



AGENDA

REGULAR CITY COMMISSION MEETING MONDAY, APRIL 3, 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 MARCH 6, 2022
- V. ADDITIONS OR DELETIONS OF THE AGENDA
- VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA
- VII. PRESENTATIONS
 - A. Interview of Mr. George O'Brien III, Candidate for Membership on City's Sustainability and Environmental Planning Advisory Committee
 - B. Proclamations:
 - 1) To Recognize April 2023 as Sexual Assault Awareness Month
 - 2) To Proclaim April 2023 as Water Conservation Month

- 3) To Proclaim Wednesday, April 26, 2023, as Arbor Day in the City
- 4) To Proclaim May 2023 as Older Americans Month
- C. Report by Ms. Melinda Conlon, Communication and Event Coordinator, Concerning 2022 Events in the City
- D. Update Report of City's Master Stormwater Plan by Civil Engineering Consulting Firm, Crawford, Murphy and Tilly
- E. Audit Report for Fiscal Year 2022 by Representatives of James Moore and Associates
- VIII. PUBLIC COMMENTS
- IX. COMMISSIONER COMMENTS
- X. PUBLIC HEARINGS
- 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)
- XII. OLD BUSINESS
 - 1. Non-Conforming Business Signs: Proposed Changes to Section 8.00.10 of the Land Development Code (Presenter: Jennifer Thomason, City Planner)
- XIII. NEW BUSINESS
 - 2. Solid Waste Collection for Vacation Rentals: Ordinance 23-02, First Reading, to Change Language in Chapter 10 of the City Code (Presenter: Bill Tredik, Public Works Director)
 - 3. Replacement of Roof for Police Station and Building C: Award of Bid and Approval of Budget Resolution 23-07 (Presenter: Bill Tredik, Public Works Director)
 - 4. City Attorney Services: Request for Approval of Addendum to Contact with the Douglas Law Firm (Presenter: Jeremiah Blocker, City Attorney)
- XIV. STAFF COMMENTS
- XV. ADJOURNMENT

NOTICES TO THE PUBLIC

- 1. **HOLIDAY.** It will be Good Friday, April 7, 2023. CITY OFFICES CLOSED. The City will provide household waste and recycling pickup service on Friday.
- 2. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE.** It will hold its monthly meeting on Tuesday, April 11, 2023, at 6:00 p.m. in the Commission meeting room at City Hall.
- 3. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will hold its monthly meeting on Tuesday, April 18, 2023, at 6:00 p.m. in the Commission meeting room at City Hall. Topics on the agenda may include: a) Request to construct an 8-foot high masonry wall along A1A Beach Boulevard at 14 2nd Street; b) Review of changes to sign code to allow existing ground signs to exceed 12-foot

height limit; c) Request to renew conditional use permit for outside seating and serving of food and beverages at the Oasis Restaurant, 4000 State Road A1A; d) Request for variance to reduce rear setback from 20 feet to 16 ½ feet and to exceed lot coverage and impervious surface ratio for addition to existing house at 607 11th Street; e) Request for variance for 20-foot tall sign at the Sea Grove Town Center at A Street and State Road A1A; f) Request for variance for 560 square foot storage shed to be built over a dry retention area at the Best Western Motel, 541 A1A Beach Boulevard.

4. **TREE GIVEAWAY.** In observance of Arbor Day, the City will have a tree giveaway on Wednesday, April 26th at 11:00 a.m. at the pier park farmers market.

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, MARCH 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 Beth Sweeny and Virginia Morgan.

Commissioner Undine C. George was absent.

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.

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

IV. APPROVAL OF MINUTES OF THE REGULAR COMMISSION MEETING ON FEBRUARY 6, 2022

Motion: To approve the minutes of regular Commission meeting on February 6, 2022. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Sweeny. Motion passed unanimously.

V. ADDITIONS OR DELETIONS OF THE AGENDA

To add Items 5 & 6 under New Business.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

There were none.

Mayor Samora moved on to item VII.A.

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

Ms. Christina Parrish Stone, Executive Director of the St. Johns Cultural Council, presented a PowerPoint titled *St. Augustine Beach Hotel Update from the St. Johns Cultural Council* [Exhibit A]. She said that the Civil Rights Memorial exhibition was funded by the National Trust for Historic

Preservation. The first slide depicted how the building currently looks and that they are getting ready to install an exhibition called *Waves of Change* which tells the story of the importance of the site to the Civil Rights Act of 1964 and about the overall history of St. Augustine Beach and the pier. She advised that there would be five separate panels, which would each represent approximately a decade of the history of the beach with the first one showing the building and how it came to be funded in the 1930s, its original use, the construction, and the use of coquina. She said that the next panel would depict its use during the 1940s and 1950s in which it was a center for recreational activity and the location of City offices there, another panel would depict the wade-ins at that site, and a fourth panel would depict its transition from City Hall to its restoration and home of the Dance Company and the Art Studio. She said that the final panel would address beach erosion, climate change, sea turtles, etc. She advised that it is a really nice story for visitors, and she showed a depiction of one of the panels that is currently in production and that each panel would include a public art piece.

Ms. Parrish Stone moved on to the next slide, which showed the backside of the design depicting the sky and the waves and a durable porcelain panel on the right which would sit in the middle of the panel with all the metal work. She advised that the sketch had several different proposals that the designer came up with for how it could be mounted but that she did not have a sketch of the one that was chosen. She said that the building has several columns that go from one end to the other which will be supporting awnings after the restoration is completed and that the panels would go on the five columns that are closest to beach, would wrap around the columns, and could be removed if there is a storm or if they need repairs. She advised that the drawing shows the panels going to the ground but after talking with Public Works they will be a few feet above the ground for maintenance of the sidewalk, etc. She said that this exhibition would be installed the last week of March and that she would coordinate with the City Manager and the Commission to determine when the City would like to have an event and invite the residents to celebrate it.

Ms. Parrish Stone showed renderings of what the building would look like a year from now. She said that the architects have been working on design work, the new roof has been completed, etc. She said that the plans should be ready to go out to bid later this month and that she hoped that construction could begin late spring/early summer of 2023. She showed a slide, which depicted a view of the current building looking to the southwest along with a rendering of what it would look like in a year. She said that all the windows would be replaced, the oceanfront balcony would be reconstructed with rails based on the original design. She advised that a different awning design was decided on after meeting with the City Manager and others to be sure that we had something that would be removable/replaceable and so we came up with sunshade panels that would look like an awning but would be able to be unhooked and removed for approximately the same cost as an awning structure. She moved on and showed slides that depicted the building looking south, looking towards the beach, etc., which is how it would look by summer. She advised that she met with both of the tenants last week to discuss how this project would affect them during the construction process and that they would have to close for a period of time during construction to provide access to the second floor. She showed a slide of the new lobby area, which would include a new staircase and an elevator shaft, with the elevator to be installed at a later date. She said that it would reduce the amount of space that the Art Studio has, and they understand that it would require them to close for a period of time, especially during the construction of the elevator pit. She said that overall it will be a much-improved facility for everyone and give access to the second floor. She asked Mr. Connor Dowling to make his design presentation of Phase 1 and Phase 2, but that some interior finishes of Phase 1 may not be done due to costs and especially making sure that we have the elevator shaft finished. She said that after we can take people upstairs it could help facilitate the ability to do some fund raising and apply for additional grants.

Mr. Connor Dowling presented a PowerPoint showing the design plans [Exhibit B]. He said that the goal was to complete the exterior of the building and the windows and that the interior would be done as funds are available to deliver a package that would be a simple process to complete the design. He said that we would have the elevator shaft, the stairs, and the electrical and mechanical infrastructure for all the other things. He showed a slide which depicted the ground floor and said that the area shown in white is the existing Dance Company space and would not have any construction done. The northwest section of the building, which is the current Art Studio, would have a new lobby added as depicted in orange and that it was the original lobby for the building to get to the second floor. The existing staircase is beautiful and would be refinished, the restroom would be upgraded to code, and the Art Studio would have a new entrance from an existing door that would be made useful again. He said that the plan for the second floor would go from west to east as funds are available and that Phase 1 is everything on the west side, that by code we are not required to have an elevator yet, but that we would have to put in a secondary staircase as a means of egress, which has been earmarked at the southeast side of the second floor and would drop down naturally to the Dance Company and exit to the beach in the future. He said that every window on the second floor is slated to be replaced and the balcony that faces the ocean would be upgraded with new railings that match the existing fish-shaped design. He said that our goal is to get people to the second floor by means of the small art studio spaces and that the basic layout of the second floor would stay pretty much the same as it is today with the exception of making spaces for two restrooms next to the elevator. He said that the art studios upstairs would occupy the exact square footage that the old hotel rooms did, which helps tell the story of the building, the existing framing is still intact, and that they would try to leave all the existing wood in the central hallway. He said that the mezzanine is not in bad shape, but the access is strange and that the vision is to have the northeast corner suite occupy the mezzanine to be a two-level suite and would not necessarily be opened to the public all the time.

Mayor Samora said that the plans look great.

Commissioner Sweeny questioned the size of the office spaces depicted in pink because she believed that the Commission had talked about having a larger space for group classes. Ms. Parrish Stone said that one thing that is not reflected in these plans are what we discussed in the meeting with Connor and Sarah last week and that she has asked that the two studios depicted in blue next to the pink be redesigned to create one large space for a classroom. The vision for the first Phase is that the first three studios could potentially be rented to individual artists and that the double studio would be available to the Art Studio or an art teacher for a class. She said that there would be limitations with the access initially in Phase 1 limiting the amount of people and the types of activities allowable until another access to the building is available and that we would be prepared for that as we move on. She advised that some of the space is large enough to have ten to twelve students taking a class. She said that she believed that it is a load-bearing wall and that it would need to have an opening with a sliding door. She said that the white space downstairs does not have any significant work being done but that they would be upgrading the air conditioning for the Dance Company, which may cause a few days of interference during construction. She advised that they are considering moving the units from the roof and into an area in the courtyard with fencing to help improve their longevity.

Commissioner Sweeny asked to have a copy of each panel sent to the Commission. Ms. Parrish Stone agreed and that it has been shared with County staff and historians to make sure it was accurate.

Commissioner Morgan asked if there would be a plan to add panels in the future. Ms. Parrish Stone said that the reason that there are only five panels is because we did not want to put the panels next to the entrance, which could interfere with access into the lobby and the Art Studio

and that the first three columns, which frame the two entrance doors, would not have a panel on them. She said that since they are removable, in the future they could be moved closer to the street and additional panels added on the end.

Commissioner Morgan questioned what mechanism would be in place after Phase 1 to stop access to the areas that are not opened to the public. Mr. Dowling advised that it would be a locked door at the end of the hallway.

Commissioner Sweeny asked if the posts are made of coquina. Ms. Parrish Stone advised that the posts were reconstructed about twenty years ago and have a new thin layer of coquina, but they are not original to the building, and we were very intentional with the installer in how they would be applied and that this designer was chosen for his heritage exhibitions such as at the lighthouse.

Mayor Samora thanked each of them for their updates and appreciated seeing the progress made on the building. Ms. Parrish Stone thanked the Commission for their support and said that they are excited about the progress too.

Mayor Samora moved on to Item VII.B and said that there have been quite a few questions regarding the work going on in the City and that the City Manager invited a representative from the company doing the installation to provide us with some information.

B. Information Concerning Construction of Fiber Optic Network in City by Representatives of IQ Fiber of Jacksonville

Kim Smithers, Chief Marketing Officer for IQ Fiber, presented a PowerPoint [Exhibit C]. She provided background information for IQ Fiber, a Jacksonville based company founded in 2021. Many people that started working from home in 2020 found that existing internet services left a lot to be desired and IQ Fiber was created to solve that issue. She said that they are north Florida's only local residential fiber optic network provider, they are currently building in four counties in northeast Florida, and they are not using AT&T's or any other internet service provider's network. She advised that they provide streamlined customer service where there are no contracts, no installation fees, no equipment fees, no data caps, etc., the price you see is the price you pay. She said that fiber optic is what powers the internet, the cell towers, and it is what the transatlantic lines are built off of and that IQ Fiber is bringing it directly to your home. She said that cable was built to broadcast TV stations directly to the home and has adapted its technology over time to be able to provide internet service, but that it is not built for internet service. DSL (Digital Subscriber Line) was built off of copper lines for telephone service and that fiber is built to deliver data the way we use the internet today.

Ms. Smithers advised that twenty-four City residents have completed a request to connect with IQ Fiber in just the past week. She said that more people are working from home, using video calling, shopping online, and streaming video. Plus, Wi-Fi now connects to appliances, security devices, fitness equipment, health monitors, etc. and that the average American today has twenty-five devices connected to the internet in their home.

Ms. Smithers advised that construction is currently going on in the City and that their minimal above ground cabinets would be placed in areas that already have similar telecom equipment and all the fiber connections are buried to help prevent against storm issues, etc. She advised that the cable was laid along the utility easement right-of-way with a fiber conduit put in first and then the fiber is pulled through which helps protect it against any cuts.

Ms. Smithers said that they are a brand-new company and try to make a good first impression. They currently have twenty active build areas in four counties and that they try very hard to let residents know when they will be on their street with signage and door hangers, which are placed three to five days in advance and specify important things such as leaving the flags and paint

intact. All the vehicles and crews are identifiable with IQ Fiber logos, and their construction signs are displayed around the active sites. There is a dedicated construction page on their website or people could use the QR code on the signage/door hangers, which explains the process and answers frequently asked questions. She advised that the City could also direct residents' phone calls to them and that they also have on-site construction coordinators at every site who handle each resident's concerns and questions individually. She advised that their commitment is to serve the community with excellent customer service, minimal disruption during construction, and a natural restoration. She said that there are examples of areas at the beaches and San Marco where their network is active and what it looked like from week to week and that you cannot tell that IQ Fiber was ever there.

Ms. Smithers moved on to the next slide and said that some of the frequently asked questions are regarding how long the utility flags are in place, how deep they are digging, what hours they will be working, what happens with existing landscape and trees, etc.

Mayor Samora said that it is his understanding that this is going to go to every home and every street in the City. Ms. Smithers showed a map and advised that everything in yellow is where they are building and that the red areas are considered "do not build areas" for various reasons, such as protected areas or private/gated communities, and that she could provide a copy of the map to the Commission. She advised that everything has been permitted and approved for the specific streets that they are going down. Mayor Samora asked if there was a better map that the Commission could get online. Ms. Smithers introduced Mr. Richard Fallon who is the head of construction and engineering. Mr. Fallon said that he met with the Public Works Director when they first started the project, and that he has the map as well.

Mayor Samora asked how long the project construction phase would take. Ms. Smithers said that they started construction about a week ago and that it could take about three to four months to complete the entire area.

Mayor Samora asked when it would be active for service. Ms. Smithers advised that they turn the network on and have it active for service one cabinet at a time and that each cabinet serves about one thousand customers. She said that there would be about three or four cabinets for this immediate area of the City with the first one being active probably by May.

Mayor Samora asked if the City has had any contact from residents with concerns. City Manager Royle said that if he gets an email that he directs them to contact the company directly, that they have been very helpful in responding, and that he has not received any complaints from residents saying that they were not contacted so obviously the company does follow up.

Commissioner Sweeny said that she recalls the possible mention about having our Communications/Events Coordinator put information out on our social media channels or Newsletters, etc. and she asked if the company's communication team would work with City staff to provide graphics and copy, etc. Ms. Smithers said yes but she noted that they do not usually publish their full coverage area while it is under construction or during planning because we may get out there and find that there is an area that we cannot build, and we would not want to promise something ahead of time. She advised that they would provide as much information as possible. She suggested that the residents input their information and the company would keep them updated directly for their particular address.

Commissioner Sweeny asked how it works with Homeowners' Associations (HOAs) or gated communities. Ms. Smithers said that for any gated communities, private roads, condos, etc., that they would have to gain a "Right of Entry Agreement" and our Community Development Team would engage those organizations and build a relationship, but until then, they are considered a "do not build" area.

Commissioner Sweeny asked if they were working from one end of the island to the other. Ms. Smithers said yes, and she pointed to an area on the map and said that in that area they started on the south side and would go north to work their way over to the north side of the island and go south from there. Mr. Fallon said that it really depends on the permits because there are Florida Department of Transportation (FDOT) permits, there are St. Augustine Beach permits, etc., and that they are trying to finish one area first.

Vice Mayor Rumrell said that it was a great presentation, but that he wished they would have done the presentation before the work started. He said that he did some research and that he knows that most of IQ Fiber employees are former Comcast employees. He suggested as a courtesy that as they move into other cities and municipalities they should get ahead of it instead of behind it. Ms. Smithers said that she agreed and that they usually do try to talk to the entities ahead of time but that this project moved much quicker than they had anticipated, and she apologized for that.

Mayor Samora thanked IQ Fiber for their presentation. He moved on to Item VIII and opened Public Comments and advised that the public would have three minutes to address the Commission on any non-agenda items and to please fill out a speaker card.

VIII. PUBLIC COMMENTS

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, showed an overhead slide of the Ocean Hammock Park resident letter offering to pay for some work [Exhibit D-1]; keeps trying to tell citizens to come to the meetings or go to the website; he is bringing it up again because a lot of people do not understand it and it could get tricky; there was another interview with the President of Sea Colony who made a statement that needs to be addressed and after the demo he quoted “that leaves the City with about \$400,000 to spend on things and they what to do in the park”; after the demo you have to pay for a new section of boardwalk because you cannot vacate an access to the beach; the Commission is doing a great job up until this point; something has come up recently that has caused some angst in the community referencing that human injury is silly, a ground level walkway, and snake bites and he wanted to bring it to the City’s attention [Exhibit D-2]; hopes that after a year of this that a decision can be made soon; there are a few people that have been against a ground level path before this letter came out and have spoken about the snake issue; Director Tredik did the best job he could and there is a long list of things [Exhibit D-3] but to at least keep the top item to protect and enhance wildlife, which would give the City a lot of leeway with Phase 3; thanked the Commission for keeping everything civil.

John Lawler, 4 Ocean Trace Road, St. Augustine Beach, FL, Association has extreme interest in seeing the Master Plan completed; is available to work with the City to find a solution to their problem.

Mayor Samora closed Public Comments and asked the Public Works Director for any updates on Ocean Trace. Director Tredik advised that he does not have an update tonight but that he is meeting with the consultant in the next couple of weeks and would get something back to the Commission in April regarding the Stormwater Master Plan Update. Mayor Samora asked if he had any communication with the interested stakeholders in that area. Director Tredik advised that he has not had any communication with them in the past few weeks. Mayor Samora asked that he let them know that the Commission would have something in April. Director Tredik agreed.

Mayor Samora reminded everyone that information regarding Ocean Hammock Park is on the City’s website and for anyone that cannot attend the meetings to email the Commission and that each Commissioner’s contact information is also on the website.

Mayor Samora moved on to Item IX.

IX. COMMISSIONER COMMENTS

Commissioner Sweeny advised that there is a Legislative session tomorrow, there are a number of projects that the City has submitted, and hopefully there will be success with those and that she would keep the City updated as they move through the process.

Commissioner Morgan advised that she went to see the finished sidewalk at A Street east of the Boulevard and that it looks fantastic.

Vice Mayor Rumrell advised that St. Augustine Beach was voted number thirteen in the country by TripAdvisor as one of the best beaches and that we were the only beach on the east coast of Florida on that list. He also attended the County's transportation meeting on Friday, and they were only talking about SR-16, but that everyone in this room has driven that road at one time or another and he passed around a flyer that depicts what they plan to do [Exhibit E].

Mayor Samora moved on to Item X.1.

X. PUBLIC HEARINGS

1. Ordinance 23-01, Final Reading, to Authorize Adopting a Stormwater Utility Fee (Presenter: Bill Tredik, Public Works Director)

Director Tredik advised that this is the second reading to amend Chapter 7 of the Code relating to stormwater assessments. This ordinance sets the framework should the City desire to move forward with a Stormwater Utility Fee. At the November 14th Commission meeting the Commission adopted the non-binding Resolution 22-15, which expressed intent to adopt a Stormwater Utility Fee. At the February Commission meeting, the Commission unanimously passed Ordinance 23-01 on first reading and questioned whether there would be separate assessments for the stormwater maintenance and stormwater capital improvements. He said that the ordinance is drafted with the intent to potentially allow assessment for both. A Stormwater Improvement Assessment is, "a special assessment imposed by the City within a stormwater improvement area to fund capital costs and related costs and obligations to finance the project costs for stormwater improvements." A Stormwater Service Assessment is, "a special assessment imposed by the City within a stormwater service area to fund the service costs." He advised that he has had conversations with the City Attorney, and they have determined that the existing language in the ordinance covered the City and gives us the maximum flexibility to do a service assessment, a stormwater improvement assessment, or both for any given year, and it would also be the Commission's choice in any given year. He did not feel that the ordinance needed any changes from what was adopted on first reading. If it is approved, the next step would be to start working on implementation of a fee and that is another item on the agenda.

Director Tredik advised that this ordinance replaces defunct Sections 7.1 to 7.4 of the City Code that was related to the County's stormwater utility fee, which was never adopted, so this would set the stage for us to move forward and revises Chapter 7, Article 1, to make it all consistent. He said that tonight he is asking the Commission to adopt Ordinance 23-01 on second reading.

Mayor Samora asked if Director Tredik decided to keep the structure of the ordinance. Director Tredik said yes that he believed that it would be two fees just like the City does with solid waste and it would give the City the most flexibility to meet the funding challenges.

Mayor Samora asked when the notices would go to the homeowners about the fees if this were to move forward. Director Tredik advised that we are under the clock if we want to do something this year. He said that in August we would have to pass a resolution and pass an interlocal

agreement with the Tax Collector to impose a fee, so we would need to have the Public Hearing in June, or July at the very latest, but that June would be better. We would have to advertise twenty days in advance of the Public Hearing, so the very latest that we could pass the stormwater assessment resolution would be June. He said that he would like to get there by May but that he believed that there is too much work to be done between now and then to make it happen, so more realistically we would come back in June.

Mayor Samora opened Public Comments.

Mike O'Steen, 202 Azalea Court, St. Augustine Beach, FL, asked what this fee would do and where would the water go.

Mayor Samora said that the City is considering adopting a Stormwater Utility Fee Assessment to collect money that would help support any kind of stormwater projects.

Mayor Samora closed Public Comments. He advised that this came up several years ago and has come up again, the Commission has had some robust discussions about it, and the City never knows where the funding is going to come from for stormwater. He advised that we currently have some projects that were grant funded but that we just never know when that may run out and this would be a way to sort of determine our own fate when it comes to addressing the City's needs for stormwater.

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

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

Mayor Samora moved on to Item XI.2.

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

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

Mayor Samora moved on to Item XII.3.

XII. OLD BUSINESS

3. Vision Plan: Review of Updated Draft (Presenters: Margaret England, Former Commissioner, and Max Royle, City Manager)

City Manager Royle advised that the current plan is meant to replace the 2006 Vision Plan. It has gone through a number of revisions and City committees and that former Commissioner Margaret England largely developed this update. He said that in the initial draft that he had suggested having a timetable and to do more review, but the Comprehensive Planning & Zoning Board (CPZB) and the Sustainability & Environmental Planning Advisory Committee (SEPAC) have had an opportunity to review it and if the plan meets with the Commission's satisfaction, he suggested to adopt it as is and we can tweak it over the next several months or year and revisit it. He said that he plans to work with the City Clerk on developing a set of goals from the Vision Plan or timelines to meet and report to the Commission in a year from now regarding what has/has not been done and where we are, what changes we may want to make, etc.

Margaret England, 425 Ocean Drive, St. Augustine Beach, FL, advised that she is here to present what she hoped would be the final version of the St. Augustine Beach Vision Plan, to address any questions, and to set up a mechanism for revision/review every year or two years. She said that the purpose of the Plan is to address pertinent topics and that she and the City Manager have hashed out almost every topic possible that addressed the physical nature of our community, to protect the environment, to protect the community culture, and to encourage "smart city" practices. She said that while many topics are addressed in general, we left it flexible which would allow current and future commissions guidance under these topics. She said that she and the City Manager reviewed letters, emails, and texts from the Commission, CPZB, and SEPAC and added very subtle changes and editing, such as one suggestion to create a Master Plan for the City plazas, but that we decided to leave it general to allow for flexibility as you go along. She said changes were made from the input that SEPAC provided, such as on page 10 regarding sustainability and resiliency, in a general way to give guidance to protect the culture of this City and to address everything. She said that if the Commission has any major changes that she and the City Manager would go through it again, but that everyone has had ample opportunity and has given good feedback that has already been incorporated in the Plan. She said that it is a good idea to have a Vision Plan so that we can see where we are going on each of these topics.

Mayor Samora thanked Ms. England for her continuing work on this project.

Vice Mayor Rumrell advised that he read through it and that it was pretty much what Ms. England had envisioned when she was on the Commission. He commended her for her great job and said that he liked that it is a working document without timetables for things to be implemented. He said that he supports the Vision Plan.

Commissioner Morgan thanked her for her work on this project. She said that on page 5, B.3 that the last sentence mentions that there is only one small area without a connection to the County sewer system and she asked where it was located. City Manager Royle advised that it is located on Acacia Street, Florida Avenue, and Pyrus Street, which are still on septic.

Commissioner Morgan questioned the language in the "Purpose of the Vision Plan", the second paragraph under the second subparagraph regarding "smart city". She asked if we were removing something or intentionally leaving something out of the quote with the use of ellipses. City Manager Royle advised that the things that did not apply to our City were left out, such as a bus system. Vice Mayor Rumrell said that when they looked at that quote initially that there were things that did not pertain to our City, such as hospitals.

Commissioner Morgan questioned what shopping center was being referenced on page 6.B, subparagraph 1. Ms. England advised that it is the Publix shopping center. She said that she met with the City Manager and the Public Works Director, and they identified some possibilities, which were referenced in the Plan but were later removed to make it more general. She advised that there is a goal to address the southern part of the City to make sure that everyone has walking access to the beach of a mile or less, which is a future goal to keep in mind for those residents. Commissioner Morgan said that she liked that it was written to be flexible so that it can still work as our area and thoughts changes, but that she would like to see more specificity of the shopping center because over time there could be more shopping centers. Ms. England said that she could make the change to reflect Anastasia Plaza. Commissioner Morgan questioned whether we should include "bikeability" or only say "walkability". City Manager Royle suggested to change the language to read, "to increase the City's facilities for bicyclists and pedestrians."

Commissioner Morgan questioned whether the language should be changed on Page 7 regarding the plazas because it only specified plazas along the Boulevard. She asked to consider adding

language such as “to beautify A1A Beach Boulevard and the community” because there are bunch of plazas elsewhere, such as those on D Street.

Commissioner Morgan suggested on Page 10.F, second paragraph, to delete some of the causes and threats because there could be some people who would have objection to what the causes of those climate changes would be. Ms. England advised that this was part of the suggestions from SEPAC. Commissioner Morgan appreciates that a lot of time and effort was put into this before she became a Commissioner, but that she suggested scaling down that paragraph because in the long-term some people may not agree with it as written. Ms. England asked if Commissioner Morgan would like to make a formal suggestion to the City Manager that could be worked on. Commissioner Morgan said that she thinks that the paragraph goes further than necessary but that she could certainly make a suggestion to the City Manager. Commissioner Sweeny advised that she is okay with removing it and taking the last sentence and moving it up to the first paragraph. Mayor Samora agreed and said that that is the point of all the preceding language. Ms. England advised that she and the City Manager were trying to incorporate everyone’s suggestions and SEPAC provided a lot of input for the sustainability and resiliency section.

Commissioner Morgan said that on page 13, the first sentence should read “pursue” rather than “pursues”. City Manager Royle said that it should read that the City “adopts”.

Commissioner Sweeny thanked Ms. England for all the work that she has done and since this is a visioning document, she asked if it would be appropriate to convert those last septic properties to sewer in the future. She said that the City of St. Augustine has a program to help convert properties and that she would like additional conversation to add language in the Plan to move us in that direction if it is feasible. City Manager Royle advised that the sewer system is provided by the County and language could be added specifying that we would contact the County to work with them to connect this final segment of the City to sewer. He said that the County did a major sewer rebuild project about ten years ago and that he did not know why that area was left off and that he would follow up on it.

Commissioner Sweeny said that we had talked about a public art component in the past that is not in this final version. She said that we are such an eclectic, artful community and that she would like to see us embrace that a little bit, such as with murals or other public art. Ms. England advised that page 8, item 3, talks about displays of public art in the plazas. She said that it was suggested to create a master plan for the plazas right now and that we backed away from doing that because the Commission could always request that SEPAC come up with ideas for doing a certain number of plazas a year and to encourage them to do the work.

Commissioner Sweeny said that she is leery of adopting this tonight solely because the last time we discussed this, we had advertised that there would be a community meeting and an opportunity for the public to weigh in and that she would like to see that happen.

Mayor Samora said that this is sort of a living document, something that we should have a mechanism for reviewing periodically and asked for Ms. England’s thoughts regarding how often it should be reviewed. Ms. England said that annually may be too often, and she suggested that the Commission could review it every two years. She said that it should also be reviewed if there are any major changes to services or utilities, such as when the old City Hall is developed.

Mayor Samora asked if it would need to be an extensive review that involved SEPAC and CPZB. Ms. England said yes, probably all the boards should have an opportunity to review it and have it as an agenda item for the public to comment. She advised that this is general guidance for the culture and nature of our community and to keep it beautiful.

Mayor Samora asked if it would be a stand-alone document and would not be part of the Comprehensive Plan or the Land Development Regulations (LDRs). City Manager Royle said it would be a stand-alone document.

Mayor Samora thanked them for their hard work.

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

Mayor Samora said that the Commission has talked about this for a long time and that he thinks that it is time to move on it. It has been proposed as a living document that would have periodic reviews, it has been generalized in a way that the Commission can navigate it moving forward, and that it sets some very broad-based goals for us. He said that Commissioner Sweeny brought up a public workshop and that he is not opposed to that, but it is time to start moving forward.

Commissioner Morgan said that she agreed with Ms. England's suggestion to review it every other year unless there is an event to facilitate a natural review of it. She said that she seemed to recall a cross committee workshop about six months ago where we reviewed a draft of the Vision Plan.

Vice Mayor Rumrell said that Commissioner Sweeny brought up a good point because it showed in the advertisement that there would be a June 2023 workshop and we could continue to tweak the document.

Motion: To approve the Vision Plan with Commissioner Morgan's suggestions and plans for a June 2023 workshop. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Morgan. Motion passed unanimously.

Mayor Samora moved on to Item XII.4.

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)

Director Tredik advised that this is a Budget Resolution to provide some assistance with digitization of the impervious surface areas around the City. He said that on February 6, 2023, the Commission passed Ordinance 23-01 on first reading, and earlier tonight it was passed on second reading. He said that in order to move forward with imposing a fee this fall, that we have several things that we need to do over the next few months. He said that by June at the very latest we would need to pass the stormwater assessment and have the rates as well as several other things in place, then hold a Public Hearing in July, and pass the final assessment in August. He advised that there is a lot of work to be done between now and that June meeting with the first step being to understand what the average impervious area is for residential property. He said that the most effective way to do that is to use aerial photography to digitize the outline of each parcel's impervious area and then average it. He said that if we just used tax rolls, we would not pick up everything and we are trying to be as accurate and representative of our City as possible. He said that the Equivalent Residential Unit (ERU) not only affects the residential, but also the commercial properties. If it is set too low, then the application of that formula to commercial properties would be very high, and vice versa. He said that it is important to get it right because it has an impact on commercial properties in some ways more than the residential which is the real reason that we want to digitize in order to understand it and that every city has different ERU numbers.

Director Tredik advised that he would like to use the continuing contract consultant Crawford, Murphy and Tilly (CMT) just for this and to use one of their CAD (Computer-Aided Design) or GIS (Geographic Information Systems) experts to go over all the commercial and residential properties, digitize them, and understand what the impervious areas are and how many ERUs the commercial properties are going to get assessed. He said that if the City is going to do this in the fall, then we need to take a step in that direction, or it will not get done. He said that the ordinance

has been passed and that this could sit but if it does not go forward, then we are going to have to budget for whatever it takes next year to impose this fee, which would mean a larger study that could cost upwards of \$100,000 based on the preliminary numbers that he has received from CMT. He advised that ultimately it is the Commission's decision to either move quickly to impose this fee in the fall or defer it until the next fiscal year and put out a study.

Director Tredik advised that he is asking for Budget Resolution 23-05 to be approved authorizing the transfer of \$13,790 into the FY 2023 budget to get the impervious surface areas and figure out what the appropriate ERUs are for the City. He said that even if you decide not to move forward, the ERU information would still be useful the following fiscal year.

Mayor Samora asked what the alternate path would be if we decided not to move forward. Director Tredik said that he is not sure that there is an alternate path because we have to develop what an ERU is, which would be the basic building block for how this will be assessed through the Tax Collector, and if we do not know what the ERUs are, then we cannot move forward. He said that if we tried to create something that is not based on sound analysis that we would possibly be challenged by either one or both residential and commercial because one is going to bear more or less of that burden of the assessment, so it needs to be right.

Mayor Samora said that we are not going to go out to bid on something like this and that he realizes that he is coming to the Commission with CMT because we have contracts that we could tack on to, but he questioned their expertise in this area because this is a very critical part of this Stormwater Utility Fee. He said that he feels like this is rushed and that he would like Director Tredik to substantiate why we would use CMT. Director Tredik said that they could do it quickly and it is the area of expertise of any engineering firm. He said that the advantage with CMT is that we could move quicker because we have an existing contract. He said that we could do quite a bit in-house, but probably not all of it, and we do not necessarily have to use CMT, but he is cognizant of the fact that State rules do not want him to break this up into little pieces to fall under purchasing thresholds, so he is trying to use the contract that he has in place. He said that it is not an unreasonable price for this scope of work and could possibly cost more with a different engineering consultant.

Mayor Samora said that the proposed contract with CMT is purely just data gathering and he asked what happens with that data. Director Tredik said that CMT would give that information to us, and we would use it to go forward to develop the ERU for commercial and we would notice every one of their fees in advance of the June meeting. He advised that they would be completing a project list which would come out of the Master Drainage Study Update, and we would be completing an analysis of our maintenance costs simultaneously. He said that there is a natural fit since CMT is doing the Master Drainage Study Update and that these would be married together in June if the Commission passes the resolution for how much we need to collect to do in maintenance and improvements.

Commissioner Sweeny said that her first thought was the same as the Mayor's. She asked what the City's policies are for when something has to go out to bid. Director Tredik advised that for something like this we would be going by the Florida statute which covers procurement of professional engineering services, and this would be under that threshold because they are a continuing contract/engineering consultant, which he believed we can go up to two million dollars, so they are well under that threshold. He said that if we did not do this, because it is a professional engineer that we are procuring, that his only concern would be to be careful not to break it up into little chunks in order to keep it under the threshold, which he believed is about \$35,000 by State rules for professional services without going through a Request for Qualifications (RFQ) process. He said that he has concerns if he has to do more work with a professional

engineering consultant that he may trip over that threshold and may not be in strict compliance with State rules.

Commissioner Sweeny said that what is throwing her a little bit is that the memo specifically states that, "staff is negotiating with CMT to develop the scope and fee for the remaining work associated with items two through five", so if that is the case, then are we planning to use CMT for the rest of this. Director Tredik said that the memo was written a few weeks ago before he actually received a draft scope and fee from CMT for the remainder of the work and at this point it is beyond what we want to do. He said that unless we could dramatically reduce it, that he thinks we need to do as much in-house as possible, but that he does not have the time to do these first digitizations in-house. He said that they may still end up doing a scaled down report based upon the minimal that is necessary to sustain any challenges and show that we have done our due diligence. Commissioner Sweeny asked if CMT has done this same Stormwater Utility Fee work for any other jurisdiction. Director Tredik said that CMT provided him with a good number of examples of information that they had but that he has not had a chance to go through it, which is another reason that he has not recommended using CMT at this point for the next steps. He said that while CMT is doing this, we could potentially put something out to try to get another consultant, but he cautioned that it would not be cheap.

Finance Director Douylliez advised that we also have our own City policies which we should adhere to. She said that our purchasing policy states that, "at least three written quotes are necessary to be received by the City in respect to purchases of goods and/or services costing at least \$5,000 but less than \$14,999.99." She said that if three quotes are not possible, then a written explanation is needed for why we would not have that. She advised that there is a State policy as far as going on an additional amendment to a contract, but we also have City purchasing policies. She advised that the threshold for going out to bid for a Request for Proposal (RFP) is \$15,000 and at that point we have to go out to bid or a RFP. Commissioner Sweeny said that for this item according to the policy we are supposed to have three quotes. Finance Director Douylliez said yes.

Director Tredik said that it gets a little tricky and that he would like the City Attorney to weigh in on it because this is not a standard procurement. City Attorney Blocker said that the way that the City statute is written for bids like these there has to be a strict compliance. He said that when you are dealing with professional contracts there are certain licensing requirements which sometimes limit the number of bids. He advised that when you are dealing with public money, that you need to make sure that the funds are used effectively and that there isn't a conflict of interest.

Director Tredik said that getting quotes for a larger project that is being broken up into smaller segments and would total more than \$35,000 would not be in compliance with State statute. He advised that if he were to hire a firm to do the whole thing, he would guarantee that it would cost more than \$35,000 because the digitization alone is \$13,700. He said that he fears that we are breaking it up in that condition to get around the rules and that restriction would not apply if we used a continuing contract engineer and could award the bid by State statute. He said that it is a question of State vs. local policy. City Attorney Blocker advised that there is a continuation here and there are times where these are broken up to avoid some of the State statutes. He pointed out that this would be a continuation and that it might be pertinent to do that in this circumstance and that the Commission could evaluate it and make a decision. He said that Director Tredik is pointing out some of the risks and challenges with this because it is a unique contract.

Vice Mayor Rumrell advised that the County has a fantastic GIS program that is free. He said that we are a very "tree canopy" City and that approximately thirty-percent has a tree canopy and the GIS does not pick up those areas. He suggested to possibly talk to the Building Department to see

if they could do it in an effort to try to save City and taxpayer dollars for other important things. He asked the Finance Director if the City of St. Augustine does it by square footage. Finance Director Douylliez said that there is some language in there about a tiered level based on the square footage of the home. She said that she does not know how their ERUs were developed, but it does tier up from zero square foot to the fifteen hundreds or at least they do go up from there and the ERUs for commercial are based on the baseline of the residential. Vice Mayor Rumrell asked for it to be further investigated and said that we could probably get it from the property records and that Building Official Law may be able to assist. He said that if we could adopt something that is already out there such as the City of St. Augustine's would be helpful as a starting point and to save money. He said that he would like to know what CMT's total amount would be for the complete bid and if we break it up would we be in violation. City Attorney Blocker said that to bid something out in and of itself is not a violation but that what Director Tredik is pointing out is that there are times when this will work in his favor but that we could look at in more detail.

Commissioner Morgan advised that there is information in the tax rolls about the impervious coverage, so it seems like a lot of this information is already out there and perhaps we could use it. She said that this is not a tremendous amount of money but there would be a steps. She asked if this would be for information gathering or crunching because a lot of the data is already out there.

Commissioner Sweeny said, to Commissioner Morgan's point, that in the engineering services document from CMT that it specifically references all the data steps and that it appears to be data crunching because they say that they would be using FDOT and the County's GIS, etc. to calculate the average residential impervious area. She asked what would CMT's timeline for completion be.

Director Tredik said that the tree canopy is an issue, and it is one of the reasons to explore other alternatives. He said that the ISR (Impervious Surface Ratio) numbers that are available are great and he deferred to the Building Official for further information. Building Official Law advised that ISR is a fairly new concept in development and that the only way to know whether something was not done is to have it surveyed or search our Laserfiche records software and that one new residence could be a two hundred page document. He said that since he has been with the City that it has been consolidated to an approved site plan. The tree canopy would stretch over the majority of the numbered and alphabet streets but that the commercial would have a very good shot at using the GIS. Director Tredik said that the reason he asked is because he does not think that we have enough ISR information to make a good representative sample. He said that the tax rolls have the square footage of the building, which may not represent the square footage of the impervious area on the site. He said that it does not pick up multi-story buildings, patios, driveways, etc. which are necessary in the ISR calculation. He advised that CMT would be doing a combination of getting new data and researching old data to pull it all together and provide us with a number that is defensible.

Director Tredik said that that the City of St. Augustine did a study in the 1990s to develop their original residential ERU, which was expensive. He said that he believed that they may have modified it since then and a tiered system with different amounts for different square footage is doable and a lot of cities do it that way. He advised that it is more difficult for a limited staff to keep track of it and maintain it and a single tier system would be easier to implement and to maintain because the square footage does not matter and they would get one ERU for a residential property. He said that it is never going to be one hundred percent equitable across the board because of how this sort of a fee works. He said to try to make it fair that we would be increasing the bureaucracy to administer the program to where it would become inefficient and that he would recommend a single tier system.

Vice Mayor Rumrell asked if it could be done based on residential and commercial zoning, such as \$5.00 for residential and \$10.00 for commercial and be legally defensible. City Attorney Blocker said that he could research it, but as long as we notice it and give the public an opportunity to understand, and you have to be able to identify these parcels and explain the reasoning behind how the fees are assessed. He advised that he is not familiar with any municipality that does it that way but that it could be researched. Vice Mayor Rumrell would like to try to simplify it and said that he agreed that it is not going to be fair for everyone but the greater good would be to protect the City and the projects that we have already done, such as the weir. He said that simple would be easier but that he personally has a hard time with the \$13,000 when we do not know the direction and that there are a lot of tools out there to help us.

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

Mayor Samora said that he is hearing a lot about this being one of the fundamental building blocks of the Stormwater Utility Fee and we want to build it correctly vs. doing it quickly. He said that he feels like it is fairly rushed which he believed is the wrong way to do it. Vice Mayor Rumrell said that the reason it is rushed is because the Commission has given some sort of direction that we want to get this done as soon as possible. He said that there are a lot of tools that are available and if they come back and say that thirty percent is tree canopy, then we still do not have a true number and we would be doing a lot of guessing. He said that he is prepared to make a motion to deny the contract.

Commissioner Sweeny asked if CMT would be able to categorize every home and give us anything accurate in areas that have a tree canopy and are there other collection methods to assess those areas. Director Tredik advise that they do have other methods such as street view on Google or field visits because they would not be able to get a hundred percent from available data, but if you could get enough of a representative sample that becomes defensible but there would be some imperfections in any analysis. He said that the larger the sample, the more representative it would be.

Commissioner Sweeny said that the question is do we want to get it done to assess it this year because if we do not move forward today, then we do not have the manpower to do it on our own in time this year. Director Tredik agreed. Commissioner Sweeny said that this is really a question of whether we want to pay this money so that we can do it this year or do we want to take our time and go about it a different way and put it off for a year.

Vice Mayor Rumrell said that he thinks that we could do it in-house and possibly utilize the Building Official and get enough sample data to be defensible. He advised that the information is in the GIS now and if it is seventy percent, that it might constitute enough to be defensible.

Commissioner Morgan said that there is going to be margin of error whether CMT does it or we do it in-house. She said that she wants to do it right and does not want to wait another year especially if that somehow would mean the need for a study that would cost \$100,000. She said that this seems like we are jumping ahead and that she understands that it takes time whether it is our staff or someone else, but the data is already out there. Director Tredik advised that there are other options.

Mayor Samora said that before we get to far into that discussion, we have a motion on the floor. City Attorney Blocker said that you have to look back at the dates that we are working backwards from. He said that the initial assessment for resolution is early June at the latest and what is important is to have some of this data for the Public Hearing in July because the public will have questions. He advised that his recommendation for the motion is to give direction to staff because of the short window of time.

Motion: To deny the contract with Crawford, Murphy and Tilly, but recommend that staff continue to try to meet the June/July deadline by continuing work in-house. **Moved by** Vice Mayor Rumrell, **Seconded by** Commissioner Morgan. Motion passed unanimously.

Commissioner Sweeny said that she would like to hear from the Building Official and Director Tredik whether doing it in-house is feasible given all the other projects that we have going on right now and to meet the deadlines. Building Official Law advised that his staff is very limited and would always support the City's mission. He said that we are not GIS experts, and advised that we just bought the program and are still trying to learn how to use it. He said that for them to use the County provided GIS, it would be a polygon tool on each individual lot. He said that one recommendation is to use the Land Development Code, which states how much ISR you can have for each density area. He said that The Ridge is a forty percent ISR community with the exception of the ten percent or greater permeable pavers along with the pool exception. He said that Sea Colony has a sixty or seventy percent ISR, Anastasia Dunes is fifty percent, etc. He said to get ISR for each individual lot would take serious manpower and that the Building Department is at max-capacity right now, etc. He said that he could allocate one Code Enforcement Officer and Planning and Zoning Department staff member if that is the Commission's decision but that it would deplete the other services that they could provide. He suggested to eliminate the residential with a flat fee and concentrate on the commercial on the Boulevard, which is a lot more achievable because there is a clear line of sight with the polygon tool.

Commissioner Sweeny asked Director Tredik if CMT indicated in their quote how many hours they anticipated to complete the task. Director Tredik said that he would have to go back and look but that he believed they did. Commissioner Sweeny said that she is trying to understand what a realistic scope and timeline would be to determine whether we have the capacity to do it in-house. Director Tredik advised that he agreed with the Building Official's assessment and that they just got GIS and that it is not really feasible. He said that he is concerned about creating something based upon the maximum impervious surface area such as in medium-density because it is not representative of reality since some homes are larger. He said to keep in mind that this number would determine how much Embassy Suites and other commercial properties would pay. He said a bigger ERU means a reduced fee for the commercial vs. a smaller ERU is an increased fee for commercial, so picking a number based on what is allowable does not give you reality, it gives you what is allowable. He said that personally he does not think that it would be a defensible analysis and that it would be challenged especially if it is too low, which would mean that the commercial properties would be paying more than they think is fair. He said that if it is challenged, that the City may lose or would at least have to modify it. He said that Palm Coast did an assessment on undeveloped land which was challenged by some of the larger landowners, and they had to go back and rewrite their stormwater utility. He advised that it is very important that we do it right, that it is based on science, and based on real analysis. He said that the if the ISR information is not available, that it is not the right methodology to create a defensible program. He said that the work would probably be done by one of CMT's GIS/CAD techs making an estimated \$100 per hour billing rate vs. \$200 per hour for a Senior Engineer, which would control costs to some degree. He advised that he could get the breakdown and provide it later.

Commissioner Sweeny asked if Director Tredik if he felt confident given all the discrepancies with the tree canopy, the challenges collecting the data, etc. that CMT would do a better job than we could do in-house and would be more defensible and that they would provide a valid number that we could use. Director Tredik advised that we could do this in-house and that it is not a question of ability, but a question of time to have something ready for June. He said that it would take a couple weeks for him to do it and it would not be an effective use of his time because that would mean that there is something else that he is not doing and that he cannot put off other projects

to do this work. He said that with the amount of staff that we have, we need to lean on consultants to do a lot of work which is only going to get worse unless we increase staff.

Commissioner Sweeny said that she wanted to feel comfortable that they are going above and beyond just pulling the available data and would be viewing properties that cannot be viewed from an aerial image to give us more accurate data. Director Tredik advised that they would be by digitizing the impervious areas to the best of their ability but that there are some limits due to tree cover. He said that you can still get a lot of information even with tree cover and that he did a sampling prior to this to show CMT what he had done and that he was able to pull a fair amount of parcels from a scatter shot around the City. He said that there is enough information to get a layout and then you would go look at it. He said that it is not a question of ability, but a question of convenience, time, and trying to keep this rolling.

Commissioner Morgan said that it is hard to digest in part without anything to compare it to. She said that she could appreciate that it would cost a certain amount of dollars per hour, she knows that we have a timeline, but that she does not want to feel rushed. She said that we could do it in-house and it is probably not the most efficient use of Director Tredik's time, but it is very hard to digest without anything to compare it to and to pay someone \$14,000 to gather information that is already out there.

Vice Mayor Rumrell asked if Project Manager Adams could do it. Director Tredik said not at this time because his plate is full, and he is not quite there yet on his ArcMap skills, which takes practice. He said that he has been doing this his entire career and can do it fairly efficiently, but that he is not nearly as good as the CAD techs in some of these firms. He said a hundred forty hours at \$100 per hour would be \$14,000. He said that a hundred hours equals two and a half weeks, and that money does not go far with engineers, which is just the reality of it.

Mayor Samora said that there were a lot of good questions and concerns and that he has some of the same reservations. He said that we have other engineering firms under contract and that we do not see any other proposals to compare it to. He advised that he is not comfortable moving forward with this right now even though it is important. He said that if we do not go this route that we maybe continue to get competitive quotes to further layout how we could or could not do it in-house.

Commissioner Sweeny asked if the City had three engineering firms currently on contract that we could get quotes from. Director Tredik advised that the City only has one engineering firm on contract but that the County has firms that we could approach to see if we could piggyback.

Vice Mayor Rumrell asked if we could talk to the County about assisting on the GIS. Director Tredik advised that he has not had that conversation. Vice Mayor Rumrell said that they may be able to do it quickly and cost efficiently since they put this system together. Mayor Samora said that it would be nice to see some other options.

Mayor Samora said that the motion for denial passed unanimously, and he moved on to item XIII.5 and asked Building Official Law for a brief overview.

XIII. NEW BUSINESS

5. Budget Resolution 23-06 for the Renovation of the Building Department Bathroom In the Amount of \$60,000

Building Official Law advised that he has been continually modifying the Building Department with energy efficiency, upgraded vehicles, upgraded software systems, and now he is turning his focus to the infrastructure of the building. He said that the bathrooms are original and twenty-two years old. We are asking to remove the old tile, take it back to its frame, install sheet rock, install vinyl

planking floor, and replace the facilities with automatic flush valves, etc. He said that we cannot modify the layout, since they are Americans with Disabilities Act (ADA) accessible and must remain as is. He said that this is through Thomas May Construction Company, who is a continuing contract provider, and they are piggybacking the contract from other jurisdictions.

Mayor Samora asked if this was coming from the Building Department budget. Building Official Law advised that it is from the Building Department reserves and would be no cost to the City.

Commissioner Sweeny asked about the procurement of this. Finance Director Douylliez advised that we do have the ability to piggyback off of another contract and we have a contract in place right now where we are piggybacking off of St. Johns County, which falls under our purchasing policies. Commissioner Sweeny asked if he felt confident that piggybacking on that contract provided the best price and value. Building Official Law advised that he has worked with Thomas May before during his time with the County and that he has always had great quality from them.

Commissioner Morgan asked if there was money in the budget for this. Building Official Law advised that this is the Building Department reserve money. He said that even though it is not an enterprise fund, it operates as one, and its money is used for the implementation of the building code, the structure, the staffing, etc. and it is part of his ongoing change for the City. He advised that if this passes, that he would also be looking to replace all the windows in the Building Department. He said that the job has been turned over to the Public Works Director and his staff and that he must remain neutral because he would be the inspector. Finance Director Douylliez advised that the State statute says that the Building Department can have in reserve two years of their operating costs and that we have been dinged on our audits for the past few years because we were holding too much in reserve, so this will bring that balance down.

Mayor Samora asked if those funds were restricted. Finance Director Douylliez advised that they are restricted and must go directly back to the Building Department.

Commissioner Morgan said that it is much better wording because it is not really the “budget” because there is money there in the Building Department reserves. Building Official Law said yes and that we have performed many budget resolutions over the past three years.

Vice Mayor Rumrell asked the Building Official and the City Manager if they each had a maintenance schedule for their respective sides of the City Hall building and all the City buildings. City Manager Royle advised that we now have a very energetic employee promoted from within that has been assigned the task of developing that schedule, which we have not had in the past. Vice Mayor Rumrell asked the City Manager to keep the Commission informed of that schedule. City Manager Royle agreed.

Building Official Law advised that earlier this year the Building Department’s air conditioner had a massive failure, and the Building Department replaced it through emergency purchasing out of its operational budget this fiscal year, which was about a \$22,000 system. Vice Mayor Rumrell said that the Building Department is different from others in that it can just do things as needed. Building Official Law advised that they still operate under the same purchasing manual, but that emergency purchasing is different, and it was not taken out of reserves it was from his fiscal year budget.

Commissioner Sweeny asked if the contingency fee would be eliminated if all goes well with this project. Building Official Law said yes, what you see from Thomas May is the actual price. He said that he has not been able to locate a water shut off for this building, except for the main shut off, and that Project Manager Adams is working on it and the Building Department is prepared to assume the installation of a shut off valve. He advised that the City Hall building and Building C, where the IT Department is located, are under the same water meter and that it would be nice to be able to isolate one building in the event of a failure instead of both buildings. He said that he

added a couple extra thousand dollars to the quote because of the unknown circumstances when the walls get opened up and if it does not get used then the funds revert back to the Building Department reserve.

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

Motion: To approve Budget Resolution 23-06. **Moved by** Voice Mayor Rumrell, **Seconded by** Mayor Samora. Motion passed unanimously.

Mayor Samora moved on to Item XIII.6.

6. Discussion Regarding Height of Business Signs

Mayor Samora advised that the Vice Mayor asked for this item to be added and that it was brought to the City's attention from an old ordinance that was passed in 2018 and it is now coming to the enforcement phase in August of 2023.

Vice Mayor Rumrell advised that he has received phone calls from some businesses as well as Ellen Avery-Smith, who is here tonight, regarding the ordinance. He said that this ordinance does not have any grandfatherization in it and he recommended giving staff and the City Attorney direction to review the ordinance and come up with some ideas that may be beneficial.

Mayor Samora advised that he has also received calls and he asked if everyone had a chance to review the ordinance and get a pretty good understanding of how we got there. He said that there are signs that have been there for a while and that he has no issue with grandfathering some things. He said that we should review it and we should probably have a provision in it, such as for when a property changes hands that it would have to be fixed at that time. He said that it should not go on forever, if a sign gets damaged, then at that time there should be a provision that states it should be brought into compliance.

Commissioner Sweeny agreed with Mayor Samora. She said it is much like if you were making fifty percent of changes to a building that you would have to come up to code with everything else and that she would like to see the same thing for this. She said that potentially if the property changes hands, or there is damage to the sign, etc., then they must bring it up to code.

Commissioner Morgan said she liked all the suggestions and asked how many non-conforming signs are out there. She does not want to create a situation where we are grandfathering in more signs than is appropriate then we would probably have some reservations about it. Building Official Law advised that he was informed that there are approximately twenty-five non-compliant signs. He said that this began because he ordered his Code Enforcement Division to do an inventory of the signs in preparation of this with the intent to make the business owners aware and for them to contact their elected officials to see if there is a potential code change. He said as far as a damaged sign, then the fifty percent is already imbedded in the code but the business changing hands is not in the code. He advised that we currently have one sign that he could have ordered the removal of, which is pending because the business has been vacant for several months, the sign face has been removed, and it is just the sign structure. Commissioner Morgan said that she recalled seeing it in their reports and that she appreciated him letting the Commission know why he did the list. She said that the whole point is to encourage compliance and not to fine them.

Building Official Law advised that the business owners have options, such as applying for a variance and then the Planning and Zoning Board would be tasked with demonstrating the hardship and the possibility of a precedence. He said that he had personally measured a sign over twelve feet in height. He advised that what they are asking is whether we proceed with enforcement because it is not due until August and at that point, we would issue citations with thirty days to comply (equivalent to two-months in Code Enforcement time). At that point, the

Code Enforcement Board has the option of fining up to \$250 a day after a set time to repair it. He said that it would not happen overnight, it would be more like several months, then it would go through engineering and permitting.

Commissioner Sweeny asked what the approximate cost of a sign is. Building Official Law advised that signs could range up to twenty or thirty thousand dollars. He said that substantial damage to signs would be impossible for him to enforce, there is no valuation for a fifteen-year-old sign, and that he would have to ask them for an estimate.

Commissioner Sweeny asked if most of the non-compliant signs were over the twelve-foot regulation by a foot, two feet, or higher. Building Official Law advised that staff was pretty fair with their assessment but that there are some pretty tall signs which have been removed over the years such as Guy Harvey, Bank of America, and that the Alvin's Island sign permit was initially denied until they lowered the sign height. Vice Mayor Rumrell said that the signs that were removed were because of damage. Building Official Law advised that the Guy Harvey sign was damaged before he started with the City and they had an open permit for restoration, which is when he ordered the sign removal. He advised that we currently have a Code Enforcement case against Regency and that they informed the City that they were grandfathered to twenty feet, to which we informed them that they were not and that it may be a civil dispute with the sign company. He said that the sign is leaning, the bottom is coming apart, and that they are proceeding with the Code Enforcement case.

Vice Mayor Rumrell said to Commissioner Morgan that the only thing he would be concerned about, if it were not grandfathered in, would be whether we are doing selective grandfatherization. He said that it would probably have to be all twenty-five non-compliant signs or none. His concern with it changing hands would be whether the sign is still in working order and then it might just need an inspection at that time to go along with the fifty-percent rule. Building Official Law advised that in the last year we have seen two businesses retain the same property owner, but the owner of the restaurant has changed, and it would be interesting to see how it would play out. He said that what he takes from tonight is to proceed against a former fast-food restaurant. He advised that he also brought Beachside Diner's sign into compliance from the former restaurant because it went so long without an active Business Tax Receipt (BTR) and it lost its grandfathering at that point.

Vice Mayor Rumrell asked if we should have an enforcement at this time while we are working on it. Building Official Law advised that technically at this time, we are not enforcing anything because they have until August, with the exception of the former Wendy's sign. He said that if we are going to redo the ordinance then we are not going to take action with the exception of new signs, damaged signs, and lack of maintenance on signs.

Vice Mayor Rumrell said, to the Mayor's point, the only concern about changing hands would be for example a Shell gas station becomes an Exxon, then that is a similar use. Mayor Samora said that in his opinion, if you are buying a place and the seller discloses that the sign is non-conforming, then you need to make it conform. Building Official Law posed the question of how he would know that they sold the building if they kept the same name.

Mayor Samora said that he liked the intent of the ordinance that was passed but he does not want to punish people who have had their sign there for a long time. Building Official Law agreed.

Commissioner Morgan said that she does not want to punish local businesses but on the flip side she would maybe want to see those that want to be grandfathered in apply for a variance if their sign is at thirteen feet. If their sign is at twenty feet, unless there is a real hardship that you could sell as a reason for a variance to be grandfathered in, then why should the City allow them to keep their sign at twenty feet. Building Official Law advised that it would not be fair to the Planning and

Zoning Board who is bound by the variances in the code, and they would have to provide an undue hardship. He said that you cannot ask the Board to decide which ones would get a variance because technically none of them should get a variance. The way the code is written on variances it has to be of no fault of the applicant's own, and the code is not grounds for a variance nor is financial hardship.

Vice Mayor Rumrell said that they were allowed to have that size sign at the time the sign was erected. Building Official Law said that at some point that would have probably been a true statement but that is with the seven-year grandfathering. He advised that he has no interest in going to a restaurant that employs a hundred people and telling them to take their sign down that has been there for twenty-years, but this is something that requires the Commission's finesse.

City Attorney Blocker said that local governments can routinely change their ordinances and change their standards. He said that these signs were lawfully put into place at the time when the City of St. Augustine Beach had different standards and enforcement. He said that you do see provisions to allow some type of grandfathering, such as if the sign is damaged or if it is transferred and we that would have to make sure that there is a definition. He advised that some of this may be suggestive, and we may not have all the information but, as it is written now, it is defensible. He said that there may be good governance reasons to resist making this change, if local businesses are trying to employ citizens and meet the requirements. He said that we believe it is legally defensible the way it is written. He said that it may not be the best option going forward but that there are cases out there where you have given notice and a reasonable amount of time for the property owners to make these changes which is defensible. He said that the contrast to that is that you have signs that were legal at the time and now this creates a potential hardship for the property owner. He said that he agreed with Building Official Law and that his legal opinion would be the variance is really for a hardship, and you would want to be careful that this is within the realm of control to address.

Commissioner Morgan asked if we would want to ask them to apply for a variance to be grandfathered in because she does not want to cost people money, but she also wants to see some acknowledgement. If your business has been there for so long ago that the sign was erected before 2016, which might be a hardship that has nothing to do with the size of the sign. She would like to explore the options to allow the signs to stay. City Attorney Blocker advised that attorney, Ellen Avery-Smith, reached out to him and that she has some thoughts.

Mayor Samora opened Public Comments and he invited Ms. Avery-Smith to speak. Vice Mayor Rumrell suggested to extend Ms. Avery-Smith a minute or two of extra time. Mayor Samora agreed.

Ellen Avery-Smith, Rogers Towers, P.A., 100 Whetstone Place, Suite 200, St. Augustine, FL, lives in St. Augustine Beach; she represents the owner of the Dunkin Donuts located in the Circle K gas station at the intersection of A1A South and the Boulevard, and their sign is subject to the requirements,. She thanked Building Official Law for notifying them. She said that her client did not know about the requirements that the sign needed to be replaced and had spent a lot of money on the sign. She said that in order for her client to replace it, he would have to replace it with a sign that he would have trouble getting because of supply chain issues. She said that the Circle K also has the same problem with their sign and that they are both nice looking signs. She said that she believed that they were both legal non-conforming and approved back when these sign heights were okay. She advised that they would very much like to be able to leave their signs there. She said that she understands that there are other businesses in town that would also like to do that. She said that if the signs are damaged, or do not look nice, or are unsafe, then they should be taken down and she believed that the City's code already provided for that. She is asking that until these signs are damaged/destroyed for the Commission to please not make them take

the signs down. She suggested to possibly come up with another footage that most of them fit into such as fifteen feet for the purpose of being legally non-conforming and be able to go beyond August 1st. She said by law in pretty much every municipality in the state of Florida that a variance requires proof of a hardship and none of these people could prove a hardship because it is existing topography. She said that when the City of St. Augustine changed its sign code that they allowed property owners a certain amount of time to apply for grandfathering. She said that you would sign a document that says that you understand that your sign is legally non-conforming and that you would be allowed to keep it this way as long as you meet these criteria. If you do not meet the criteria or the application deadline then your sign becomes illegal non-conforming. She said that those are her main points and that she believed that there are some changes that could be made to Section 1 about legal non-conforming signs just to clarify it and to remove the August 1, 2023, deadline and leave Subsection 1.B. but that Subsections 1.C, D, and the others seem to be fine as they are drafted. She said that she understands the Building Official's point about how to value a twenty-year-old sign, well, you do not. Maybe you just say that if the structure of the sign itself were damaged then you would need to replace it anyway, which bears the cost of the business saying that they would take the sign down and replace it with a lower height structure.

Commissioner Sweeny asked if there was any notification to the businesses that were non-conforming at the time when the original ordinance was passed. Building Official Law advised that he was not with the City in 2016. City Manager Royle advised that to his recollection that there was a notice sent out and the ordinance itself was widely advertised because we realized the sensitivity of it and he believed that the Commission also had a workshop meeting. He said that the City had a consultant, Susan Erdely, Jacksonville Beach's Attorney, who guided us through the process because it was a Supreme Court decision that put municipal sign codes in jeopardy across the country.

City Clerk Fitzgerald advised that this section of the code was in development for a long time, there were months of meetings and special workshops. She said that to the best of her recollection when this issue of non-conforming signs came up, the former Building Official, Gary Larson, had a list at that time of the signs that were legally non-conforming per the draft of the code, which was presented to that Commission. She said that she believed that he notified all of those owners so that they could come to a meeting to discuss it.

Margaret England, 425 Ocean Drive, St. Augustine Beach, FL, was sitting on the Commission when the sign ordinance was developed, there was a consultant, many meetings and they talked extensively about the grandfathering which is why the seven-year deadline was set; that there were some legal reasons and a court case for why the City needed to change the sign ordinance; the City also wanted something for the community that the signs be consistent; grandfathering a sign would not qualify for a variance; cities do change an ordinance in order to bring it into a certain look of conformity; it is supposed to be applied to everyone fairly and not give exceptions and to reach the City goals on its appearance; she suggested not granting exceptions; every owner was notified and any buyer should be aware of the City requirements.

Mayor Samora said that it is helpful to know more about the history of how we arrived at where we are today.

Vice Mayor Rumrell said that he would like staff to look at it and clean it up and bring something back to the Commission.

Commissioner Morgan said that she really like what Ms. Avery-Smith said about how the City of St. Augustine had the legal non-conforming sign owners sign some sort of an agreement that they are not seeking a variance to be grandfathered and that she would like to see something proactive like that. If you had your sign for seven years, you have known about it/acknowledged it, that it

would help prevent a situation where if a property is sold, that they must acknowledge that they disclose it which takes it off of the City. She said that it would need to come into compliance, something proactive on that property owner.

Commissioner Sweeny agreed and said that based on the conversation that she would assume that the City Attorney has what he needs to move forward.

Mayor Samora asked the City Attorney if he had the direction that he needed. City Attorney Blocker said yes. Mayor Samora asked if the Commission would see something next month. City Attorney Blocker said yes.

Mayor Samora moved on to Item XIV.

XIV. STAFF COMMENTS

City Manager Royle said that earlier today that he sent the Commission a brief summary of proposed legislation targeted at cities and that our legislature is on the warpath again. In particular, he wanted to highlight the potential limits of increases on homestead property taxes and that it could directly affect us because property taxes are our main source of revenue. He said that if the legislature approves it, that it would have to go on the ballot in 2024 and he is sure that it would meet the sixty-percent threshold of approval by the voters because what property owner doesn't want to lower their property taxes.

City Manager Royle said that there is also another interesting one that he wants to research regarding solid waste management. He said that there are two bills, both House and Senate with bills that prohibit the use of exclusive franchise agreements on solid waste and restrict the local government from providing its own solid waste or recycling service. He said that the solid waste industry obviously has strong lobbyists and that he is certain that the Florida League of Cities would do its best to defend cities from this kind of legislation. He advised that short-term rentals are also up again for modification but there still is no threat to the grandfathering that we enjoy but it could change. He advised that if he found more information that he would forward it to the Commission. Finance Director Douylliez advised that the solid waste bill was strictly about commercial and that the City would still be allowed to provide residential services. City Clerk Fitzgerald advised that the Florida League of Cities is out in full force against that, and they have been polling city staff to see how much revenue would potentially be lost if it were to go into effect.

Building Official Law advised that hopefully tomorrow we begin closing out the permits at the new Versaggi strip center which would be their third round of inspections to close the shell and could begin issuing occupancies to the businesses there.

Director Tredik advised that something came up during the inspection of the roof of the Police Department and it is in need of replacement. It is out for bid right now and would hopefully be back to the Commission in April. He said that he also working to get some of the window leaks resolved. Mayor Samora asked how old the building was. City Manager Royle advised that it was finished in 1999. Director Tredik advised that he put out an RFP for grant management assistance which would probably come back to the Commission in May so that we have time to do actual interviews instead of a blind selection.

Chief Carswell thanked the City Attorney for his work on the e-bike ordinance which was discussed last year. He said that he would have liked to have adopted the County's ordinance, but they went in a different direction than he would like to go. Mayor Samora asked when the Commission would see that. City Attorney Blocker said that he would like to get a draft together and go over it with the Chief and his staff first to make sure that it is enforceable and hopefully have something

ready in the next few months. Chief Carswell advised that there is a “Bowling with Kids” event this Friday and that the “Coffee with a Cop” event a week ago went great.

Mayor Samora advised that there are a lot of people in town due to spring break, the PGA golf tournament, as well as Bike Week so look twice for bikes, etc. He reminded everyone that there is no SEPAC meeting again this month but there is a Planning and Zoning meeting on March 21, 2023, at 6:00 p.m.

Vice Mayor Rumrell asked if there was anything in the bylaws regarding if SEPAC does not meet for a certain number of consecutive months. City Manager Royle said that it is just for if individual members miss three meetings in a row and then the Chair could recommend that they be discharged from the committee. Vice Mayor Rumrell said that if they were a club that they would not have to follow any of those guidelines. City Manager Royle agreed and said that he and the City Clerk have talked about setting a certain due date that SEPAC must notify the City whether the members are attending a meeting or not. He said that if we do not hear from them, that it would be assumed that they are not attending and if there is no quorum, then the City would cancel the meeting. He advised that there have been two meetings this year so far where a member has said that they planned to attend but never showed up, they never notified the City, and they did not have a quorum which wasted the City Clerk’s time, the Public Works Foreman’s time as well as the three SEPAC members’ time who did show up. He said that the City Clerk provided him with a chart that showed several meetings that have been cancelled due to lack of quorum. Mayor Samoa asked how many is needed for a quorum. City Manager Royle said four and they have only five members now. They are entitled to seven, but no one volunteers. Vice Mayor Rumrell said that it might be time to discuss a club of some sort that would allow them to still meet and give input to the City. City Manager Royle said that if we cannot rely on them to meet, then it does not serve any purpose to have them. Mayor Samora agreed and thanked the Vice Mayor for bringing it up.

Mayor Samoa moved on to Item XV.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

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

Mayor Samora adjourned the meeting at 8:50 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: March 24, 2023

SUBJECT: Presentations

- A. Interview of Mr. George O'Brien III, Candidate for Membership on City's Sustainability and Environmental Planning Advisory Committee
- B. Proclamations
 - 1) to Recognize April 2023 as Sexual Assault Awareness Month
 - 2) to Proclaim April 2023 as Water Conservation Month
 - 3) to Proclaim April 28, 2023, as Arbor Day in the City
 - 4) to Proclaim May 2023 as Older Americans Month
- C. Report by Ms. Melinda Conlon, Communications and Events Coordinator, Concerning 2022 Events in the City
- D. Update Report of City's Master Stormwater Plan by Representatives of Civil Engineering Consulting Firm, Crawford Murphy and Tilly
- E. Audit Report for Fiscal Year 2022 Budget by Representatives of James Moore and Associates

ITEM A. INTERVIEW

Mr. George O'Brien III of 10th Street has applied to serve on the Sustainability and Environmental Planning Advisory Committee. Attached as pages 1-3 is his application form. He will be at your meeting for the customary interview.

ITEM B. PROCLAMATIONS

The proclamations are attached as pages 4-7. Unless there is someone who wishes to present one of them in person, you can approve all of them by one motion and vote.

ITEM C. CITY EVENTS REPORT

Attached as pages 8-20 is Ms. Conlon's report. She'll be at your meeting to provide more details and to answer any questions you may have.

ITEM D. STORMWATER MASTER PLAN

We ask that this agenda item be postponed to your May 1st meeting. Attached as page 21 is a memo from the Public Works Director, in which he explains why.

ITEM E. AUDIT REPORT

In her attached memo (page 22), the Finance Director explains why the draft of the audit report isn't in your agenda books. As we expect to receive it soon, we'll forward a copy to each of you before your April 3rd meeting.



City of St. Augustine Beach

2200 A1A SOUTH
ST. AUGUSTINE BEACH, FLORIDA 32080

CITY MGR. (904) 471-2122
FAX (904) 471-4108

BLDG. & ZONING (904) 471-8758
FAX (904) 471-4470

ST. AUGUSTINE BEACH CITY COMMISSION BOARD AND COMMITTEE APPLICATION

FOR APPOINTMENTS TO COMMITTEES NOT INVOLVED IN LAND USE

Date received by City 3/20/23 JK

Thank you for your expressed interest in being considered for appointment to committees, boards, commissions or advisory groups appointed by the City Commission. The Commission appreciates your willingness to serve your fellow citizens in a volunteer capacity. Please complete this application to the best of your ability. (You may attach a resume and/or additional data. Please reference attachments in the appropriate section(s).)

Name: George OBrien III

Address: 6 10th Street

Phone #: 724-875-4095 E-Mail Address: george.obrien3@gmail.com

How long have you been a legal resident of the City of St. Augustine Beach, 27 months

I am a full-time X part-time _____ resident

I am X am not _____ a registered voter in St. Johns County.

List all active professional licenses and certifications: 6 10th Street
111, 11th Street

Educational background: B.S. Business Admin / M.S. Sport Mgmt

Past work experience: Own property mgmt company (580 units),
real estate investor, CEO of a YMCA, coaching

Please list any civic clubs, professional organizations or public interest groups of which you are a member or in which you have been active: (attach additional sheet, if necessary)

1. _____ 2. _____
3. _____ 4. _____

Please indicate by preference, all City boards, committees or councils in which you have an interest:

1. Beautification Advisory Committee ☒
2. Other ☒

I am available for meetings

- a. During the day only ☐
b. Evening only ☐
c. Anytime ☒

- 3 young kids so ideally day
but one (1) evening could work

List three (3) personal or professional references:

1. Jack Rego - former boss 717-476-1728
2. Mike Keenan - CPA, business partner 724-612-9611
3. Jeff Gann - St. Aug. resident, investor 408 819 6311

You may use this space for a brief biographical profile or to list certain skills you possess that may be relevant to the appointment you are seeking. (Indicate below if you are attaching a resume.)

Background in construction, contract law real estate, recreation,
passionate about clean energy, raising our family here, etc
event planning, crisis mgmt,

NOTE: All information provided will become a matter of public record and will be open to the public. If you require special accommodations because of a disability to participate in the application/selection process, you must notify the City Commission in advance. This

application will be kept on file for one (1) year, at which time you must notify the City Commission of your intent to remain an active applicant and update your application accordingly or it will be removed from the active file.

I hereby authorize the City of St. Augustine Beach or its representatives to verify all information provided and I further authorize the release of any information by those in possession of such information which may be requested by the City. I certify that all information provided herein is true and accurate to the best of my knowledge. I understand that a volunteer position provides for no compensation except that as may be provided by Florida Statutes or other enabling legislation.


Signature

2/27/23
Date

Please return completed application to:

The City of St. Augustine Beach
2200 A1A South
St. Augustine Beach, FL 32080
Phone: (904) 471-2122 Fax: (904) 471-4108

Thank you for your interest!

P R O C L A M A T I O N

Whereas, Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every person nationwide, but also in the St. Johns County community. Rape, sexual assault, and sexual harassment harm our community, and statistics show that every 73 seconds a person in the United States is sexually assaulted and one in six women and one in 33 men will be raped at some point in their lives (RAINN, 2018): and

Whereas, child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience sexual assault before the age of 18 (Dube et al., 2005). On campus, one in five women and one in 16 men are sexually assaulted during their time in college (Krebs, Lindquist, Warner, Fisher, & Martin, 2007). Also, one in nine girls and one in 53 boys under the age of 18 experience sexual violence or assault at the hands of an adult (RAINN, 2018): and

Whereas, LGBTQ+ abuse prevention also needs to be a priority due to bisexual men and women are at a higher risk of sexual assault than that of heterosexual and homosexual men and women. Furthermore, transgender students are at 21% higher risk overall for sexual violence (RAINN 2018): and

Whereas, sexual violence in the military often goes unreported or underreported. In 2018, per Department of Defense, 6,053 military members reported experiencing sexual assault during their service in the military. For the National Guard, the Dept. of Defense reported that in 2009 there were 173 sexual assaults reported, and in 2019 there were 607 reports of sexual assaults. An increase of three times fold: and

Whereas, we must work together and educate St. Johns County about sexual violence, supporting and believing survivors, speaking out against harmful attitudes and actions impeding victims from seeking services, and bring perpetrators to justice: and

Whereas, Sexual Assault Awareness Month is about creating awareness as a community by promoting sexual assault education, safety, consent, respect, equality and creating safe spaces online. Your participation within this community is powerful and necessary to end this epidemic of sexual assault that has plagued us for so long.

NOW, THEREFORE, the City Commission of the City of St. Augustine Beach does hereby recognize April as Sexual Assault Awareness Month and will join advocates and communities across the state and our country in taking action to prevent sexual violence and to create change now and in the future.

IN WITNESS WHEREOF I have hereunto set my hand and caused to be affixed the official seal of the City of St. Augustine Beach, Florida, this 3rd day of April 2023.

Mayor Donald Samora

ATTEST:

City Manager Max Royle

P R O C L A M A T I O N

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts, counties, and municipalities are working together to increase awareness about the importance of water conservation; and

WHEREAS, the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of St. Augustine Beach has always encouraged and supported water conservation, through various educational programs and special events; and

WHEREAS, every business, industry, school, and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school, and citizen can help by saving water and thus promote a healthy economy and community; and

NOW THEREFORE, WE, THE CITY OF ST. AUGUSTINE BEACH, do hereby proclaim the month of April 2023, as **WATER CONSERVATION MONTH** in the City of St. Augustine Beach and further encourage each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water. For this, the 25th year of Water Conservation Month, there will be a special focus on fixing leaks and all forms of water loss.

PRESENTED this 3rd day of April 2023.

Mayor Donald Samora

ATTEST:

City Manager Max Royle

P R O C L A M A T I O N

WHEREAS, the people of St. Augustine Beach gain great joy from trees, experiencing connections with them beyond gratitude for their utilitarian value; and

WHEREAS, the City will hold its annual Arbor Day celebration on April 26, 2023; and

WHEREAS, the City will host an Arbor Day event at the St. Johns County Pier with exhibits; and

WHEREAS, the Sustainability & Environmental Planning Advisory Committee has continued its project to restore the City's tree canopy with the giveaway of trees; and

NOW, THEREFORE, the City Commission of the City of St. Augustine Beach, does hereby proclaim Wednesday, April 26, 2023, as

ARBOR DAY

in the City of St. Augustine Beach and invite all our citizens to join me in appreciating the blessings of trees and to participate in the City's Annual Tree Giveaway at the Farmers Market on Wednesday, April 26th.

IN WITNESS WHEREOF I have hereunto set my hand and caused to be affixed the official seal of the City of St. Augustine Beach, Florida, this 3rd day of April 2023.

Mayor Donald Samora

ATTEST:

City Manager Max Royle

P R O C L A M A T I O N

Whereas, the City of St. Augustine Beach includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and

Whereas, the City of St. Augustine Beach benefits when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

Whereas, the City of St. Augustine Beach and the Council on Aging are committed to strengthening our community by connecting with older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

Whereas, the City of St. Augustine Beach and the Council on Aging recognize the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional well-being for the benefit of all; and

Whereas, the City of St. Augustine Beach and the Council on Aging can work to build an even better community for our older residents by planning programs that encourage independence, ensuring activities are responsive to individual needs and preferences, and increasing access to services that support aging in place.

Now, therefore, we, the City of St. Augustine Beach hereby proclaims May 2023 to be Older Americans Month and urges every resident to recognize the contributions of our older citizens and the people who serve them as powerful and vital individuals who greatly contribute to our community.

Mayor Donald Samora

ATTEST:

City Manager Max Royle

Recap of Events in 2022

The city held many great community events in 2022. These events brought visitors to our city, where they patronized our restaurants and other businesses. Our events also supported our local community artists and vendors and brought both residents and visitors out to enjoy all that the City of St. Augustine Beach has to offer.

We could not do these events without our partners and sponsors.

A special thanks to our Public Works Department and our Police Department – we could not have successful events without them.

Partners:

Julie Olsson – Wednesday Pier Market

Arbor Day Tree Give away event, the Luau event as well as the Holiday Market.

Paul Slava – The Beach Art Studio

Artwalk events and the Art in the Park event.

Bill Jones – Civic Association

Surf Illumination

Lauren Trice – Matanzas Riverkeeper

Beach Blvd. Clean Up

Sponsors:

Burkhardt Sales

Embassy Suites by Hilton St Augustine Beach Oceanfront Resort

FPL

Kookaburra Coffee

Old Town Trolley

St. Johns County

St. Johns Cultural Council

2022 Events

Arbor Day Tree Giveaway – April

Art & Bark in the Park – April

Beach Blvd. Clean Up – May

Full Moon Harvest Luau – September



2022 Events Review

Thank you to our Public Works and
Police Department for their support of our
events!





Arbor Day – Tree Giveaway April

Gave away over 450 trees

Thanks to SEPAC for providing the trees and attending the event





Art & Bark in the Park

April

with Paul Slava and the Beach Art Studio



Remedy Tree's performance sponsored by the St. Johns Cultural Council

Beach Blvd. Clean Up

May
With Matanzas Riverkeeper



Harvest Moon Luau
September
with Julie Olsson – Wednesday Pier Market



 ST. JOHNS
CULTURAL COUNCIL
C.J. TURL AROUND EVERY CORNER

Prince Pele's performance sponsored by the St. Johns Cultural Council

 CULTURE
BUILDS
FLORIDA

Northeast Florida League of Cities Dinner
October
at the Embassy Suites





Light Up the Beach! Season of Events 2022

Beach Art Walk November

Our first event of the Season!

Partner with Paul Slava and the Beach Art studio

want to thank our local businesses who hosted Artists:

Embassy Suites

The Art Studio

Panama Hartie's

Antonio's Pizza

Cindy's Gift Shop

Café 11

The Sunshine Shop

Kookaburra



Light Up the Beach!
Season of Events
2022
December

Surf Illumination

Partner with Bill Jones and the Civic Association



Light Up the Beach!
Season of Events
2022
December

Holiday Market

Partner with Julie Olsson

with the Wednesday Pier Market



Light Up the Beach!
Season of Events
2022
December
Light Up the Night! NYE Fireworks Show!

Our final event of the season!

Special thanks to our sponsors:

Burkhardt Sales

Embassy Suites by Hilton St Augustine Beach Oceanfront Resort

FPL

Kookaburra Coffee

Old Town Trolley

St. Johns County Parks and Recreation

Thanks to WSOS 103.9 and Todd Declemente for being our radio host

Thanks to Tourist Development Council for sponsoring the Fireworks

Thanks to the Santore Fireworks for providing the amazing show



Light Up the Beach!
Season of Events
2022
December
Parking/Shuttle Service

Thank you to Bill Brothers (Anastasia Square) and the YMCA for
allowing Public Parking in their lots.

Thank you to Anastasia Baptist Church for allowing us to have our
shuttle service based in their lot

Very special thank you to Old Town Trolley.



MEMORANDUM

Date: March 24, 2023
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Master Drainage Study Update

DISCUSSION

Crawford, Murphy and tilly (CMT) has completed their update to the City's master stormwater model and is currently incorporating the new information into the Master Drainage Study Update report. In order to have a comprehensive report for City Commission consideration and action, I recommend this item be placed on the May 1, 2023 regularly scheduled City Commission Meeting.

M E M O R A N D U M

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: ANNUAL AUDIT PRESENTATION
DATE: 3/24/2023

The Finance Department has just completed the annual audit of our FY22 financials with James Moore and they are preparing the final audit reports for the April 3rd meeting. Unfortunately, in our review of the draft documents there were some corrections noted, so I do not have them for the agenda book at this time. I anticipate having the documents during the week of March 27th so we can forward them via email to the commission prior to the meeting, as well as a hard copy for each commissioner for the day of the meeting.

James Moore is still planning on doing a presentation via Zoom for the April 3rd meeting to review the reports and answer any questions the commission may have regarding the results.

**City of St. Augustine Beach Building and Zoning Department**

To: Max Royle, City Manager
From: Jennifer Thompson, Planner
CC: Brian Law, Building Official and Bonnie Miller, Senior Planner
Date: 03/13/2023
Re: Proposed Code Changes 8.00.10 Nonconforming Signs

In February of this year, 25 local businesses received letters from the Code Enforcement Division to inform them that their current signs were legal non-conforming signs that would need to come into compliance with the City's Land Development Regulations by August 1st, 2023, as per section 8.00.10.

The Commission made several recommendations regarding non-conforming signs at their meeting on March 6th, 2023. Attached is the proposed first draft of the new code. This is a joint effort between the City Attorney and the Planning and Zoning Division.

Sincerely,

Jennifer Thompson

Planner

Planning and Zoning Division

Sec. 8.00.10. Nonconforming signs.

All signs that are lawfully in existence or are lawfully erected and that do not conform to the provisions of this article are declared nonconforming signs. It is the intent of this article to recognize that the eventual elimination of nonconforming signs as expeditiously and fairly as possible is as much a subject of health, safety, and welfare as is the prohibition of new signs that would violate the provisions of this article. It is also the intent of this article that any elimination of nonconforming signs shall be ~~effected~~affected so as to avoid any unreasonable invasion of established property rights.

(1) *Legal nonconforming signs:*

- a. A legal nonconforming sign is a sign that lawfully existed at the time of the enactment of this article that does not conform to the regulations as specified in this article.
- b. All legal nonconforming signs existing on August 1, 2016 may continue to be utilized only in the manner and to the extent that it existed at the time of the adoption of this article. ~~until August 1, 2023, at which time all remaining legal non-conforming signs shall be removed.~~ In addition to any other requirements of the code, repair of a legal nonconforming sign will be allowed only up to 50% of the fair market value of the structure. ~~and only if the sign owner acknowledges in writing, on a form approved by the city attorney, that the non-conforming sign will be removed by the owner or any assignee or successor in interest on or before August 1, 2023. The city building official shall maintain a list of all legal non-conforming signs in the city and give notice to each sign owner of its duty to remove the nonconforming signs before the August 1, 2023 removal date and shall provide notice of this ordinance and its requirements to owners of non-conforming signs by hand-delivery within 30 days after the effective date of this ordinance.~~
- c. A legal nonconforming sign may not be altered in any manner not in conformance with this article. This does not apply to reasonable repair and maintenance of the sign of less than 50% of the fair market value of the sign structure or to a change of copy provided that by changing the copy structural alterations are not required.
- d. Any building permit for an addition, alteration, or improvement valued at more than fifty (50) percent of the fair market value of the structure or building for work at locations where any nonconforming sign exists shall specify and require that such nonconforming signs located within the boundaries of the development site, and within the limits of the applicant's control, shall be brought into conformance with the provisions of this article, provided that if the nonconforming sign is a type of sign that is prohibited under section 8.00.03, Prohibited Signs in All Zoning Districts, it shall be removed.
- e. Legal nonconforming signs that are located on a parcel of property that is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
 1. Is not increased in area or height to exceed the limits of the zoning district in which it is located;
 2. Remains structurally unchanged except for reasonable repairs or alterations;
 3. Is placed in the most similar position on the remaining property that it occupied prior to the relocation; and
 4. Is relocated in a manner so as to comply with all applicable safety requirements.

After relocation pursuant to this subsection, the legal nonconforming sign shall be subject to all provisions of this section in its new location.

(2) *Signs rendered nonconforming:*

- a. Except as provided in this section, a nonconforming sign may continue in the manner and to the extent that it existed at the time of the adoption, amendment or annexation of the article that rendered the sign nonconforming. This section shall not prohibit reasonable repairs and alterations to nonconforming signs.
- b. A nonconforming sign shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this article. An existing ground sign that conforms to the size and height limitations set forth herein, but is otherwise nonconforming, may be relocated a single time to another location on the same parcel.
- c. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this article if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty (50) percent or more of the cost of replacement of such sign.

(3) *Signs for a legal nonconforming use:*

- a. New or additional signs for a nonconforming use shall not be permitted.
- b. A nonconforming sign for a nonconforming use that ceases to be used for a period of twelve (12) months ~~sixty (60) consecutive days~~ or is replaced by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use.

(4) *Signs discontinued:*

- a. Sign structures that remain vacant, unoccupied or devoid of any message, or display a message pertaining to a time, event or purpose that no longer applies shall be deemed to be discontinued.
- b. A nonconforming sign deemed discontinued shall immediately terminate the right to maintain such sign.
- c. Within sixty (60) days after a sign structure has been discontinued, it shall be the responsibility of the property owner or the property owner's authorized agent to remove the discontinued sign and to patch and conceal any and all damage to any other structure resulting from removal of the sign.
- d. Removal of a discontinued nonconforming sign shall include all sign support components, angle irons, poles, and other remnants of the discontinued sign, that are not currently in use, or proposed for immediate reuse as evidenced by a sign permit application for a permitted sign.

(5) *Unsafe signs:*

- a. If the building official determines any sign or sign structure to be in an unsafe condition, he/she shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours.
- b. If the correction has not been made within forty-eight (48) hours, the building official may have the sign removed if it creates a danger to the public safety or have any necessary repairs or maintenance performed at the expense of the sign owner or owner or lessee of the property upon which the sign is located.

(Ord. No. 16-04, § 2(Exh. A), 7-11-16)

(6) A nonconforming sign may continue to exist so long as it is not destroyed, abandoned or discontinued. "Destroyed," "abandoned" and "discontinued" have the following meanings:

a.

"Destroyed" means more than fifty (50) percent of the upright supports of a sign structure are physically damaged such that normal repair practices of the industry would call for, in the case of wooden sign structures, replacement of the broken supports and, in the case of a metal sign structure, replacement of at least twenty-five (25) percent of the length above ground of each broken, bent or twisted support. A sign will not be considered "destroyed" within the meaning of this section where the destruction is caused by vandalism or other criminal or tortious act.

b.

A nonconforming sign is "abandoned" or "discontinued" when a sign structure no longer exists at the permitted location or the sign owner fails to operate and maintain the sign for a period of twelve (12) months or longer.

MEMORANDUMMeeting Date 4-3-23

Date: March 15, 2023

To: Max Royle, City Manager

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

Subject: First Reading – Ordinance 23-02
Modification to Chapter 10 of City Code to provide for a commercial non ad valorem solid waste and recycling assessment for transient rental properties

BACKGROUND

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

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

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

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

On November 14, 2022 the City commission passed Resolution 22-16 Expressing intent to implement a solid waste and recycling non ad valorem assessment for transient rental properties. Resolution 22-16 was submitted to the Tax Collector prior to January 1, 2023.

DISCUSSION

Ordinance 23-02 modifies Section 10-13 of the City Code to exempt commercial service premises from the requirement to purchase a city waste cart if they pay for solid waste collection, disposal and recycling services via a non ad valorem assessment. If a commercial non ad valorem assessment is implemented for transient rental properties, such properties would no longer be billed monthly charge for solid waste and recycling services and would instead pay for said services annually with their property taxes.

ACTION REQUESTED

Approve Ordinance 23-02 on first reading.

ORDINANCE NO: 23-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA, RELATING TO GARBAGE AND TRASH; AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE BEACH, CHAPTER 10, GARBAGE AND TRASH, TO AMEND SECTION 10-13 OF THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

WITNESSETH:

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, the City Commission for the City of St. Augustine Beach finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021 (4), Florida Statutes.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA:

SECTION 1. The foregoing recitals are incorporated as legislative findings of fact.

SECTION 2. Amend Article 1 – Section 10-13 of the Code of the City of St. Augustine Beach be and the same is, hereby amended to read:

Chapter 10- GARBAGE AND TRASH ARTICLE I. – IN GENERAL

Sec. 10-13. - Commercial waste.

- (a) Every commercial service premises, including, but not limited to, hotels and motels and transient rentals, shall pay to the city for the collection and disposal of waste collected by the city, or the availability of such service, the service charges provided in this section.
- (b) After September 30, 2020, commercial service premises having six (6) or more dwelling units are not eligible for City solid waste collection, disposal, and recycling services, except as provided in subsection (c) below, and must secure private collection and disposal services from a City licensed private solid waste management company.
- (c) Commercial service premises having six (6) or more dwelling units which receive solid waste collection, disposal, and recycling service from the City, as of the date of adoption of this ordinance, may petition the City to continue City service for all of its dwelling units beyond

September 30, 2020 due to hardship associated with the infeasibility to convert to dumpster service or obtain private collection. Hardship petitions will be reviewed and processed by the City Manager. Denied petitions may be appealed to the City Commission.

- (d) Dwelling units within condominium or apartment complexes which continue to receive solid waste collection, disposal and recycling services from the City after September 30, 2020 are not required to purchase waste carts from the city and shall be allowed to place for collection the maximum quantities per dwelling unit provided in Section 10-04 - Residential Waste.
- (e) Condominium or apartment complexes which continue to receive City provided solid waste collection, disposal, and recycling services for its dwelling units after September 30, 2020 shall be billed the commercial rate for condominiums and apartment complexes as established by resolution.
- (f) The owner of a building containing a commercial dumpster or commercial trash area may allow up to four (4) commercial service premises within the building to utilize the building's commercial dumpster or commercial trash area associated with the building, upon filing of permission from the owner responsible for the building's dumpster or commercial trash area. When a commercial service premises within a building elects and is authorized to utilize the commercial dumpster or commercial trash area associated with the building, all collection and disposal fees for the electing commercial service premises will be paid by the owner or owners of the building. The owner of the building responsible for the dumpster or commercial trash area must provide a notarized affidavit indicating their authority and agreement to allow the commercial service premises within the building to utilize the building's commercial dumpster or commercial trash area.
- (g) The owner of a building containing up to two (2) commercial services, but not containing a commercial dumpster or commercial trash area may allow both commercial service premises within the building to utilize the same City authorized commercial waste carts. If there are multiple owners of the building, the owners must provide a notarized affidavit indicating their authority and agreement to allow both commercial service premises within the building to utilize the building's City authorized commercial waste carts. When both commercial service premises within a building elect and are authorized by the City to use the same commercial waste carts associated with the building, all collection and disposal fees for the two commercial service premises will be paid by the owner of the building. The Owner of the building will be responsible for purchasing City authorized waste carts of sufficient volume to meet the solid waste needs of the two commercial services premises within the building.
- (h) Commercial services premises which generate or have historically generated more than an average of ten (10) thirty-two-gallon waste receptacles (or equivalent volume) of solid waste per week will not be eligible for city solid waste collection services and must a secure private

hauler for solid waste collection and disposal services, provided the hauler is duly franchised and authorized to collect solid waste within the city.

(i) Authorized commercial containers; collection.

- (1) Commercial service premises shall purchase, from the city, waste carts with a volume between sixty-four (64) and ninety-six (96) gallons for use in city solid waste collection. The number / total volume of waste carts to be purchased shall be based upon historic can count information for each commercial services premises. In cases where historic can count information is unavailable, the business owner will coordinate with the public works director to determine the appropriate "starting solid waste volume" based upon similar businesses. Carts purchased from the city will be uniquely identified and will be picked up during normal solid waste collection schedules without the assessment of additional fees, provided the carts are placed appropriately per Sec. 10-3. - Placement, are in proper working order, and are not overfilled so that the lids do not completely close. Cart purchase prices will be adjusted annually by the City Manager, based upon actual material and labor costs. Commercial service premises which pay for solid waste collection, disposal and recycling services through non-ad valorem assessment are exempt from the requirements of 10-13 (h) and (i) (1) through (5).
- (2) For the disposal of garbage, rubbish, and trash contained in sixty-four (64) through ninety-six (96) gallon waste carts as designated pursuant to subsection (1) hereof, excluding garden trash, each commercial service premises shall pay a monthly charge for each authorized waste cart purchased from the city, Monthly charges for waste carts will be established by resolution.
- (3) Unauthorized receptacles. Solid waste in unauthorized cans, carts, bags or other containers will be logged and assessed additional pickup fees as established by resolution. The volume of any solid waste collected from unauthorized receptacles will be measured and logged. If a commercial service premises utilizes unauthorized receptacles more than six (6) times in a twelve (12) month period, the commercial service premise will be required to purchase additional waste carts of sufficient volume so as to avoid future solid waste overages. An authorized receptacle which is overstuffed so that the lid does not completely close, or not placed per Sec. 10-3. - Placement, will be deemed an unauthorized receptacle, and will be logged and assessed an additional pickup fee.
- (4) Uncontainerized solid waste. Uncontainerized solid waste will be charged additional pickup fees, depending upon the quantity, volume and type of material collected. A fee schedule for uncontainerized solid waste will be set by resolution.
- (5) Change in commercial solid waste volume. If a business undergoes changes resulting in the reduction of solid waste generation, they may request an adjustment of the mandated number / volume of solid waste carts. The business must submit, in writing, to the City

Manager's office, a request for a revaluation of solid waste fee. Upon receipt, the Public Works Department will conduct a random audit of the business's solid waste volume, to determine if a fee reduction is warranted. The random audit will be conducted within a six (6) month period to account for seasonal variation. If it is determined that a fee reduction is warranted, the business must return the appropriate number of waste carts to the city, and the monthly cart fee will be adjusted accordingly. A business may request a reduction of the mandated number / volume of solid waste carts a maximum of once per 12-month time period.

- (6) The owner of a commercial service premises may elect, as provided in subsection (mn) hereof, on a form designated by the city manager to exempt the commercial service establishment from collection by the city provided that the commercial garbage dumpster, waste receptacle storage area, waste cart storage area or commercial trash area meets the requirements of Sec. 10-3. Placement (d).
- (j) The quantity of garbage and rubbish which a commercial services premises may place for collection is limited to that which will fit within the business's purchased authorized commercial receptacles. The quantity of trash, white goods, and recyclable material which a commercial service premises may place for collection by the city is subject to the same maximum limits provided for a single-family residence under subsection 10-4(a). Commercial service premises which pay for solid waste collection, disposal, and recycling services through non-ad valorem assessment are exempt from the requirements of 10-13(j) through (k).
- (k) This section does not prohibit an owner from placing for collection garbage, rubbish, trash, white goods, and recyclable material in excess of the maximum quantities provided under subsection (ij) when the city has previously agreed with the owner to collect such excess quantities. Quantities in excess of the maximum quantities will be assessed an additional pickup fee as set by resolution.
- (l) The city will not collect commercial waste contained in a garbage dumpster from any service premises.
- (m) The service charges provided in this section shall be due and by the end of the calendar month in which the invoice for such services is rendered and shall be regarded as delinquent thereafter.
- (n) A commercial service premises may be exempted from payment of the service charges upon written notice delivered to the office of the city manager. stating that the owner elects not to receive any waste collection and disposal service from the city, provided the owner furnishes evidence of a contract for dumpster service. It shall be a violation of this Code punishable as provided in section 10-11 hereof to collect dumpster garbage and trash between the hours of 7:00 p.m. of any day and 7:00 a.m. of the ensuing day.

- (o) The city manager is hereby authorized, from time to time, to determine the cost to the city for the utilization of landfills and to promulgate waste disposal service charges for each equivalent container to be charged pursuant to this section hereof in accordance with such costs. Such charges shall become effective as of the beginning of the next ensuing fiscal quarter after a copy thereof has been furnished to the city commission, unless the city commission shall, by ordinance, provide some other fee or charge or direct that no charge be made.
- (p) Commercial garden trash collection shall be provided to each commercial service premises once per week and be subject to the same rules governing the collection of uncontainerized and containerized residential garden trash waste. The amount charged by the city for such collection shall be set by resolution.
- (q) Up to two (2) cubic yards of commercial construction debris per week, if generated by the business occupant with a valid building permit, if such a permit is required, is to be collected from each commercial service premises that receives solid waste collection and disposal services from the city. (Construction debris generated by a contractor shall not be collected by the city and the contractor shall be responsible for disposal regardless of whether the waste is residential or commercial)
- (r) Collection of garbage and refuse for commercial service premises may be permitted in excess of one (1) day per week on a subscription basis. Commercial service premises shall pay an additional fee for each additional collection day plus the standard disposal costs as required with basic collection services. Commercial service premises may have up to one (1) additional collection days per week, provided an application for such service is made to the city and the city manager or his designee determines the public works department has capacity to provide the additional service. No garbage or refuse will be collected on Wednesdays, weekends, or City holidays. Fees for the additional collection services shall be set from time to time by resolution of the city commission.
- (s) In lieu of receiving garbage collection service from the city, commercial service businesses may contract with a private hauler for garbage and refuse collection services provided the hauler is duly franchised and authorized to collect garbage within the city.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 4. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 5. This Ordinance shall take effect ten (10) days after passage, pursuant to Section

166.041(4), Florida Statutes

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


Donald Samora, Mayor

ATTEST:

Max Royle, City Manager

MEMORANDUM

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

FROM: Max Royle, City Manager  mk

DATE: March 24, 2023

SUBJECT: Replacement of the Roof for the Police Station and for Building C. Award of Bid and Approval of Budget Resolution 23-07


The opening of the bids for the roof of the Police Station and Building C will occur after your agenda books have been distributed and before your April 3rd meeting. However, we ask that you keep this topic on the agenda for your meeting as the condition of the police station roof requires action to have the repairs done as soon as possible.

Once the bids are opened, we'll email the results to you along with the budget resolution that will appropriate money for the repairs.

PLEASE NOTE: Building C is the small building on the west side of the city hall parking lot. It houses the City's IT staff. Money for the repair of its roof was appropriated in the FY 23 budget.

MEMORANDUM

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

FROM: Max Royle, City Manager 

DATE: March 20, 2023

SUBJECT: City Attorney Services Request for Approval of Addendum to Contract with the Douglas Law Firm

BACKGROUND

After the resignation of City Attorney James Wilson of the Coquina Law Group in 2019 the City Commission advertised for proposals from law firms, interviewed several and after the firm initially selected withdrew its proposal, the Commission selected Douglas Law Firm.

At its March 3, 2020, the Commission approved the contract with the Douglas Law Firm for a retainer of \$6000.00 per month and a per hour fee of \$175.00 for extra-legal work, such as defending the City in court.

After three years, the Douglas Law Firm is proposing an increase in the retainer to \$8500.00 a month. The fee for extra-legal work would remain at \$175.00 per hour.

ATTACHMENTS

Attached for your review is the following information:

- a. Pages 1-8, the original contract approved in March 2020.
- b. Page 9, the proposed addendum to the 2020 contract to raise the monthly retainer to \$8500.00.

ACTION REQUESTED

It is that you discuss with Mr. Jeremiah Blocker of the Douglas Law Firm the reasons for the addendum and that you decide whether to approve it.

SATISFACTION WITH CITY ATTORNEY SERVICES

The City administration is pleased with the services provided by the Douglas Law Firm. Mr. Blocker is responsive to requests from City staff and is actively seeking how to improve the services, such as by attending the monthly department head meeting.

CONTRACT FOR CITY ATTORNEY SERVICES

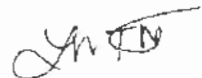
This Agreement entered into this 21st day of February, 2020, and effective MARCH 3rd, 2020, by and between the City of St. Augustine Beach, a Florida Municipal Corporation ("CITY"), having an address of 2200 AIA S., St. Augustine Beach, FL 32080 and the law firm of Douglas Law Firm ("ATTORNEY"), having an address of One News Place, Saint Augustine, FL 32086.

WITNESSETH:

WHEREAS, the City has issued requests for proposals to qualified attorneys to act as the City's City Attorney and has received from the Attorney a response thereto attached as Exhibit "A" (the "Response") and hereby engages the ATTORNEY upon the terms and conditions hereinafter contained:

A. ENGAGEMENT. ATTORNEY agrees to provide legal services including legal advice and consultation, litigation and any other related issues or matters, which are assigned to him by CITY. In connection with such services, ATTORNEY shall provide at its own cost and expense all personnel, equipment, and library or electronic legal research services as are reasonably required to provide the services herein contemplated.

B. COMPENSATION. The primary individual lawyer for the CITY shall be Charles Douglas, who shall serve as the CITY ATTORNEY. The CITY ATTORNEY may utilize other alternative attorneys from the firm, including but not limited to, Lex Taylor, Linda Campbell, who shall be deemed to be assistant city attorneys. Any attorney providing services to the CITY shall be admitted to practice by the Florida Bar and a member in good standing.



The ATTORNEY shall be compensated by the CITY with a base fee of \$6,000.00 per month for all work within the "Regular Scope of Work," which excludes litigation and extra legal work, which additional items shall be billable by the ATTORNEY at the rate of \$175.00 per hour. See attached **Exhibit "B"** for Regular Scope of Work.

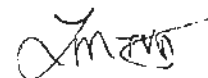
C. ACCESS TO CITY PERSONNEL AND RECORDS. The CITY agrees to provide access to all personnel and records deemed necessary for the completion of the services to be provided under the terms of this Agreement.

D. OUTSIDE CLIENTS. ATTORNEY is free to engage in any other business or legal representation, provided that such other business or legal representation shall not constitute a conflict of interest. In that event of a potential conflict of interest, the ATTORNEY will promptly advise the CITY of such potential conflict.

E. TIME REQUIRED. ATTORNEY shall devote only as much time and attention to the providing of legal services to the CITY as the opinion and judgment of ATTORNEY deems reasonably necessary.

F. PERSONAL ATTENTION. ATTORNEY agrees to give personal attention to work performed; and to in every way and in good faith protect to his utmost the rights of the CITY.

G. EXPENSES AND LITIGATION EXPENSES. The CITY shall reimburse ATTORNEY for all expenses and court costs incurred in connection with any litigation which the ATTORNEY is authorized to prosecute or defend; in addition to those expenses as may be necessary in the taking of depositions, or any other expenses incurred in or about litigation that the City authorizes the ATTORNEY to defend or prosecute. It is understood that the CITY may engage other attorneys in the prosecution or defense of any litigation or to handle any specialized matters. The term "litigation" does not include appearances before any City Board such as the Local Code Enforcement Board.



H. NON-LIABILITY FOR COSTS AND EXPENSES. ATTORNEY shall not be liable for costs or expenses of any kind and shall be reimbursed by CITY for all ordinary and necessary expenses paid by ATTORNEY in connection with the prosecution or defense of any litigation.

I. ADDITIONAL COUNSEL. If employment of additional counsel shall be necessary or advisable in the preparation or trial of any litigation, ATTORNEY may contract for such assistance on terms approved by the CITY. Matters related to Police Unions and collective bargaining, should they arise, shall be outside of the scope of this contract and the CITY may continue to retain other labor counsel to handle those matters.

J. EQUAL EMPLOYMENT. In all hiring or employment made possible by or resulting from this Agreement, there will not be any discrimination against any employee or applicant for employment because of race, color, religion, age, physical or mental disability, national origin, gender, creed, culture or ancestry.

ATTORNEY shall fully comply with CITY Ordinance No. 13-03 regarding employment discrimination, including Section 3-4 of the City Code, which provides:

It is an unlawful employment practice for an employer:

- (1) To fail or refuse to hire, to discharge or otherwise to discriminate against an individual with respect to compensation or the terms, conditions or privileges of employment because of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, age or disability.
- (2) To limit, segregate or classify employees or applicants in a way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee or applicant because of race, color, religion, sex, sexual orientation, gender identity or expression, marital status, national origin, age or disability.

LM

K. ASSIGNABILITY. ATTORNEY shall not assign any interest in this Agreement, nor shall ATTORNEY transfer any interest in the same without prior written consent of the CITY.

L. ACKNOWLEDGMENT OF EXCLUSION OF WORKER'S COMPENSATION COVERAGE. ATTORNEY herein expressly agrees and acknowledges that he is an independent contractor. As such, it is expressly agreed and understood between the parties hereto, in entering into this Agreement, that CITY shall not be liable to the ATTORNEY for any benefits or coverage as provided by the Worker's Compensation Law of the State of Florida.

M. ACKNOWLEDGMENT OF EXCLUSION OF UNEMPLOYMENT COMPENSATION. ATTORNEY herein expressly declares and acknowledges that he is an independent contractor, and as such is being hired by the CITY under this Agreement, and therefore, it is expressly declared and understood between the parties hereto, in entering into this Agreement, and in connection with unemployment coverage only that: (1) ATTORNEY has been and will be free from any control or direction by the CITY over the performance of the services covered by this ATTORNEY; (2) Services to be performed by ATTORNEY are outside the normal course and scope of the CITY's usual business; and (3) ATTORNEY has been independently engaged in the practice of law prior to the date of this Agreement. Consequently, neither ATTORNEY nor anyone employed by ATTORNEY shall be considered an employee of CITY for purpose of unemployment compensation coverage, the same being hereby expressly waived and excluded by the parties hereto.

N. WAIVER OF SICK AND ANNUAL LEAVE BENEFITS. It is expressly agreed and understood between the parties entering this Agreement that the ATTORNEY, acting as an independent agent, shall not receive any sick or annual leave benefits from the CITY.

O. CONFLICT OF INTEREST. ATTORNEY, by signing this Agreement, covenants that ATTORNEY has no public or private interest, direct or indirect, and shall not acquire



directly or indirectly any such interest, which does or may conflict in any manner with the performance of ATTORNEY'S services and obligations under this Agreement. ATTORNEY further covenants that, in the performance of this Agreement, no person having such an interest as described above shall be employed by ATTORNEY.

P. POWERS CONFERRED ON ATTORNEY. The CITY gives ATTORNEY the authority to file any and all papers necessary and proper in any action which he is authorized to prosecute or defend on behalf of the CITY; to take any evidence necessary and proper; to make any amicable and extrajudicial compromise of the case only with the CITY approval; and otherwise do those things ordinarily undertaken by a city attorney. ATTORNEY is granted the right and authority to do any and all things necessary and proper to protect the interest of the CITY, consistent with the City's Charter.

Q. CANCELLATION. Either party to this Agreement may terminate this Agreement at any time during the term of this Agreement by giving the other party written notice of said intention to terminate at least thirty (30) days before the date of termination; **provided, however,** that as to any pending litigation in which the ATTORNEY has been engaged, ATTORNEY shall, until a successor is appointed, take all actions necessary to protect the interests of the CITY pending appointment and appearance of such successor and shall be compensated therefor in the same manner as compensation is paid for litigation. ATTORNEY shall reasonably cooperate with any successor about pending matters. Notice of cancellation by the ATTORNEY shall be given to the CITY in care of the City Manager. Notice of cancellation shall be given to the ATTORNEY at his or her then address as shown by the records of the Florida Bar.

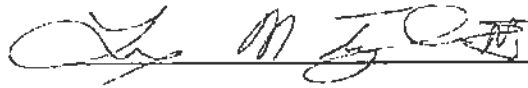
IN WITNESS WHEREOF, the parties have caused these presents to be executed as of the day and year first above written.

A handwritten signature in dark ink, appearing to be "Am 70" with a flourish at the end.

CITY OF ST. AUGUSTINE BEACH

ATTEST: 
City Manager

BY: 
Mayor-Commissioner

 FOR TERM

BY: LEX MORTON TAYLOR III.
FOR DOUGLAS LAW FIRM

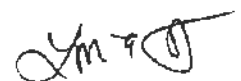


Exhibit "B"

CITY ATTORNEY, CITY OF ST. AUGUSTINE BEACH

REGULAR SCOPE OF WORK

The scope of work is divided into two parts: regular and extra-legal. Under regular is the following:

1. Attend all regular and special or workshop meetings of the City Commission.

The City Commission has one regular meeting on the first Monday of every month. This meeting begins at 6:00 p.m. The Commission sometimes has special meetings or workshop meetings on other days of the month. These meetings may be held at 5:00 or 6:00 p.m.

2. Attend all meetings of the Comprehensive Planning and Zoning Board.

The Board normally has one meeting a month: the third Tuesday at 6 p.m.

3. Attend meetings of the Code Enforcement Board as the attorney for the Code Enforcement Officer.

The Officer brings cases to the City's Code Enforcement Board once a month, usually on the fourth Wednesday at 2:00 p.m. The City Attorney provides legal advice to the Officer. The Code Enforcement Board has its own attorney, if one is needed. Sometimes the Board has an emergency or special meeting.

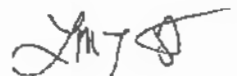
4. Attend other meetings when requested or when deemed appropriate by the City Commission.

5. Perform all legal work for the City as required by the City Charter, excluding litigation.

6. Handle the negotiation and preparation of agreements, contracts or similar documents.

7. Review and comment on contract forms between the City and independent contractors.

8. Perform legislative work associated with City Commission, Planning Board, and Code Enforcement Board meetings, including preparation of ordinances and resolutions, variances, conditional



use permits, final development plans, etc., together with research work associated with the preparation of those documents.

9. Respond by telephone, e-mail or regular mail to requests for advice from the Mayor, Commissioners, Police Department, City Manager's office, and Building and Zoning Department regarding administrative, legislative, executive and legal issues.
10. When requested by the City Commission or by the Police Chief or by the City Manager, perform investigations that would require interviewing witnesses, taking testimony, review of reports and legal research.
11. Respond to email and telephone inquiries by members of the public regarding matters before the city.

Extra Legal – Bill Hourly at \$175

Work performed under extra-legal consists of the following:

- A. Attend City, County, State and Federal meetings and conferences on litigation work concerning the City when approved by the City Commission.
- B. Prosecute violations of local ordinances or of the zoning code in any Court, if the State Attorney is not handling the prosecution.
- C. Provide labor negotiations and assist with labor relations matters that go beyond routine telephone conferences or counseling. Ability to perform labor negotiations legal work is optional as the Police Department has traditionally used separate counsel for this work.
- D. Provide legal services for such matters which do not involve items covered by paragraphs 1-10 above, but which necessitate legal advice or use of the City Attorney's office, as determined by the City Commission. These matters which might be difficult to quantify but may include attendance at meetings between City officials and officials or representatives of other business entities or governmental entities, or attendance at mediation.
- E. Provide legal counsel in any litigation, including but not limited to defense of challenges to the City's ordinances, development orders, regulations; and defend the City in lawsuits which are not defended by legal services provided by the City's insurer, the Florida League of Cities.
- F. Conduct real estate or public finance closings and related legal work as bond counsel, etc.

JMT JS

ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT

This Addendum To Professional Services Agreement (the "**Agreement**") is made and entered into on April, 2023 by and between Douglas Law Firm ("**DLF**"), and the City of St. Augustine Beach ("**City**"). DLF and the City shall hereinafter collectively be referred to as the "parties" and generically as a "party."

1. This Agreement amends and modifies that certain Professional Services Agreement ("**Services Agreement**") dated February 21, 2020 made and entered into by the parties hereto as follows:
2. The Parties agree to amend the base compensation for legal services to \$8,500 per month to the DLF based on the increase in the required level of engagement, volume of legal work, litigation and growing needs of the City requiring legal services.
3. Required legal services outside of Board and Commission meetings to include: litigation, will be covered under the hourly rate.
4. All other provisions of the Services Agreement remain in full force and effect, other than any provision that conflicts with the terms and spirit of this Agreement, which shall be deemed to be amended appropriately in order to be consistent with this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first written above.

City of St. Augustine Beach

By: _____
Max Royle,
City Manager

Douglas Law Firm

By: _____
Charles T. Douglas, Jr.
Managing Partner

City of St. Augustine Beach

By: _____
Don Samora,
Commissioner - Mayor

**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING
APRIL 3, 2023**

CODE ENFORCEMENT/BUILDING/ZONING

Please see pages 1-35.

COMPREHENSIVE PLANNING AND ZONING BOARD

The minutes of the Board's January 17, 2023, meeting are attached as pages 36-43. The Board did not meet in February because there were no topics for it to consider.

SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE

The Board did not meet in March because it lacked a quorum.

POLICE DEPARTMENT

Please see page 44.

FINANCE DEPARTMENT

Please see pages 45-47. Pages 46-47 are the report of American Rescue Plan Act (ARPA) revenues and expenditures to date.

PUBLIC WORKS DEPARTMENT

Please see pages 48-51.

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 asked three times by City staff to have it repaired.

B. Illegal Parking

A 16th Street resident complained about illegal parking by beach visitors and overnight parking in campers. He asked that No Overnight Sleeping signs be posted. His complaint was forwarded to the Public Works Department to put up the signs.

C. Litter

A resident wrote that there is litter around the dumpsters along the north side of the Publix shopping center. The complaint was forwarded to the Code Enforcement Division.

D. Missing No Parking Sign

A resident emailed that a No Parking sign on 2nd Avenue between 3rd and 4th streets was missing. The Public Works Department was asked to put up another sign. In an additional email, the resident pointed out where there were gaps that may need No Parking signs. That email was forwarded to the Public Works Department.

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. The project has been completed. It will no longer be included in this Report.

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.

4) Paving 13th Lane

A 12th Street resident has asked that the City pave 13th Lane, a dirt alley between A1A Beach Boulevard and the beach. City staff is checking whether the alley has been vacated and where its boundaries are, as owners of adjacent properties may have put a fence in it. If the alley can be paved, the project will be made part of the City's five-year capital improvements plan.

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) need to be done. The City will then advertise for bids in the spring of 2023.

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, to see whether there are any grant stipulations that would prohibit relocating the access.

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. February 28, 2023, marked the end of the fifth month of FY 23. As of that date, the City had received \$5,729,838 for the General Fund and had spent \$3,320,970. The surplus of revenues over expenditures was \$2,408,868. As of February 28, 2023, the total provided by property taxes, the City's major source of revenue, was \$3,740,227, or 90% of the amount projected to be received from this source for the entire fiscal year. During the remaining months of the fiscal year, declining amounts will be provided by property taxes until June or July 2023, when usually no revenue from this source is received.

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 final reading at their March 6th meeting but did not approve a budget resolution to appropriate \$13,790 for a civil engineering consultant to digitize impervious surfaces of residences and businesses in the City for determining an equivalent residential charge. The Commission asked that the City staff work on developing the information for a residential charge.

4. Miscellaneous

A. Permits for Upcoming Events

In March, the City Manager approved the following permits: a. for the County Parks and Recreation Department's Movies in the Park program at pier park on Friday, March 17th; b. for the Jacksonville Ultimate League's Volleyball Beach Tournament on April 22nd; c. for the Fat Tire Single Fin Surfing Contest on April 29th; d. for the St. Johns County Bar Association's 5th Annual Cornhole Tournament for a Cause on May 6th; e. for the Civic Association's Free Community Concerts in the spring and summer of 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

Commission reviewed the land at its March 6th meeting, recommended several changes and asked that a workshop be scheduled in June to review the Plan again.

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 was 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 and interior improvements to the building, such as new windows, an upgraded stairway and restroom. Future interior renovations include an elevator, artists' studios and a second stairway from the second story. Also, a designer has been hired to develop interpretive signage for the building. Ms. Stone provided an update report at the Commission's March 6, 2023, meeting about the plans for interior improvements and interpretative signage describing the building's history and to commemorate the 1964 attempt to integrate the beach in front of the former city hall. The signage will be put up in April.

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
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
5269	6 15TH ST		SFR-D		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
5569	9 13TH ST	P2300640	SFR-D	2/22/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING
5570	7 13TH ST	P2300643	SFR-D	2/22/2023	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
5851	12 2ND ST	P2300674	SFR-D	3/1/2023	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	1305 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
6548	16 LINDA MAR DR		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6585	9 10TH ST		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6816	372 RIDGEWAY RD	P2300781	SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6837	113 5TH ST	P2300766	SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6838	117 5th st	P2300769	SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING

Application Id Range: First to Last

Issue Date Range: First to 03/16/23

Expiration Date Range: First to 09/07/24

Applied For: Y Open: Y

Application Date Range: First to 03/16/23

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: SFR-A to SFR-D

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 COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Description
4891	3920 A1A S UNIT 4	P2200457	COM BUILD OUT	1/27/2022	COMMERCIAL BUILDING ALT.-- BUILD OUT UNIT 4 - BEACH NAIL BAR
6012	3930 A1A SOUTH UNIT 8	P2201526	COM BUILD OUT	9/2/2022	COMMERCIAL BUILDING ALT.-- TENANT BUILD-OUT--THE ART HOUSE
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
6459	116 SEA GROVE MAIN ST	P2300352	COM BUILD OUT	12/16/2022	COMMERCIAL BUILDING ALT.-- BUILD-OUT
6597	950 A1A BEACH BLVD		COMMERCIAL NEW		NEW COMMERCIAL BUILDING -- NEW PUBLIC RESTROOM - UTILITY

Application Id Range: First to Last

Issue Date Range: First to 03/16/23

Expiration Date Range: First to 09/07/24

Applied For: Y Open: Y

Application Date Range: First to 03/16/23

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 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
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
5269	6 15TH ST		SFR-D		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
5569	9 13TH ST	P2300640	SFR-D	2/22/2023	NEW SINGLE FAMILY RESIDENCE-BUILDING
5570	7 13TH ST	P2300643	SFR-D	2/22/2023	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
5851	12 2ND ST	P2300674	SFR-D	3/1/2023	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
6548	16 LINDA MAR DR		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6585	9 10TH ST		SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6816	372 RIDGEWAY RD	P2300781	SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6837	113 5TH ST	P2300766	SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING
6838	117 5th st	P2300769	SFR-D		NEW SINGLE FAMILY RESIDENCE-BUILDING

Application Id Range: First to Last

Issue Date Range: First to 03/16/23

Expiration Date Range: First to 09/07/24

Applied For: Y Open: Y

Application Date Range: First to 03/16/23

Use Type Range: First to Last

Hold: N

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: N

Work Type Range: SFR-A to SFR-D

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 COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Description
4891	3920 A1A S UNIT 4	P2200457	COM BUILD OUT	1/27/2022	COMMERCIAL BUILDING ALT.-- BUILD OUT UNIT 4 - BEACH NAIL BAR
6012	3930 A1A SOUTH UNIT 8	P2201526	COM BUILD OUT	9/2/2022	COMMERCIAL BUILDING ALT.-- TENANT BUILD-OUT--THE ART HOUSE
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
6459	116 SEA GROVE MAIN ST	P2300352	COM BUILD OUT	12/16/2022	COMMERCIAL BUILDING ALT. - BUILD-OUT
6597	950 A1A BEACH BLVD		COMMERCIAL NEW		NEW COMMERCIAL BUILDING -- NEW PUBLIC RESTROOM - UTILITY

Application Id Range: First to Last

Issue Date Range: First to 03/16/23

Expiration Date Range: First to 09/07/24

Applied For: Y Open: Y

Application Date Range: First to 03/16/23

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 TREE INSPECTIONS

Application Id	Property Location	Building Code 1	Description of Work 1	Issue Date	Description
6216	402 B ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	10/13/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
6389	134 13TH ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	11/21/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
6404	6 MICKLER BLVD	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	11/17/2022	RESIDENTIAL-TREE REMOVAL INSPECTION
6587	202 AZALEA AVE	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	1/9/2023	RESIDENTIAL-TREE REMOVAL INSPECTION
6763	609 MARIPOSA ST	TREE	RESIDENTIAL--TREE REMOVAL INSPECTION	2/14/2023	RESIDENTIAL-TREE REMOVAL INSPECTION

Totals

Application Id Range: First to Last

Issue Date Range: 10/01/22 to 03/16/23

Expiration Date Range: First to 09/07/24

Applied For: Y Open: Y

Application Date Range: First to 03/16/23

Use Type Range: First to Last

Hold: N

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

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	Building Code	Activity Type	Inspector	Date	Status
5698	1697200120	211 2ND ST	ZONING	Z-VACATE ALLEY	BONNIE M	9/12/2022	APPROVED
6119	1711000000	201 B ST	ZONING	Z-VARIANCE	BONNIE M	10/18/2022	APPROVED
6133	1725610250	103 WHISPERING OAKS CIR	ZONING	Z-VARIANCE	BONNIE M	10/18/2022	APPROVED
6527	1725610380	224 BIG MAGNOLIA CT	ZONING	Z-VARIANCE	BONNIE M	1/17/2023	APPROVED
6528	1725610380	224 BIG MAGNOLIA CT	ZONING	Z-TREE REMOVAL	BONNIE M	1/17/2023	APPROVED
6635	1742000020	1097 A1A Beach Blvd	ZONING	Z-COND USE		3/21/2023	OPEN
6646	1629640310	1020 SALTWATER CIR	ZONING	Z-VARIANCE		3/21/2023	OPEN
6818	1705900000	711 A1A BEACH BLVD, UNIT B	ZONING	Z-COND USE		3/21/2023	OPEN

Application Id Range: First to Last

Range of Building Codes: ZONING to ZONING

Activity Date Range: 09/01/22 to 05/18/23 Activity Type Range: Z-APPEAL to Z-VARIANCE

Inspector Id Range: First to Last

Included Activity Types: Both

Sent Letter: Y

Range: First to Last
Violation Date Range: 10/01/22 to 03/16/23
Ordinance Id Range: First to Last

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

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

Customer Range: First to Last

Inc Violations With Waived Fines: Yes

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: V2300008 Prop Loc: 378 A1A BEACH BLVD
Viol Date: 01/18/23 Status: Open Comp Name: Comp Phone:
Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: vending machine with no permits or site plans.

Created	Modified	Note
03/08/23	03/08/23	Email received from ice maker owner informing Code Enforcement he is working on getting the ice maker moved.
02/22/23	02/22/23	Code Enforcement G. Timmons sent owner information on compliance process on 02/21/2023 after owner reached out for additional information.
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 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: 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 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 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 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. (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
Viol Date: 01/27/23
Comp Email:

Prop Loc: 1115 A1A BEACH BLVD
Status: Open

Comp Name:

Comp Phone:

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
Viol Date: 01/27/23
Comp Email:

Prop Loc: 1115 A1A BEACH BLVD
Status: Open

Comp Name:

Comp Phone:

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.
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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.
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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, 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
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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
Viol Date: 01/27/23
Comp Email:

Prop Loc: 590 A1A BEACH BLVD
Status: Open

Comp Name:

Comp Phone:

Ordinance Id	Description
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8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.
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Description: Obies Filling Station business sign is over twelve feet in height.

Created	Modified	Note
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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.
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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.
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Violation Id: V2300035
Viol Date: 01/27/23
Comp Email:

Prop Loc: 1005 POPE RD
Status: Open

Comp Name:

Comp Phone:

Ordinance Id	Description
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8.00.04	Non conforming signs above twelve feet will need to meet compliance by 08/01/23.
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Description: Andy's Taylor Rental business sign is over twelve feet in height.

Created	Modified	Note
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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.
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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 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 Email: Comp Phone:

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: 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
03/06/23	03/06/23	Recieved call from owner Mr. Garrett confirming he received the certified mail. 251-377-0731
02/28/23	02/28/23	Certified letter sent to meet compliance by 03/14/2023.
02/27/23	02/27/23	Home owner called and advised he needs a couple weeks to get the vehicles removed and clean up the rubbish in the yard. This is the first attempt/contact owner has made with Code Enforcement. Home owner was informed a certified letter will be mailed out giving him an additional two weeks to be in compliance with code. Compliance date is now 03/14/2023.
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: V2300041 Prop Loc: 202 AZALEA AVE
Viol Date: 02/17/23 Status: Open Comp Name: Building official
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Building shed without a permit.

Created	Modified	Note
02/22/23	02/22/23	Since the Stop Work Order, work has continued on the shed.
02/21/23	02/22/23	Home owner came by the Building Department to obtain additional information and ask some more questions as to what he needed. He also appologized for his wife's actions towards staff on 02/17/23.
02/17/23	02/22/23	Home owners came by the building department to complain about the Stop Work Order and were rude towards Building Department staff. Building and Zoning along with the permit tech explained what was needed and provided appropriate paper work to the home owners.
02/17/23	02/17/23	The Building Official informed Code Enforcement of the construction of a shed which could be seen from 11th Street. Upon Code Enforcement investigating this, the sheds location was determined to be at 202 Azalea Ave. A review of open building permit/s for this address revealed there was no permit/s obtained for the shed. A stop work order was posted on the shed with literature explaining the violation. Contact with the owner of the property and/or builder yielded negative results, and a Code Enforcement business card was left at the door.

Violation Id: V2300042 Prop Loc: 213 B ST
Viol Date: 02/21/23 Status: Open Comp Name: Gene Bryan Comp Phone: (904)501-3226
Comp Email: geno607@yahoo.com

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

Description: Care of premises

Created	Modified	Note
02/21/23	02/21/23	Code Enforcement made contact with the home owner who advised us he would bring the ladder and construction material in the house in the next few days. Only one security light was working while Code Enforcement was on site, and the security light was angled in a downward position. The other lights were also in a downward position and appeared to be older. Home owner informed us the other lights did not work. Code Enforcement will return in a few days to see if ladder and construction equipment is put away.
02/21/23	02/21/23	Complaintant also thinks the outside security lighting is too bright. Complaintant advised to contact the local Police Department to check the brightness of the security light/s.
02/21/23	02/21/23	Complaint recieved regarding construction material being stored on the front porch of 213 B Street.

Violation Id: V2300044 Prop Loc: 204 9TH ST

Viol Date: 02/21/23 Status: Open Comp Name: Code Enforcement
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Work without permits.

Created	Modified	Note
03/02/23	03/02/23	Contractor came in to speak with Building Official about permits.
02/23/23	02/23/23	Certified letter sent to owner to obtain permits on or before 03/22/23.
02/23/23	02/23/23	Representative from MATO Construction Company obtained information and paper work from Building Department's Permit Tech on this date.
02/21/23	02/21/23	Code Enforcement observed building materials in the front and side of this residence to include the installation of new siding and stairs. A stop work order was issued.

Violation Id: v2300047 Prop Loc: 124 KINGS QUARRY LN
Viol Date: 02/28/23 Status: Open Comp Name: Code Enforcement
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: No permits on record for work completed.

Created	Modified	Note
03/08/23	03/08/23	Certified letter returned with signature. Additionally, residence has a newer deck at the rear of the house as shown in picture taken from the street.
02/28/23	02/28/23	Certified letter sent to home owner; compliance on obtaining permit/s on or before 03/28/2023.
02/28/23	02/28/23	While following up on other code cases, Code Enforcement noticed a newer deck and stairs at the residence of 124 Kings Quarry LN. A check of the Building Departments MCSJ revealed no permits have been obtained for this work.

Violation Id: v2300049 Prop Loc: 351 A1A BEACH BLVD
Viol Date: 03/02/23 Status: Open Comp Name: Building Official/Code Enforcemnt
Comp Phone: Comp Email:

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: No permit obtained for work. This is Circle K.

Created	Modified	Note
03/16/23	03/16/23	Permits picked up to be completed by the window contractor.
03/09/23	03/09/23	Certified letter sent to owner of Circle K to obtain permit/s.

03/02/23	03/02/23	Hand delivered letter to obtain permit/s for work completed.
03/02/23	03/02/23	Front glass doors of store replaced without obtaining permit/s for the work.

Violation Id: V2300050	Prop Loc: 131 15TH ST	
Viol Date: 03/06/23	Status: Open	Comp Name: Code Enforcement
Comp Phone:	Comp Email:	

Ordinance Id	Description
SEC.5.00.00	Removal of Trees

Description: Removal of tree/s without permit/s. Tree in right of way was also removed.

Created	Modified	Note
03/06/23	03/06/23	Tree in the right of way was also removed without approval or permit/s.
03/06/23	03/06/23	On 03/03/2023, Code Enforcement observed two landscaping workers cutting the remains of a tree/s that had been cut down. A search of permits yielded negative results for this address in removing any trees.

Violation Id: V2300051	Prop Loc: 202 6TH ST	
Viol Date: 03/08/23	Status: Open	Comp Name: Code Enforcement
Comp Phone:	Comp Email:	

Ordinance Id	Description
FBC 105.1	PERMITS 105.1 Required.

Description: Working without permit/s.

Created	Modified	Note
03/08/23	03/08/23	Owner called and advised he will come by to obtain permit/s.
03/08/23	03/08/23	Stop work order and business card given to tenant (Jordon) who advised he will get with the owner.
03/08/23	03/08/23	A bathtub and drywall was observed in the yard of this residence which prompted a review of permits pulled. A search of permits pulled for this residence revealed no current permit/s.

Violation Id: V2300052	Prop Loc: 2040 A1A S	
Viol Date: 03/13/23	Status: Open	Comp Name: Code Enforcement
Comp Phone:	Comp Email:	

Ordinance Id	Description
8.00.10.	Nonconforming signs.

Description: Discontinued business sign.

Created	Modified	Note
03/13/23	03/13/23	certified letter addressing sign to be removed by or before 04/10/23.

03/13/23 03/13/23 Certified letter sent requesting removal of previous Wendy's fast food sign. Establishment has been closed/vacant for several months.

Violation Id: V2300053 Prop Loc: 931 A1A BEACH BLVD UNIT 104
Viol Date: 03/13/23 Status: Open Comp Name: Lois Lynn Levell-Troyer
Comp Phone: (208)880-5989 Comp Email: ridingmytrek@rocketmail.com

Ordinance Id	Description
IMPC 504.3	Plumbing and system hazards

Description: Condominium unit above complainant allegedly leaking down through the ceiling.

Created	Modified	Note
03/13/23	03/13/23	Complaint received from owner of condominium 931 A1A Beach Blvd. Unit 103 advising that her neighbor above her at 931 A1A Beach Blvd. Unit 104 allegedly has a leak that is coming through her ceiling causing damage and the neighbor will not repair the leak.

Violation Id: V2300054 Prop Loc: 1097 A1A BEACH BLVD
Viol Date: 03/15/23 Status: Open Comp Name: Elyse Brady Comp Phone:
Comp Email:

Ordinance Id	Description
14-2	Sec. 14-2. - Weeds, trash, and unsanitary matter.

Description: Trash outside of dumpster.

Created	Modified	Note
03/15/23	03/15/23	St. Augustine Beach City Manager received a complaint via email from a resident living near Anastasia Plaza in regards to the large amounts of trash outside of the dumpsters used for the businesses at Anastasia Plaza.

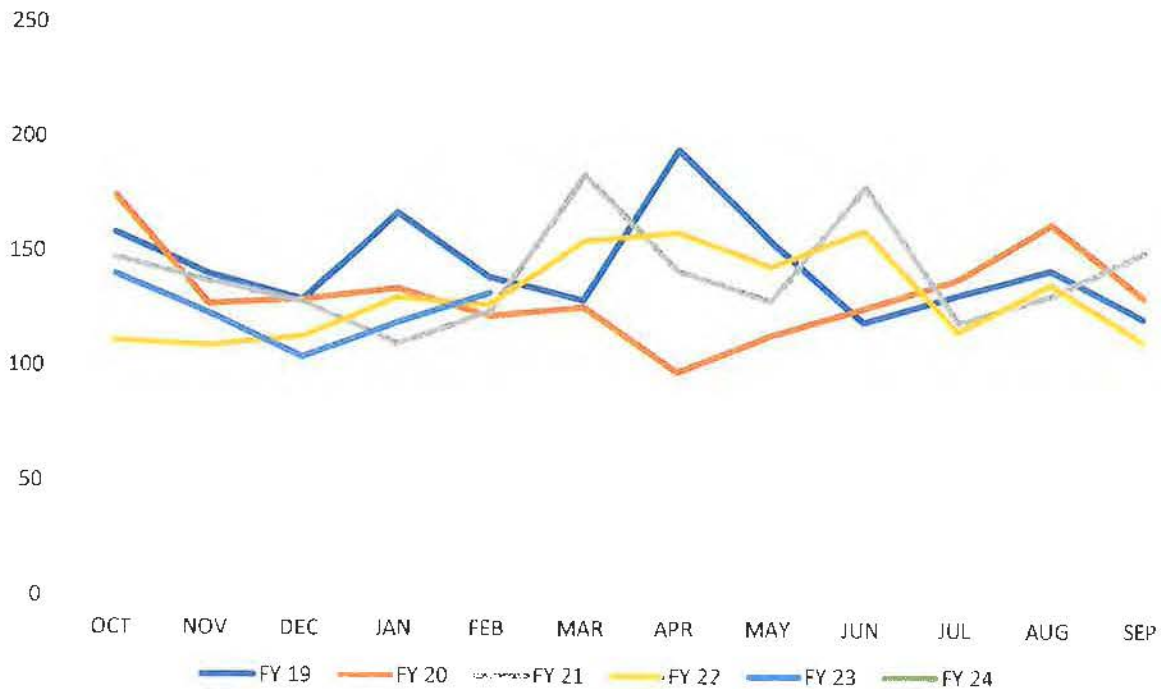


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	132	
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	618	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	247	
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	1357	0

NUMBER OF INSPECTIONS PERFORMED



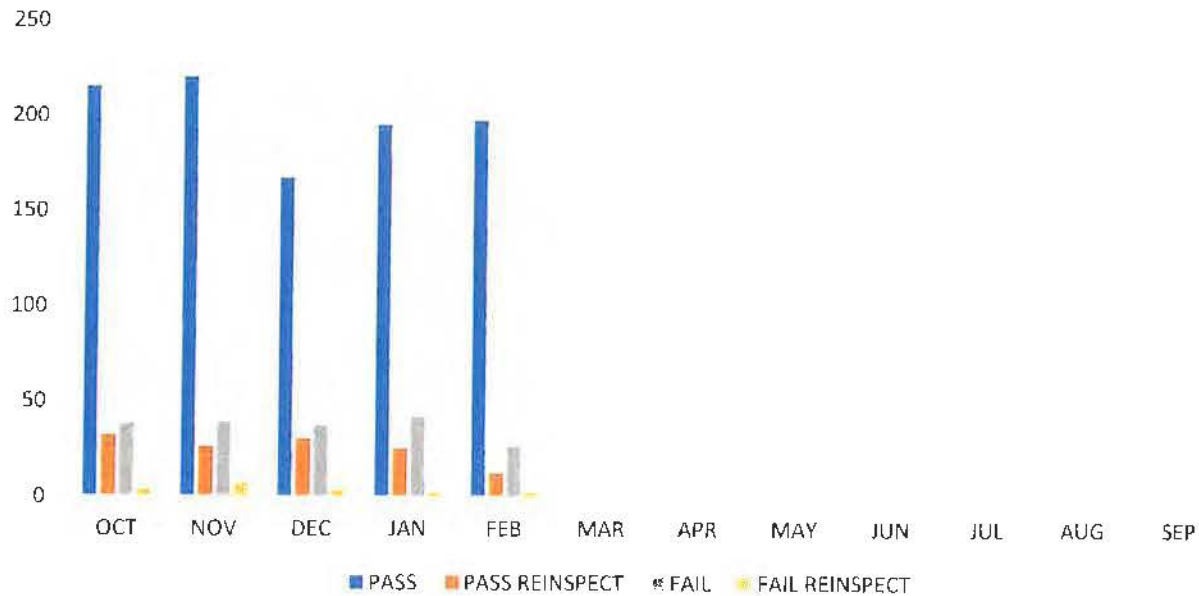


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	197	12	26	2
MAR				
APR				
MAY				
JUN				
JUL				
AUG				
SEP				
TOTAL	994	125	182	17

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	54	
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	265	0

OF PLAN REVIEW ACTIVITIES



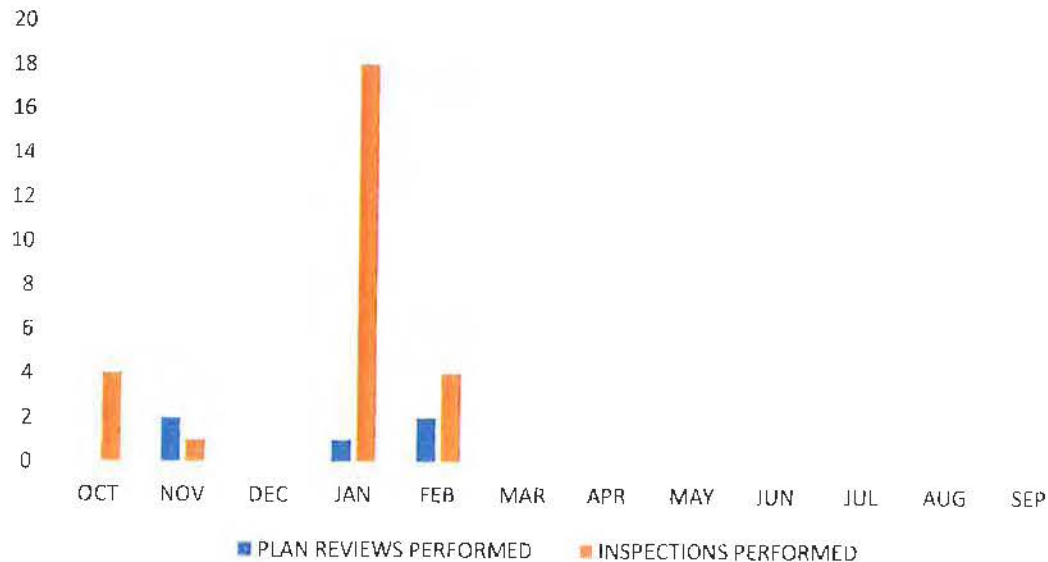


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

PRIVATE PROVIDER PLAN REVIEW AND INSEPTIONS PERFORMED IN FY 23

	PLAN REVIEWS PERFORMED	INSEPTIONS PERFORMED
OCT	0	4
NOV	2	1
DEC	0	0
JAN	1	18
FEB	2	4
MAR		
APR		
MAY		
JUN		
JUL		
AUG		
SEP		
TOTAL	5	27

PRIVATE PROVIDER PLAN REVIEW AND INSPECTIONS FY23



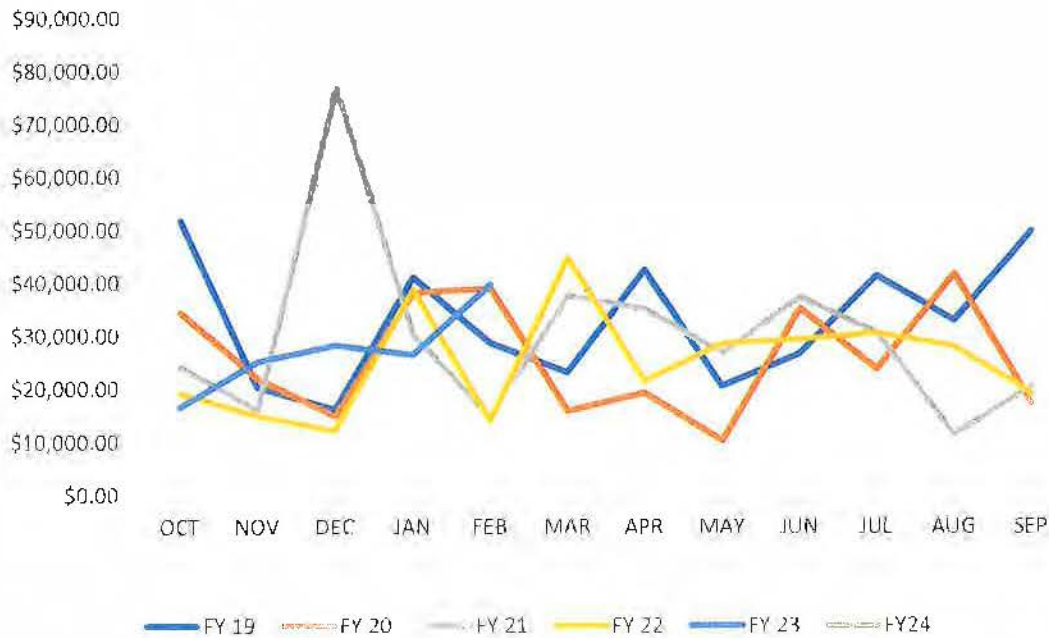


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$39,494.58	
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	\$135,462.67	\$0.00

BUILDING PERMIT FEE REPORT



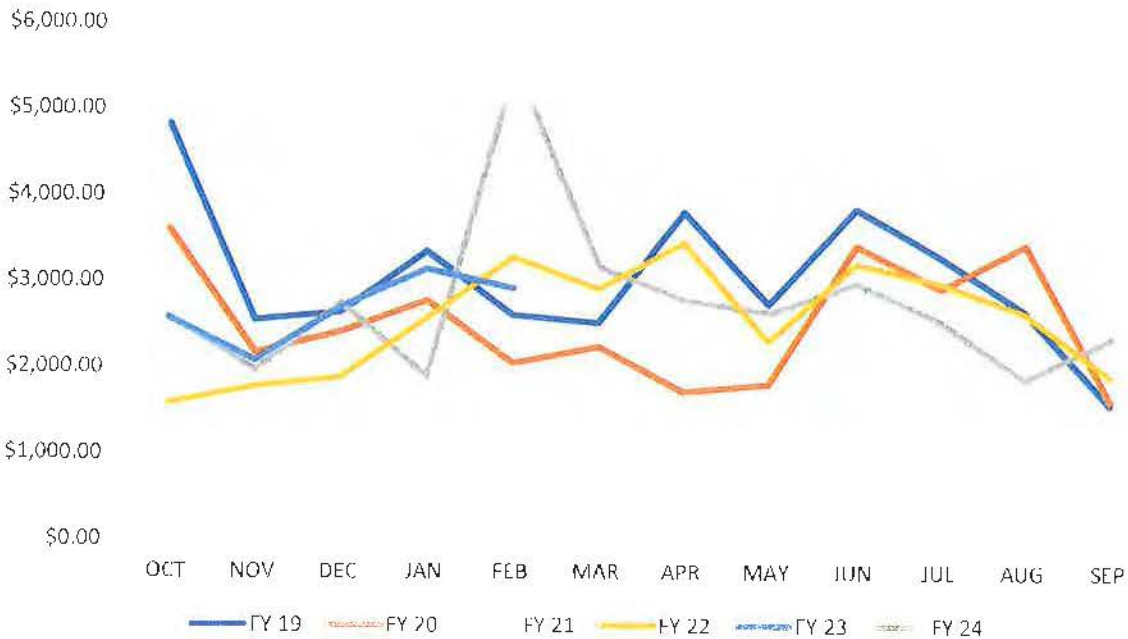


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$2,911.21	
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	\$13,376.78	\$0.00

MECHANICAL PERMIT FEE REPORT



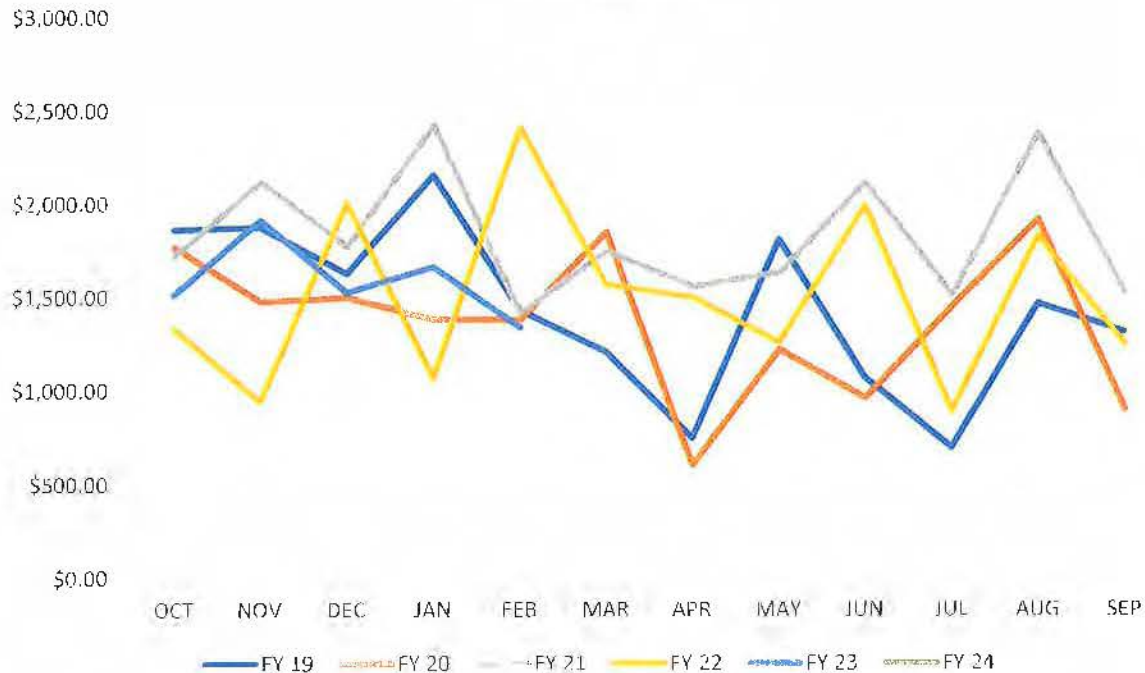


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$1,335.00	
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	\$7,938.00	\$0.00

ELECTRICAL PERMIT FEE REPORT



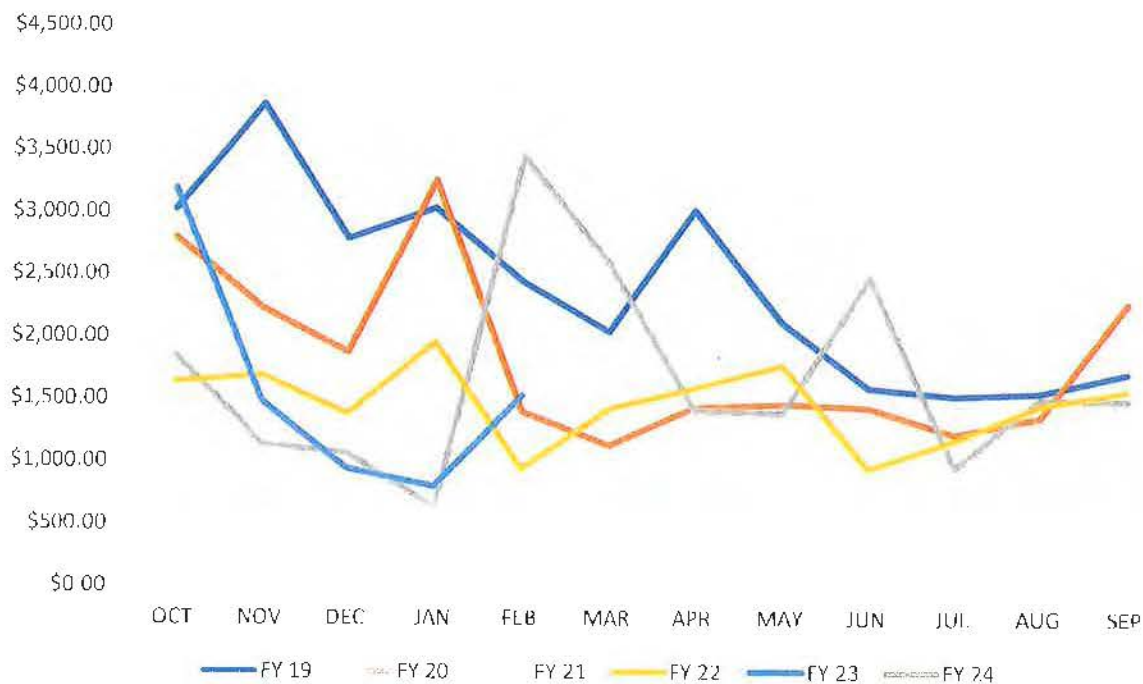


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$1,525.00	
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	\$7,921.00	\$0.00

PLUMBING PERMIT FEE REPORT



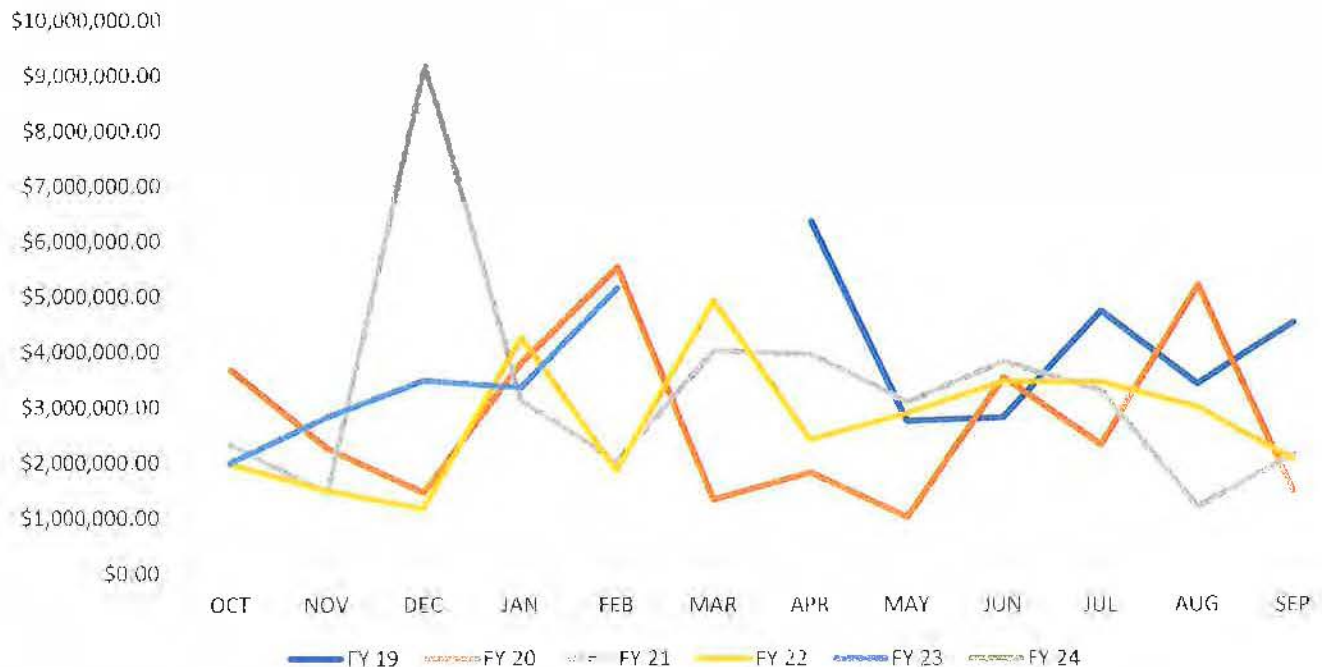


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$5,140,584.42	
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	\$16,743,199.47	\$0.00

ALTERATION COST



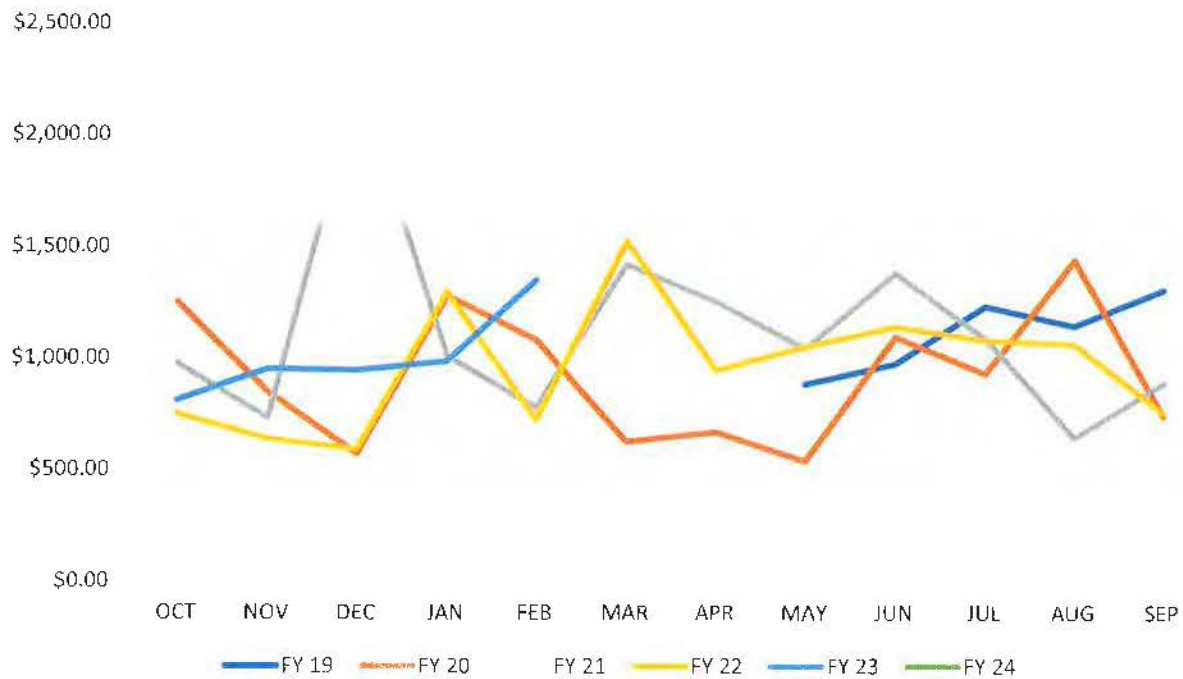


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

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	\$1,347.87	
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	\$5,028.56	\$0.00

STATE SURCHARGE PERMIT FEE REPORT





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 McCrea: 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)

COMMISSION REPORT

March 2023

TO: MAYOR/COMMISSIONERS

FROM: DANIEL P. CARSWELL, CHIEF OF POLICE

DEPARTMENT STATISTICS February 21st , 2023 - March 21st 2023

CALLS FOR SERVICE – 1733

OFFENSE REPORTS - 49

CITATIONS ISSUED – 94

LOCAL ORDINANCE CITATIONS - 89

DUI - 1

TRAFFIC WARNINGS- 137

TRESSPASS WARNINGS - 8

ANIMAL COMPLAINTS - 24

ARRESTS - 7

- **ANIMAL CONTROL:**

- St. Johns County Animal Control handled 24 complaints in St. Augustine Beach area.

MONTHLY ACTIVITIES –

February 24th – Coffee with a Cop

March 7th – Blood Drive

March 10th – Bowling with a cop

MEMORANDUM

TO: MAX ROYLE, CITY MANAGER
FROM: PATTY DOUYLLIEZ, FINANCE DIRECTOR
SUBJECT: MONTHLY REPORT
DATE: 3/22/2023

Finance

Finance has completed the annual audit and James Moore will be presenting at the April 3rd Commission meeting regarding the findings. All documentation has been submitted to FEMA for the Hurricane Ian disaster and we are awaiting approval. The budget for FY24 will begin with the upload of financial data through March 31st and then a preliminary file will be sent to the department heads for their review and input.

Communications and Events

Melinda is currently working on the upcoming Arbor Day Event.

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 underwriters are going to be requiring this.	1	\$25,000.00	
9/26/2022	MFA Citywide	Block in front glass, block in W & N PTAC units, place flooring over concrete	1	\$40,000.00	
9/26/2022	Secure Bldg C	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		\$3,120,000.00		

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

Total Adopted	\$260,000.00	
Total Spend	\$3,380,000.00	\$3,162,231.99

MEMORANDUM

Date: March 24, 2023
To: Max Royle, City Manager
From: William Tredik, P.E., Public Works Director
Subject: Public Works Monthly Report – March 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: Final reimbursement received / Grant closed
- **Mizell Pond Weir and Stormwater Pump Station**
HMGP grant – FEMA/FDEM
Grant amount \$1.81 Million
Project Stage: Construction Complete / Awaiting FEMA change to Federal Share
- **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 / Awaiting additional funding
- **C.R. A1A/Pope Road Storm Surge Protection – Phase 1 Design**
HMGP grant (Dorian) - FEMA/FDEM
Grant amount \$52,500
Project Stage: Final 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) [GRANT CLOSEOUT / 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%. The City anticipates a revised contract from FDEM with the aforementioned change and will submit the final reimbursement request to FDEM upon execution of the contract amendment. The City has received final reimbursement from the St. Johns River Water Management District (SJRWMD) cost-share grant.

Ocean Walk Drainage Improvements [PRE-BID] – Design and permitting is complete.. 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 submitted a SJRWMD Districtwide Cost Share application to help address the increased projected cost. Cost-share grants will be approved in April 2023. If successful, SJRWMD funds will become available in October 2023. Bidding of the project had thus been postponed until Summer 2023 to be able to fully use SJRWMD funding.

Oceanside Circle Drainage [ON HOLD - VALUE ENGINEERING] – Construction 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 [PERMITTING/FINAL DESIGN] – The project will prevent storm surge from Salt Run from entering the City at Pope Road. Design (Phase 1 of the HMGP Grant)) 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 (USACOE). The Plans will be submitted to FDEM/FEMA upon receipt of USACOE permit/letter and any required final plan changes. FDEM/FEMA will review Phase 1 submittal and the Bidding and Construction will commence upon receipt of a construction (Phase 2 of the HMGP grant) agreement from FDEM.

Magnolia Dunes / Atlantic Oaks Circle Stormwater Resiliency improvements [Consultant Negotiations] – Grant agreement complete. The City Commission authorized staff to negotiate with the highest ranked consultant (ECT) and negotiations are nearing completion. Staff anticipates completing negotiations with ECT in early April. If negotiations with ECT are unsuccessful, however, the City will (per Florida statutes) formally break off negotiations with ECT and begin negotiations with the second highest ranked applicant. 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. 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.

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 is currently closed during construction, however, the beach boardwalk will remain open to pedestrian traffic. The parking lot, new restrooms and associated Phase 2 features are scheduled to be opened to the public prior to Memorial Day weekend.

Ocean Hammock Park Phase 3.1 [BIDDING] – Design and permitting is complete. Phase 3 design and permitting is complete. Phase 3.1 (a portion of phase 3 including the central nature trail and observation deck) is partially funded by a \$60,000 Coastal Partnership Initiative grant. Construction of Phase 3.1 is scheduled for Summer 2023

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 to facilitate handicap access. Construction of a dune walkover at B Street commenced in March 2023. Due to design challenges associated with beach erosion from Hurricanes Ian and Nicole, the 10th Street dune walkover will be constructed in early 2024, after beach renourishment is complete.

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. Other changes include amending the sign code to allow ground signs taller than 12 feet. The Commission will consider this change at its April 3rd meeting. Additional changes to the Regulations will be reviewed by the Commission at its May 1st meeting.

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 Commission reviewed the revised draft at their March 6, 2023, meeting, made some changes, and asked that it be scheduled for a possible workshop in June.

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. Final design is underway and pre-application by the St. Johns River Water Management District will be done in April.

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 11, 2022, 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. Because the original bid was well over the estimate, the Public Works Director has 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 and installed in 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 in April.

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. The state is preparing a grant agreement.

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 1, 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 1st. At its March 6, 2023, meeting, the Commission discussed changes to the regulations that would allow ground signs to exceed the 12-foot height limit. The Building Official and the City Attorney prepared changes for the Commission to review at its April 3rd meeting.

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. Advertising for bids has been

postponed until the summer of 2023, so that the City can obtain cost share funds from the Water Management District. Construction will likely begin after October 1, 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. If funding becomes available, the City will advertise for bids in the fall of 2023.

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 has been completed and will no longer be included in this Report.

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. Permitting has been completed. Once the City receives a permit from the Corps of Engineers, the City will submit the design to the Florida Division of Emergency Management for authorization to proceed to construction.

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. Negotiations are under way. 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. At its March 6, 2023, meeting, the Commission adopted an ordinance that will allow the Commission to levy a stormwater utility fee in 2024. At that meeting, the Commission did not approve a budget resolution to appropriate \$13,000 for a civil engineering consultant to research the data needed for the City to propose a range of fees for the utility but recommended that City staff continue to do the work inhouse to meet the June or July deadline for submission of the range to the Tax Collector.

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 and another one at the Commission's March 6, 2023, meeting. At the latter meeting, Ms. Parrish Stone showed illustrations of the proposed civil rights memorial to commemorate the "wade in" of the City's beach in front of the former city hall in 1964. She and a local architect, Mr. Connor Dowling, also showed illustrations of the new, second floor windows and some interior renovations. The memorial and other work should be completed by this summer and will be paid by state grant funds.

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 April 3, 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 and at 16th Street and 11th Street. The County may 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, advertising the RFQ will be delayed because other projects, especially drainage ones, require attention and money.

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. An update will be provided by CMT at the Commission's April 3rd meeting.

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 April 3, 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. 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 the cost to open and pave such streets is 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. In late February, one property owner in response to his inquiry was told the cost to construct the street would be between \$460,000 and \$500,000.