City Commission's January 9, 2023,

meeting, a representative from the U.S. Army Corps of Engineers briefed the City Commission and the public about the project.

12. NEW YEAR'S EVE FIREWORKS SHOW. The \$25,000 for the fireworks is provided from the bed tax by the County Commission. The contract for a 20-minute 2022 fireworks show was signed in October. The City's Events Coordinator, Ms. Melinda Conlon, worked with the fireworks company on the music that accompanied the show. Plans for the December 31, 2023, show will begin. At the Commission's March 6, 2023, meeting, Ms. Conlon will provide a report on the fireworks show and the other events that she organized for the City in 2022.

13. 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 County will put signals at two other locations: in the vicinity of pier park and at F Street.

14. **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. However, a walkover likely will not be done there because of beach erosion. Construction of the 10 walkovers will be done in two phases. For the first phase, walkovers were constructed at 3rd, 4th, 5th, and 8th Streets. Additional walkovers will be built in 2024, after the beach renourishment project is finished in February 2024.

15. **HAMMOCK DUNES PARK.** At its May 2, 2022, meeting, the Commission considered having a Request for Qualifications prepared for a planner to develop a master plan for the 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, as other projects, especially drainage ones, require attention as well as money advertising the RFQ will be delayed.

16. **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. As the tax wasn't approved, the Commission discussed undergrounding at its January 9, 2023, meeting and agreed with the City Manager's suggestion to request next summer that money be put in the Fiscal Year 2024 budget for consultant to prepare an estimate of the costs to do the undergrounding and what funding sources are available to pay the costs.

17. **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 in the spring of 2023, a meeting within the next 60 days will be held to obtain public comment to assist in the development of the plan.

18. **TRAFFIC SIGNAL ON STATE ROAD A1A AT MADRID STREET AND THE ENTRANCE TO MARSH CREEK SUBDIVISION.** This has been requested by City residents. The signal would benefit the residents of two private, gated subdivisions, Whispering Oaks and Marsh Creek, and one ungated subdivision, Sevilla Gardens, with public streets. In response to emails from the City Manager, the Florida Department of Transportation responded that there aren't enough residents in Sevilla Gardens to justify the signal and the two gated subdivisions would be responsible for having a traffic study done, and, if the study showed the signal was justified, paying for the signal. The City Manager forwarded this information to a Whispering Oaks resident, who said he would contact Marsh Creek. At the Commission's December 5th meeting, Commissioner George said she would contact the Marsh Creek Homeowners Association about

the traffic signal proposal. She will provide an update report at the Commission's March 6, 2023, meeting.

19. NEW STREETLIGHTS ON 11TH STREET

The City has asked Florida Power and Light to put two new lights on the north side of 11th Street between Mickler Boulevard and the entrance to the Ocean Ridge subdivision. The City Manager has signed the contract for the lights.

20. CITY MEMENTO. The memento is an inexpensive token that Commissioners could give to citizens and officials of other cities. After discussing a design for the memento at two meetings, the Commission at its November 14, 2022, approved a coin type memento. The City's Events Coordinator obtained information for the memento. At its February 6, 2023, meeting, the Commission approved a design. Staff will order 300 mementos for a cost of \$1,218.00. This topic will no longer be included in this Report.

21. OPENING 4TH STREET BETWEEN A1A BEACH BOULEVARD AND 2ND AVENUE. This is a platted street, most of which is unpaved. The City's policy is that costs to open and pave such streets are paid by the owners of the lots adjacent to them and the City. The owners are charged an assessment. At its November 14, 2022, meeting, the City Commission approved the City Manager notifying the owners of the City's intent to open the street and charge them an assessment. In early December, the Manager sent the notification letters to the four owners. None to date has responded.