MINUTES

REGULAR CITY COMMISSION MEETING
MONDAY, JULY 11, 2022, AT 6:00 P.M.

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

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

The Commission recited the Pledge of Allegiance.

III. ROLL CALL

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

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

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

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

V. ADDITIONS OR DELETIONS OF THE AGENDA

There were none.

VI. CHANGES TO THE ORDER OF TOPICS ON THE AGENDA

There were none.

VII. PRESENTATIONS

A. Presentation of Anastasia Island Environmental Stewardship Awards by Ms. Lana Bandy and Ms. Sandra Krempasky, Chair and Vice Chair Respectively, of the Sustainability and Environmental Planning Advisory Committee

SEPAC Vice Chair Sandra Krempasky, 7 C Street, St. Augustine Beach, FL, described the award and read the bios of the winners in each category.

Ms. Laura Pitts and Ms. Renee Stambaugh of Native Planning Consulting, LLC, and Ms. Lauren Trice were present to accept their awards.

Vice Chair Krempasky advised that SEPAC would also like to honor former SEPAC Member Dr. Lonnie Kaczmarsky for his years of community involvement and accomplishments with a tree

plaque in the Avenue of Palms. Mayor Samora thanked SEPAC for presenting these awards every year.

Mayor Samora moved on to Item VIII and he welcomed everyone to speak on non-agenda items.

VIII. PUBLIC COMMENTS

Lonnie Kaczmarsky, 2661 Golden Lake Loop, St. Augustine, FL, showed a PowerPoint presentation demonstrating rain gardens and permeable pavers for the City parkettes, which could address stormwater issues [Exhibit A]. He explained that a rain garden is a planted area that is designed to collect and manage rainwater, which will dry out between rainfalls. He advised that they do not breed mosquitoes, require little maintenance, and are low cost. He said that the City received ARPA money to help with stormwater infrastructure and that the Treasury Department encourages the use of green infrastructure. He showed several examples of commercial and residential areas that use green infrastructure and he suggested that there could be signage to educate and encourage other residents to use green infrastructure.

Jim LeClare, 115 Whispering Oaks Circle, St. Augustine Beach, FL, showed a handout regarding the properties adjacent to the Ocean Hammock Park boardwalk [Exhibit B]. He explained that there was only one residence/owner in the immediate area prior to the boardwalk being built and the others were built knowing it was there, which is why he is against moving the boardwalk.

Mayor Samora asked for any further Public Comments. Being none, he closed Public Comments and moved on to Item IX.

IX. COMMISSIONER COMMENTS

Vice Mayor Rumrell advised that he had an opportunity to speak to the Gold Medal honorees, who were St. Augustine Beach residents, and they thanked the Commissioners. He said that he gave a token City lapel pin to the honorees, and he asked staff to look into a key to the City or a coin, etc. for their service and he suggested that the Commission discuss ordering something more substantial at some point. Commissioner George asked if there was any policy. City Manager Royle said that he would have to check the records.

Commissioner England thanked SEPAC for their presentation and gave her support for the rain gardens and said that Public Works is looking at having an ordinance to help with runoff. She suggested to possibly get together and evaluate the parkettes to see if they could be used as a rain garden, etc. She reiterated that the attendance at the veterans' awards was very moving.

Mayor Samora advised that he will be traveling to the west coast of Florida and will meet with some of the municipalities, which have already gone through what the City is going through ,such as sea turtle lighting, undergrounding utilities, paid parking, etc.

Commissioner George advised that she received the presentation from Atlantic Beach from their workshop and she will forward it the City Manager to pass along to any interested Commissioners.

Mayor Samora closed Commissioner Comments and moved on to Item X.1.

X. PUBLIC HEARINGS

1. Request for Conditional Use Permit to Construct Four Single-Family Residences in a Commercial Land Use District between 4th and 5th Streets West of A1A Beach Boulevard (Lots 7-10, Block 18, Chautauqua Beach Subdivision) (Presenter: Jennifer Thompson, Planner)

Ms. Thompson described the Conditional Use Permit, and she showed a map with the location of the lots from the St. Johns County Property Appraiser's website [Exhibit C]. She said that at the

last Planning and Zoning Board meeting the six lots to the east were granted a mixed-use permit to build a 10,600 square foot building [Exhibit D]. She advised that they are proposing to build four single-family residences in the commercial district on the western lots.

Michael Stauffer, architect, 1093 A1A Beach Blvd, St. Augustine Beach, FL, said that the current owner owns all ten lots with a pending sale of the front six to a local business owner who would build the building on the property. He said they worked out a deal to buy six lots with a mixed-use commercial building. He said that the owners now would like to build four homes on the remaining lots, which are the same developers that are doing the lots on 7th and 8th Streets. He said that the Planning and Zoning Board gave approval for eighteen months for the Conditional Use Permit and he would like to ask for thirty months for the southern two lots because the road needs to be constructed. Mayor Samora asked if there was any access for the southern lots. Mr. Stauffer said that the current paving ends at the first three lots. Mayor Samora said that nothing could be done with the two southern lots until the road is constructed. Mr. Stauffer said yes.

Mayor Samora asked the City Attorney if the Commission could split the Conditional Use Permit or approve one with a shorter time frame. City Attorney McCrea said that he did not see a problem with doing that. Mr. Stauffer said that lots 8 and 10 would be the shorter term and Lots 7 and 9 would be the longer term.

Commissioner George asked if there was a rendering. Mr. Stauffer said there is a site plan and a conceptual drawing for the four houses in the agenda packet.

Commissioner Sweeny asked if the intent of the property was to become short-term rentals. Mr. Stauffer said that it is commercially zoned and would be allowed to do so.

Mayor Samora asked if there were any other recommendations from the Planning and Zoning Board. Ms. Thompson said that whenever the Board recommends a conditional use for single family residences in commercial that they always add the stipulation that they are built to the medium density standards for lot coverage, setbacks, impervious surface ratio, etc. Mayor Samora asked if there would be any additional buffering between the homes and the commercial. Ms. Thompson said that there was a code change a few months ago for buffering to be between zones instead of between uses with the understanding that when you build a home in a commercial area that there may be noise/traffic.

Commissioner George asked about buffering to the west of lots 9 and 10. Commissioner England said that if there is nothing in the code then it would be up to the buyers of the parcels to establish fencing or landscaping. Building Official Law advised that no buffering will be granted or would be required in this case because they are electing to build a single-family residence in a commercial sector and that a 15-foot-wide buffer would make the lot unbuildable.

Commissioner Sweeny asked if there are additional lots to the west because there were comments about not extending the road to 2nd Avenue. Ms. Thompson said that there are three lots farther west that she believed have plans to build single-family residences there, however, they cannot until the road is built. Mayor Samora said that this is a unique situation to build something when there is no road yet. Building Official Law said that it is pretty common in other jurisdictions where there is more space. He said that they need the permission to build the houses before they would consider developing the road and that is why his department supports their request for the thirty months on the two southern lots. He said that he would not issue a building permit on any property that did not have a road. He said that once road plans are approved by the Public Works Director, he would issue the building permit but would not energize the buildings until the road is safe for emergency responders to have access.

Mayor Samora asked for a recap of the process for the road approval. City Manager Royle advised that there are a large number of vacant lots on the south side of 4th Street owned by the same

person who owns the Tides Oyster Company. He said that the City would probably do the same as with 2nd Avenue by doing a structural assessment, which would require the Finance Director, the Public Works Director, and himself to get material for an agenda item for approval. He said that there would be a Public Hearing and that the property owners would probably have to pay the City. Mayor Samora asked if it would require two thirds of the property owners' approval to construct the road. City Manager Royle said it is not required but that it has been done that way in the past and that the City could require in fairness that they all pay. Commissioner England said that the City has authority to open it up since the street is platted. Commissioner George said that it would result in a pretty substantial assessment, especially if one property owner owns 50% of the lots and that she would be reluctant to force that on anyone.

Mayor Samora asked Public Works Director Tredik how long the process is for designing, assessing, and building a road. Director Tredik said that if it is done similar to 2nd Street, there would be a non-ad valorem assessment and a resolution would need to be passed no later than the December Commission meeting to be sent to the Tax Collector. He advised that preliminary work would be needed to figure out the cost to roughly determine what the assessment would be and to set a range. He advised that the cost would be determined sometime in the spring, adopted next summer, and be on the tax rolls for the fall of 2023. He said that the City could either go into the design prior to the assessment or wait until it is in place. He advised that the construction phase would be faced with the same issue as 2nd Street, which is how to fund it in the short-term. He said that both design and construction would probably take six months each. Mayor Samora said that he was trying to get a timeline on it vs. the 30-months. Director Tredik advised that it could take that long.

Commissioner George said that eighteen months is being recommended by the Planning and Zoning Board and in the past the Commission has been hesitant to allow a long time frame. She asked if the request for thirty months was presented to the Planning Board or is it new. Ms. Thompson advised that it is being presented new to the Commission and at the time they had asked for eighteen months.

Commissioner George asked if there was ever an applicant that had asked for a longer time frame. Building Official Law said that he believed it was recent and was because of engineering or that it was specific to the sale of the property. Commissioner George said that she believed that was the longest time frame. Building Official Law said that this is a unique situation because of the road and that the two southern lots would not be able to make it in eighteen months. He said that it would be doing them a disservice and they would be right back here because his office has no mechanism to extend a Conditional Use Permit.

Mayor Samora asked if a building permit could be issued without a road. Building Official Law advised that he could and said that they used to be called prairie houses. He said the permit would be issued knowing that there is a subdivision being built, we just do not energize them. He said that once the City has approved the road plans with a deadline, then he could issue the permit because there would be four to five months before energizing the structure. He said that he would not have FPL energize it until there is a road for emergency responders to use. Mayor Samora asked how long a permit is good for. Building Official Law advised that the permits are for six months with no activity and with every passing inspection it is extended another 180 days. He said if there is an issue then the applicant can ask for an extension, which he has State authority to extend for another 90 days for a time that is based on the Administrative Code. Mayor Samora said that there is a potential path for an applicant with a shorter timeline on the Conditional Use Permit. Building Official Law said no, a Conditional Use Permit is a zoning mechanism, the Florida Building Code is the State. Mayor Samora said as long as they pull the permit. Building Official Law advised that he would not issue the permit until the road has at least been permitted through the

City and then they would be building the house in conjunction with getting the utilities, water, and sewer down there. He said that there would be a lot of government agencies that would be involved.

Mayor Samora said there are definitely some challenges for this unique situation and that the Commission has not discussed how they feel about the whole project. He said that he thinks it is a great use of that piece of property with commercial in the front and residential behind it. He said that it makes perfect sense for the lots on 5th Street, but the Commission would need to figure out how to make it move forward for 4th Street.

Commissioner George agreed. She said that the Commission has been reluctant, with good reason, to allow residential construction on commercial lots because the purpose was to preserve commercial properties, especially on the Boulevard, so they could be developed. She said that this is achieving that and then making use of the extra lots that are not needed for Boulevard fronting for mixed-use development.

Mayor Samora asked if the parking for the commercial is self-contained on the front six lots. Building Official Law said yes that part of the parking is on the south side and rest is on the west side. He advised that there is another option that it is a little out of the ordinary, which is that the Comprehensive Plan says to develop a plan to pave all City roads based on funding, but there are some dirt streets in the City and the Commission would have to permit it. Mr. Stauffer showed a site plan, which depicted forty-three parking spaces and two handicapped spaces [Exhibit E]. Mayor Samora asked how it would be accessed on 4th Street. Mr. Stauffer said that it reaches existing pavement at the last lot.

Commissioner England said that the Commission has been harping for mixed-use and here it is, and she fully supports it. She said that the City has had the 300-feet of commercial zoning for as long as she can remember. She said that the Commission has discussed back-zoning but has never done it. She agreed that it is a good plan and will give the Commission an opportunity to look at 4th Street and create more mobility with through streets, etc.

Mayor Samora opened Public Comments. Being none, he asked if there was anyone who wanted to speak on this item.

Commissioner George noted the request from the neighborhood behind asking to not cut 4th Street through to 2nd Avenue. She asked if the applicant had any objection to the request. Mr. Stauffer said that he could not speak for the owners because it was never discussed, and they figured that it would be a through street since it was residential. He said that he did not know if a bigger right-of-way would be needed to do a cul-de-sac turn around. He said that they just want access to the lots.

Mayor Samora advised that there is a request for Public Comments.

Lorraine & John Kulas, 203 4th Street, St. Augustine Beach, FL, said that a lot of people would love to see the green space preserved and have a cul-de-sac; it is regularly used by walkers and cyclists without a lot of traffic; there is no exit and would need to turn around; it would drive traffic back into a residential neighborhood and does not serve a purpose; would like to see a turn around like on 8th Street to preserve green space; already a lot of traffic from Kookaburra; the plan shows a lot of parking, which would cause a lot more traffic; suggested to have a possible dead-end.

Mayor Samora closed Public Comments and asked for any suggestions on how to move this forward.

Vice Mayor Rumrell said that thirty months for the two southern lots makes sense and he agreed with Commissioner George's comments. He said that he is prepared to make a motion.

Commissioner George suggested to include that as a fact in the motion so that it is less likely to create a precedent of a long time frame for conditional use permits.

Motion: To approve a Conditional Use Permit to construct four single-family residences in a commercial land use district between 4th and 5th Streets west of A1A Beach Boulevard, lots 7-10, block 18, Chautauqua Beach subdivision, with eighteen months for lots 8 & 10 and thirty months for lots 7 and 9 due to the road that needs to be constructed on 4th Street. **Moved by:** Vice Mayor Rumrell. **Seconded by** Commissioner England. Motion passed unanimously.

Commissioner George wanted to let the residents know that she fully supports keeping 4th Street closed off because she uses it all the time and it is nice to have the green space.

Mayor Samora moved on to Item X.2. and advised that it is the final reading.

2. Ordinance 22-06, Final Reading, to Amend the Land Development Regulations to Change the Wording Regarding Bees and Insects (Presenter: Jennifer Thompson, Planner)

   Planner Jennifer Thompson advised that the Commission saw this ordinance last month and there have been no changes.

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

   Motion: To approve Ordinance 22-06. **Moved by:** Commissioner George. **Seconded by** Commissioner Sweeny. Motion passed unanimously.

   Mayor Samora moved on to Item X.3., which is the second reading.

3. Ordinance 22-08, Second Reading, to Amend the Land Development Regulations to Increase the Number of Transient Rental Licenses from 100 to 123 (Presenter: Brian Law, Building Official)

   Building Official Law advised that, as directed by the Commission, this is an adjustment to the existing transient rental program using the 20% rule. This number was based upon the most current data from the Property Appraiser regarding all single-family residences in the medium density and medium-low sector. The Planning and Zoning Board recommended immediate denial based on the information as shown on page 4, such as lack of public input, not being legally advertised, lack of information, etc. He said that the police have provided several years' worth of cases, which affects the integrity of a community, impacts the quality of life, and funnels transient visitors to hotels. He said that the second to the last "Whereas" clause explains the 20% rule. City Attorney McCrea said that he would like to add one thing that was pointed out to him beforehand that Section 1 needs to be corrected in the motion to read "be corrected to read as follows".

   Commissioner England questioned whether the "Whereas" clause should establish "up to 20%". She asked if using the word "could" instead of "may" was a deliberate choice. She said that the word "could" is more tentative. City Attorney McCrea said that it was not a deliberate choice and that he drafted it with as much simplicity as possible. Commissioner England said that the Commission may not change it automatically every year and that is why she was thinking that it should say "up to 20%", which would give a little leeway. City Attorney McCrea said that he did not have any objection to that but believed that it would be a discussion between the Commission and Building Official Law for any yearly change. Building Official Law advised that he had no objection to it either and said that he did not want to reevaluate this every year.

   Mayor Samora asked if there was any community input at the Planning and Zoning Board meeting. Building Official Law said that he did not believe that anyone spoke about it, but that there were several people in attendance who are also here today. He said that it was legally advertised, and the agenda was posted.

Mayor Samora asked Police Chief Carswell for his input regarding the complaint data that he provided. Chief Carswell said that they researched all the residences individually over the past two years and that there were not a substantial number of calls. He said that it was just a handful of residences that contributed to it.

Commissioner England asked whether the policy and procedure regarding transferability would be coming up next. Building Official Law advised that the City Clerk would be the one to address it. He advised to keep in mind that it is regulated with a Business Tax Receipt (BTR), which is transferrable. He said that if the Commission wants to eliminate the transferability of it, then it would have to eliminate the need for a BTR for transient rentals. Commissioner England asked if it would run with the land as long as it is paid for each year. City Clerk Fitzgerald said yes, that there is a State Statute that governs BTRs that says they are transferrable from one owner to a new owner on the same property, or an owner could transfer it to a different property that they own. Commissioner England said that it runs with the land and with the owner. City Clerk Fitzgerald said yes that one or the other must stay the same.

Commissioner George asked if implementation would be discussed later. Building Official Law said that if this ordinance passes, he would ask the Commission to direct him how to allocate the new twenty-three licenses, which could be done as a lottery or first-come, first-serve, etc. He said that staff has concerns that one or two people could get ten each, which he did not believe is the Commission's intent. He advised that the City Clerk would be handling the administrative side of issuing the BTRs and his staff would perform all the inspections.

Mayor Samora opened Public Comments.

Judy Jucker, 106 3rd Street, St. Augustine Beach, FL, has been in her home since 2006; now lives next to a short-term rental with another one across the street, each with an occupancy of ten; is strongly opposed to any increase of transient rentals in medium density; outlined four points in her handout [Exhibit F]; she likes knowing her neighbors; there is already a saturation of them in the City; there is a decrease in affordable long-term rentals; wants to preserve the neighborhoods.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, said that he does not have the same experience and has short-term rentals on either side of his home; he served on the Commission when it decided on the 100 limit; it was never intended to be tangible property; thinks the State Statute is the bigger issue; said he knows people that have several permits they are not using; it is an issue that is not going to go away and to see what other cities are doing; would like to find a way to make it not so tangible.

Gail Devries, 200 4th Street, St. Augustine Beach, FL, is against having more short-term rentals; the homes going on 4th and 5th Streets are probably going to be short-term rentals; it is in the residential district with parking all along the streets; had to take a different route to get to her house because of too much parking on 3rd Street; asked to think of a way around it; does not want St. Augustine Beach to be turned into party town.

Mayor Samora closed Public Comments and asked for Commissioner discussion. He said that there is not a lot of community input on it.

Commissioner Sweeny said that she is sensitive to the residents who have shared their concerns and also to the people on the waiting list. She said keeping with the 20% is an update to the growing housing inventory, which makes sense to increase it to meet the needs. She said that it is a hard one.

Mayor Samora advised that a resident has asked several times that the Commission consider revising it.

Commissioner England advised that being able to run with the land and with the owner is throwing her a ringer because someone could hold on to a permit forever and not use the house. She said there is a value to that short-term rental permit. She would like to see more information from the State Statute. It would be fairer if it were one or the other.

Vice Mayor Rumrell said that he agrees and does not want them to become "taxicab medallions", such as what happened in New York City or like the liquor licenses. He said that maybe there should be a policy change to not be able to hold on to them.

Commissioner England said that 20% is relatively reasonable for a beach town. She said that the City's commercial district is not utilized as much as it could be.

Commissioner Sweeny asked how many of the current 100 are not being utilized. Building Official Law said that there are a few owners who have a couple of them, and they go through the renewal process every year, but do not disclose a rental history because they did not rent them. He said that getting rid of the BTR and taking an outside stance would mean that you are strengthening the program that you are not allowed to strengthen, which could jeopardize the City's ability to regulate any of it.

Commissioner Sweeny said that is a good point and she wants the public to understand that the Commission's hands are somewhat tied and limited to State regulations and they cannot make significant changes, or they could lose the ordinance all together. Building Official Law noted that the last "Whereas" clause states that this is a correction and not an amendment.

Commissioner George said that if people hold a license and do not use it that it is no different than someone holding a vacant piece of real estate and not developing it, which is a flip side to consider. Building Official Law said they have seen it many times with the construction of a single-family residence in commercial zones where the applicant has said that it is contingent on a sale, so it is being used as a bargaining chip.

Commissioner George advised that she would recuse herself from the vote since her husband's property is on the waiting list.

Mayor Samora warned that this was denied on first reading and asked if it would die if denied on second reading. City Attorney McCrea said yes. Mayor Samora said that if it passes on second reading then there is one more reading for either approval or denial. City Attorney McCrea said yes.

Commissioner George asked if it does go forward would the policies be seen by the Commission. City Attorney McCrea said that the Commission would task Building Official Law with the implementation. Building Official Law said that everyone knows how valuable a transient rental license is in this City and that maybe a special meeting would be needed to discuss it. He said that if it is passed next month, then he would suggest having a thirty day delay in implementation so that the Commission can decide how to do this. He said that all his thoughts about it make him uneasy.

Commissioner Sweeny asked how the initial 100 were distributed. Building Official Law advised that it was first-come, first-serve. He said that if it opens to the new twenty-three available permits on a certain date, that he would expect that people would be beating down the doors at 8:00 a.m. He said that it would inundate both his Department and the City Manager's Administrative Department because he anticipates that all twenty-three would be gone in one day. He would recommend a thirty day minimum after the ordinance passes and have a special workshop to discuss it and advertise it everywhere to make every citizen aware. Mayor Samora said that it could be taken up next month.

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

Motion: To approve Ordinance 22-08 with the change in Section 1 of "amended" to "corrected" and add "up to twenty (20) percent" to the Whereas clause. **Moved by:** Commissioner Sweeny. **Seconded by** Mayor Samora.

Mayor Samora asked for a roll call vote. City Clerk Fitzgerald called the roll:

Vice Mayor Rumrell: **Yes**

Mayor Samora: **Yes**

Commissioner Sweeny: **Yes**

Commissioner England: **Yes**

Motion passed unanimously with Commissioner George abstaining [Form 8B attached as Exhibit G].

Mayor Samora said that the Commission is really lacking community input and asked everyone to tell their friends.

Mayor Samora moved on to Item XI.

XI. CONSENT

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

4. Budget Resolution 22-09, to Increase by $162,000 the Appropriation from American Rescue Plan Act Funds for a Yard Trash Removal Vehicle for the Public Works Department
5. Budget Resolution 22-10, to Amend the Fiscal Year 2022 Budget to Transfer and Appropriate Money in the American Rescue Plan Act Fund Budget; and Budget Resolution 22-11, to Amend the Fiscal Year 2022 Budget to Transfer and Appropriate Money in the American Rescue Plan Act Fund Budget
6. Resolution 22-05, to Have Canvassing of Vote-by-Mail Ballots for the August 2022 Primary Election Done by the St. Johns County Supervisor of Elections

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

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

XII. OLD BUSINESS

7. Ocean Walk Subdivision Drainage Project and Parking Improvement Project on West Side of Boulevard between A and 1st Streets: Update Report on Progress (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that this is a progress report regarding several projects that have had a lot of interest. He advised that the Ocean Walk drainage project had a grant from the State to design and construct it. He advised that both projects are in the design phase. Ocean Walk's design is roughly 30% complete and the A and 1st Street parking has finished the conceptual designs. He said that there is no direction needed for the Ocean Walk design but that he would like to get the Commission's feedback on preferences for alignment of the A and 1st Street parking. He introduced the two engineers from Matthews Design Group.

Scott Knowles, Senior Professional Engineer, Matthews Design Group, 7 Waldo Street, St. Augustine, FL, showed a slide presentation and advised that Ocean Walk is roughly at the 30% design stage and that drainage has been laid out for what will work for the subdivision to be able to collect the stormwater and get it to a pump station. He said that they were designing it to handle up to a ten year storm event and that anything beyond that would be hard to take care of and would be very expensive. He said that most storms, such as Hurricane Irma, are ten year storms. He advised that they have preliminary designs for the lift station and the collection system, and they are working out how to stage the pumping that would depend on the water levels on the upstream and downstream side of the pumps. He advised that they are trying to create a buffer that empties out the Mickler Boulevard and 16th Street collection systems during the down times. He showed where the lift station would be located and its approximate size. He said they are not looking to remove any of the existing pipes in the area and that the water will still be allowed to flow the same direction with the exception that it would stop the water from coming back across Mickler Boulevard and 16th Street into the pumps. He said that if the lift station is not working that the water can still flow as is, and it would not cause any more backup. He said that if the lift station becomes inundated, it would continue with the flow relieving some of the pressure and mitigate the flooding that is in Ocean Walk. He said that a 24-inch pipe was needed underneath the roadway at 16th Street to pump into that ditch. He said that the control panel will allow for the hookup of a generator if the City ever desires one. The pump station would be fenced and landscaped as well. He advised that they would continue to work on the design with the next step being staging the pumping.

Mayor Samora asked how disruptive the project would be to the neighborhood. Mr. Knowles showed a slide with several red lines, which indicate proposed new pipes for the project. He said that the lower part is in the south portion of the subdivision and would need another pipe. They would be putting a series of pipes in the front near the entrance that would collect a lot and then redefine the swales throughout the subdivision. He said that they are being very cognizant of landscaping and would not be impacting any trees. He advised that there are some residences that have their landscaping well within the right-of-way, which is touching the road that would be impacted and that he would expect some pushback from those residents.

Mayor Samora asked how many easements are needed. Mr. Knowles advised that just one easement is needed.

Vice Mayor Rumrell asked about noise from the pump. Mr. Knowles advised that it would be pumped down before or after a storm event. He said that there is a humming noise from the electric motor pump that you would notice if you were standing next to it, but probably not if you were in a house. Vice Mayor Rumrell advised that there is a resident here tonight and the pump station and easement would be right through their area.

Commissioner Sweeny asked what property the pump will be located on. Mr. Knowles advised that it will be on the right-of-way.

Commissioner George asked if there was a similar pump on either D or E Street. Director Tredik advised that those are the City's and that there are submersibles at Sandpiper that the City maintains. He stated that these would be similar to the pumps at the Mizell Pond weir, which are vertical lift pumps and are more practical and less expensive. Commissioner George asked if there would be lighting around the pump. Mr. Knowles advised that he would only suggest lighting for the control panel and that it would not shine into any residences or interfere with traffic. Commissioner George asked to see the slide showing the pump again and to point out which elements would be representative. He explained that the center photo shows the motor with a base plate and an oiler, which sits on a concrete pad. He said that the big box shape behind it is a transformer, which is something else that you would have in there with a control panel next to it.

He said that these photos are from an industrial setting and are much larger. It would have a variable drive since all rainstorms are not the same. He said that you cannot just switch it on, it has to ramp up or it would brownout the neighborhood. He said that the transformer and control panel would be within the same fenced in area. Commissioner George asked how tall the largest element would be. Mr. Knowles said that the control panel would probably be mounted at his height and that a six foot fence would hide everything. Commissioner George asked what the overall footprint would be. Mr. Knowles showed a slide of the area and said that it would be approximately 15 x 20 feet and that the circle shape depicted is the pump and the rest is the wet well tying into the Mickler pipe. He further described all the pipes depicted in the slide.

Vice Mayor Rumrell asked if it could it be connected to a generator temporarily during power outages and, if not, is there a pump to connect to push the water out. Mr. Knowles advised that it would have to be a substantial generator and you would want to set up the control panel to quickly connect to a generator in the case of a power outage. He advised that this is about a 75-horsepower electric motor, and he did not know if the City had anything big enough to push it. He said that a jockey pump could be put in, which would be similar to a sanitary lift station where a portable pump could be brought in, but it would not keep up with a huge storm event. He said that this pump can pump roughly 12,000-16,000 gallons per minute and there are not many portable pumps that can do that. He said that is why he made sure not to shut off the avenues that are currently in place so that the water could still flow the way it does now.

Vice Mayor Rumrell asked if the City should add a jockey pump. Director Tredik suggested to maybe add something that is on the appropriate side of the check valve system to pump under the roadways. Vice Mayor Rumrell said that if the power goes out that Ocean Walk would be flooding again, and that the City has the money from the State to use. Mr. Knowles said the problem when you have this large of a pump is that the size generator needed could cost more than the pump. He said that the maintenance of the pump is fairly easy as long as it is exercised and oiled regularly, that it would last a long time and that the maintenance of a generator would be constant and more costly. Director Tredik advised that he would put something out there for an extended power outage temporarily to at least draw the system down. He said that there are issues with using a generator such as noise, size, etc., which may not be worth the benefit. Vice Mayor Rumrell said that he was thinking more about a jockey pump.

Commissioner George suggested to ask Florida Power and Light (FPL) about outages for that area.

Commissioner Sweeny asked if the power connection to the pump would be above ground and how often do they have outages. Mr. Knowles said that it would have to be worked out with FPL because it would have its own transformer.

Mayor Samora asked about the maintenance and replacement schedule for the pump along with the other equipment. Mr. Knowles said that these pumps are low maintenance and would probably need the oil checked once or twice a month depending on their use and that any major maintenance would probably be ten years out. He said that electrical components would need to be replaced just from being near the beach but that he has seen some of these pumps last for thirty years or more.

Mayor Samora said that this was a good update and that no action is needed.

Rudd Jones, Senior Project Manager, Matthews Design Group, 7 Waldo Street, St. Augustine, FL, advised that they were tasked with coming up with several concept designs for parking spaces at A1A Beach Boulevard and A Street in front of Jack's BBQ, which is a constrained space and there are not a lot of options. He said that some of the features considered for the options was to keep the driveway away from the Boulevard as much as possible and to have more distance from the intersection. He advised that there was a request to reserve a strip for landscaping and trail

expansion, which narrowed the space to work and lends itself to a single lane of traffic with thirteen angled parking spaces and one ADA space. He advised that the ADA space is at the south end so that the vehicle would not have to back out into the A Street right-of-way. He said that the north end has one space that is truncated because it has a concrete power pole that would be expensive to move but could be a compact space. He said that this option has an alternate to add a sidewalk on the west side between the parking and the buildings or have it be a grass strip. At the very southern end there is an existing sidewalk that encroaches into the City's property that he would want to maintain as much as possible and that it may be better to have a sidewalk that runs the entire length. He showed the design plotted on the aerial photo of the space. He said that both options have drainage added to collect and retain stormwater and overflow would drain to the streets. The north side would run around the corner to an inlet on the Boulevard and the east side would run to a nearby inlet on A Street. He said that this would maximize the amount of retention and water quality as possible on that site. He advised that the exit puts the vehicles on 1st Street to turn either left or right.

Mr. Jones continued and described the second option, which enters from 1st Street but would not go all the way to A Street and would exit by right turn only onto the Boulevard. It has the same drainage that would function in the same fashion with the option of whether to have a sidewalk. He said that in both options the sidewalk would either be a raised sidewalk or a curb and that this option has eleven parking spaces.

Mr. Jones said that the first option has entry and exit from hoth streets with potential conflicts with pedestrians at those intersections. He advised that the second option leaves more area for green space on the south end.

Commissioner Sweeny asked how many cars are currently able to fit there. Mr. Jones said that probably twenty-five cars can cram in the lot now. He advised that it would be a reduction in the number of spaces, but it would be safer.

Commissioner George asked if there could be a possibility of directing traffic south instead of north. Mr. Jones said that there is more traffic on A Street that would naturally come in that direction, and it is harder to get to 1st Street from the west. Commissioner George said she has concerns for someone heading south on the Boulevard with pedestrians crossing and drivers ripping around the corner. Mayor Samora said that he thought about the same thing but that this traffic pattern mimics what is across the street.

Mr. Knowles said that if drivers exit to the south than there is a danger of someone wanting to turn left at the light and blocking A Street to someone turning from the Boulevard. He said that exiting to the north would not block traffic onto 1st Street. Commissioner George said that the businesses there have parking that is accessible on both 1st and A Street behind the property and should not impact the businesses that much.

Vice Mayor Rumrell questioned the parking lot coming out from the taco shop where people come from different directions. He said that he is leaning towards option two because it would exit with a right turn only onto the Boulevard.

Mayor Samora asked what material would be used for the parking surface. Mr. Jones advised that it could be pavers, asphalt, or concrete but that they are leaning towards using pervious pavers. He said that it would depend on the condition of the soil because the better the soil, the better the pavers would work, and it might eliminate or reduce the amount of exfiltration sediment.

Mayor Samora opened Public Comments.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, said that this design does not consider that there is a turn lane off of the Boulevard and he suggested to turn it in the other direction to

come in off of 1st Street. He said that A Street has high pedestrian traffic, which would increase even more when the Rails to Trails comes down A Street. He said the first option is the better way to go and that no one has been on that corner for longer than he has, for twenty-eight years. He described some of the accidents that he has seen over the years and said that no one would pay attention to the pedestrian traffic. He said in this case there will be a sacrifice of parking spaces and that the green space on the second option could allow for two handicapped spaces, but the worry would be from traffic that comes around that corner very quickly. He said that he knows that a few inches of Jack's concrete impedes onto City property, but some of the A Street sidewalk impedes on Jack's.

Commissioner George asked for clarification regarding adding an extra handicapped parking space. Mr. Helhoski said that the right corner has an extra concrete space and just below it is where the handicapped space would be and there might be room to add a second handicapped space.

Karen Kempler, 30 Lee Drive, St. Augustine Beach, FL, asked to verify where the pump is going to be located and if the easement would be on her property. Mr. Knowles said that the easement would not be on her property but on the right-of-way behind her property. Director Tredik advised that it would be where the ditch is currently. Ms. Kempler said that her new neighbor at 28 Lee Drive is out of town, and he asked her to relay his questions. Mayor Samora advised that her neighbor email the questions, and he would get a response from Director Tredik.

Mayor Samora closed Public Comments.

Public Works Director Tredik said that reversing the flow is possible, but he has concerns for vehicles exiting onto A Street and not seeing a car coming around the turn while trying to exit the parking lot. He said that it could potentially work with a right turn out only but there would still be the issue of them not facing the car that is coming around the corner. He said that either way there are traffic conflicts, but if you exit going north it would be farther from the A Street light, which would allow for more choices and space. He advised that he did not think another handicapped space would fit but he would ask the engineers if it could be added. Commissioner George said that it looked like it would be right in line with the curbed edging on the angled parking to the north. Director Tredik advised that the problem would be that the vehicle would be backing out onto a right turn only exit that is only sixteen feet wide and would be backing into the curb. Commissioner George said it could be angled in. Director Tredik said that angling it could potentially work but that the City has also discussed preserving that green space for the River to Sea Trail for the long-term plan. Commissioner George asked if could be left as is with the exception of that one edge and inching it to the east so that one car could back out. Director Tredik said that there is a possibility of shifting everything to the north a little to possibly accommodate one more space for a compact vehicle or motorcycle parking.

Mayor Samora asked Police Chief Carswell for his opinion. Chief Carswell said that everything is going to have its own issues and that his only concern would be having the parking lot dump out right at the A Street light where everything is backing up. He said that it would probably cause the same problem for 1st Street. He said that he does not see a great solution and would support either option.

Mr. Jones said that it is not the perfect situation but right now there are people coming and going from three locations and this would at least set it in place with a consistent exit and entrance.

Mayor Samora said that he does not like right turn out only and if the Commission chooses that option the City should be prepared for people to turn left just like the case with Versaggi Drive. Director Tredik agreed that there would be violators that would try to turn left and if it becomes an issue that the violators could be cited, the City could put arrows in, etc. He said that the vast

majority will follow the direction and during high traffic it is difficult to get out anyway. Vice Mayor Rumrell said that he likes the right out only option because he believes that people will realize that they can turn left on 1st Street, which could potentially push people back into the neighborhood. He said that once the A Street sidewalk is continued there will be a lot of people going across. Commissioner Sweeny agreed with the right turn out only as well because there is too much pedestrian traffic to have cars going in and out on A Street. Director Tredik said that it was a consideration that people would have to go to 2nd Avenue. He advised that if the Commission has a preference for one of the options that the design would continue with that concept. Commissioner George said that she would still like to squeeze one more parking spot in if possible. Director Tredik agreed.

It was the consensus of the Commission to move forward with option two.

Mayor Samora moved on to Item XIII.8.

XIII. NEW BUSINESS

8. Complete Streets: Review of Proposal to Develop Policy (Presenter: Max Royle, City Manager)

City Manager Royle advised that there is a proposal to develop a complete streets policy for the City and that from his observation the City has a good complete streets policy already in effect. He said that a key point is that the City does not own most of the streets and anything that the City might want to do would need buy-in from the County and/or the State. He said that he would like to avoid a policy that neither one of those entities would accept. He introduced Ms. Heather Lane Neville.

Ms. Neville advised that she lives on 16th Street and that she has some comments based on tonight's presentation specifically from the Police Chief for a policy that would make decisions easier based on these designs. She said that some may know her from doing the River to Sea Loop, the multi-jurisdictional concurrency, etc. She said that this goes along the lines with "vision zero" and "safer streets-safer people", which were both started with a solid policy. She said that funds are being received from the State to repurpose and redo the roads, which ties in with some of the other agenda items such as the A Street parking lot. She said that she did not hear anything about delivery systems during that parking lot presentation and that there are flexible options. She said there are opportunities to repurpose some of the public space for public event spaces. She said that she is a safety advocate and is a 12-year transportation planner specializing in policy and planning across the State.

Ms. Neville showed a slide outlining the goals such as complete streets, available funding, strategic partnering, etc. She said that she and a friend started a boutique transportation planning firm with offices in Delray Beach and downtown St. Augustine and they work with different communities around the State. She advised that City Manager Royle did a great job providing historical information and the origin of complete streets. She said that the City is a very compact space and is trying to improve commercial opportunity while having a livable City. She said that there is imminent value in the high-priced rentals that brings amazing opportunities for businesses, restaurants, etc. She read the definition of complete streets as having safe access for all traffic such as pedestrian, vehicular, etc. She moved on to the next slide and discussed the trade-off. She said that complete streets does not always mean a construction project; sometimes it is education, signage, etc. She showed a slide of a cross section street as an example. She moved on and discussed the staff toolbox from her presentation, which gets into decision making, policy, and design, to make something that is long-term. She said something such as striping could be done for safety at a very minimal cost. She moved on to show a slide of an image of A1A Beach Boulevard that was used for the River to Sea Loop presentation, which was adopted. She said that

there is federal money coming in and you would have to adopt a policy before the applications would become available. It would have to be publicly adopted by the Commission and it has to be multiple jurisdictions. She advised that without a policy in place it would be more difficult because it is a competitive bid market. She said that it could also meet multiple objectives to be used for State grants such as resiliency, clean air, clean water, etc. She moved on and discussed the three P's of policy, program, and project, and then discussed the initial tasks. She said that every situation is different and to do education, workshops, etc. She advised that the agenda packet has basic information about the tasks. She said that she lives here, and it is very important to try to get something through with this community. She advised that the packet also contains an example of what was just completed for Atlantic Beach, which had more components to it and was approximately $45,000. She said that the State has a complete streets program, and that the design standard for St. Johns County has not been updated since 2001. This is a policy that would not be in conflict with the County or the State. She said that Jacksonville, Atlantic, and Neptune beaches all have a "vision zero" and "complete streets" policy. She said that she is having a lot of success in other parts of the State to bring excellent projects and to help communities.

Mayor Samora said the proposal is that the company would complete the first three tasks for $4,795 and he asked what the time frame would be for developing those. Ms. Neville advised that it would go into a project sheet outline, which would give those time frames but that it normally takes 30-45 days. She said that it would have to notice the stakeholders and do a preliminary review. She said that Atlantic Beach adopted their policy by a resolution and then they went back to build out sections. There is a need to determine what the community's longer-term goals are and that is where the public engagement comes in.

Mayor Samora asked where St. Johns County stands on complete streets. Ms. Neville said that the County does not have a mobility plan yet but that there has been discussion at the Commission level and a mobility plan would be a giant undertaking. She believes that the County is moving in that direction but that there is nothing on the docket yet for a policy. Mayor Samora asked about the City of St. Augustine. Ms. Neville said that they have a complete streets policy that was born out of a safer streets adoption.

Commissioner Sweeny said that she likes the concept and asked for more clarification of the components that would make up the policy and why the City would need a policy for roads that it does not control. Ms. Neville said that it would vary for each community. She gave the example of the new pump station for Ocean Walk, which is going to be located on City property, which might need traffic safety done in conjunction with the County. She said that having a policy in place is a driving factor to making decisions and would be beneficial when working with other entities.

Commissioner George asked if the State and County would follow the City's policy. Ms. Neville said that the City's policy would trigger other design standards. She said for example she is working on a resurfacing project in West Palm Beach that has US 1 running through it and because there is a complete streets policy they could specify how they want it.

Mayor Samora said that if the City had a policy that specified design criteria it could be used for any County/State road projects. Ms. Neville said this does not force anyone to do it, but if it is done, then this is what the City would want to have.

Commissioner England said that in the Vision Plan she read an article about complete streets. She envisioned a complete map of everything the City has such as bike lanes/paths, etc. and that safety comes first. The City is unique and is pedestrian/bike friendly and a lot of the streets make it very easy for residents to walk to the beach. She said that there are residents who are not within walking distance to the beach and asked if this policy would help with that issue. Ms. Neville said

that is policy planning and that one of the near-term recommendations might be a master bike plan, a master mobility plan, etc. Commissioner England said that it would be up to the Commission to give direction for what it wants. Ms. Neville said that there would be short-term and long-tern recommendations that would come from steps 1-3 and then it could move to step 4 because the City would know what to spend its money on.

Commissioner George asked if there was a particular grant funding that would be worthwhile for the City. Ms. Neville said that there is a huge amount of Federal funds available that have an October deadline and if there is a policy in place then it would go into the grant application and would reduce the City's cost.

Vice Mayor Rumrell asked if the company would also write the grants. Ms. Neville said yes and that it would be a separate flat rate based on the grant and what other services might be needed, such as an engineering estimate. Vice Mayor Rumrell asked if there would a conflict if she represents both two cities that are competing for the same grant money. Ms. Neville said no.

Mayor Samora said that he appreciates the information and said that she could put together a hard proposal and submit it to the City Manager for consideration.

Mayor Samora moved on to Item XIII.9 and asked Public Works Director Tredik for his report.

9. Resolution 22-06, To Amend the Personnel Manual re: Holiday Pay for Employees (Presenter: Bill Tredik, Public Works Director)

Public Works Director Tredik advised that Resolution 22-06 is to amend the Personnel Manual regarding holiday pay. He said that the City has talked about attracting and keeping employees in this very competitive environment. He said that he managed to hire a few workers recently but is struggling to maintain workers. Public Works uses overtime workers to do weekend work, storm work, events, etc. He said that the current policy does not consider holidays as time worked. For example, if they work the weekend and the following Monday is a holiday then they only get straight time and it is a tremendous disincentive, it hurts morale, and is detrimental to Public Works to try to find people willing to work the weekends. He said that he feels that it is important to make this change and that it is not unprecedented. He said that the City currently counts Beach Blast Off as time worked. This would encourage employees to want to stay here and would be a benefit.

Mayor Samora asked what the budgetary impact would be. Director Tredik advised that he has not done a calculation at this time but that he has reduced the amount of overtime used over recent years and would continue to eliminate unnecessary overtime.

Commissioner England said that she is used to seeing this type of policy in the corporate world and anything over 32-hours is overtime. She said that she is surprised that it is not already in place to allow for overtime for a holiday.

Commissioner George said in this case it would be 40 hours. Director Tredik said that current policy does not consider a holiday as time worked so if you work a full work week and take the holiday, you have only worked 32 hours. Commissioner George pointed out that the language says, "40 hours" and that anything over that would be overtime. Director Tredik said that the 40 hours intent was for all others time, such as sick, vacation, and comp time and that this change was only intended for holidays. City Attorney McCrea advised that he did not write the resolution.

Finance Director Douylliez advised that in the past, hours worked also included vacations, holidays, and comp time and that there was a change made to the Personnel Manual about a year ago that took that away so that hours worked truly were the hours worked. If you do not work 40 hours, then you would not get the benefit of time and a half for the days worked and that impacted Director Tredik to have staff get paid overtime during a holiday week. This change would

only be for holiday time. She said that there had been some abuse of it in the past. She said that Director Tredik is asking to have the holiday hours added back to the policy.

Commissioner George questioned whether overtime would kick in after 40 hours. Finance Director Douylliez said yes. Commissioner George advised that she did not have a problem adding holidays time in to calculate the 40 hours worked.

Commissioner England suggested to simply state that holiday hours shall be used to satisfy the basic requirement for the work week. Commissioner George said that she did not have a problem with the way it is written, and it is straight forward.

Vice Mayor Rumrell asked how many holidays the City observes per year. Finance Director Douylliez said thirteen. Director Tredik said that it would make it easier to get people to work a holiday. Mayor Samora said that they get paid time and a half for holidays now. Director Tredik said no they get paid straight time unless it is driven by an event like Beach Blast Off. Finance Director Douylliez advised that they are getting double time.

Motion: To approve Resolution 22-06. **Moved by:** Commissioner Sweeny. **Seconded by** Commissioner England. Motion passed unanimously.

Mayor Samora moved on to Item XIII.10 and asked Chief Carswell for his report.

10. Regulation of Alternative Vehicles: Review of Recommendations for an Ordinance (Presenter: Dan Carswell, Chief of Police)

Chief Carswell advised that the City and County have seen an increase in alternative vehicles such as electric bikes, golf carts, etc. He said that the Police Department is in favor of these vehicles because they help alleviate traffic, reduce carbon footprints, save gas money, etc. He said that he wants to make sure that the City has an ordinance in place, has a safe operation for these vehicles, and a plan for the future. He showed a PowerPoint presentation and described some of the alternative vehicles that are in the City [Exhibit H]. He described electric bikes (e-bikes) and said that they can go 20-30 miles per hour (mph), do not need a valid driver's license, can travel anywhere that a bicycle can, and would only need to abide by the bicycle laws. He described low-speed vehicles and referenced the one that Salt Life Restaurant has. He said they are not golf carts; they are vehicles that can go 20-25 mph and can operate on streets that are 35 mph and under. They would need to meet minimum equipment standards such as taillights, brakes, turn signals, etc. They would also need to be registered, titled, insured, and have a valid driver's license to operate. He continued the PowerPoint and described golf carts, that they are meant for the golf course and can only go 20 mph but can be made street legal by meeting those minimum equipment standards. He said that operators must be at least 14 years old.

Chief Carswell said that increased accessibility leads to increased injury and that there are approximately ten businesses nearby to either rent or purchase these vehicles. There are new alternative vehicles coming out every year and the ordinance would need to be carefully worded to accommodate for future vehicles. He said that there have been fifty-six reported crashes within St. Johns County since 2019 and now there have been three so far in the City this year. He said that his next concern is for juvenile operation because they do not know how the laws of the road.

Chief Carswell said that the e-bikes are operating on the sidewalks, which can be unexpected to others when they cross an intersection at 30 mph and could lead to accidents with significant injuries. He said that another problem is when these vehicles are on the beach. He said that they get a lot of complaints of bikes not in the travel lanes and going very fast through pedestrians. He said that he provided some ordinance suggestions, which should be specific to the City and to not just adopt the County's ordinance. He said that he would work with the City Attorney to proceed with this before there are any future problems.

Mayor Samora said that he likes that the City is getting out in front of this and that beach vehicles are required to do 10 mph and these bikes are going 30 mph. Chief Carswell said that these types of vehicles were everywhere this past July 4th holiday weekend. Mayor Samora said that he supports doing some research.

Vice Mayor Rumrell said that he actually got passed by an e-bike on his way to the Commission meeting today.

Commissioner Sweeny asked if it would apply to every street. Chief Carswell said that it would apply to everything. She said that there are a large number of them on her street. Chief Carswell said that he is not trying to get rid of them but to make it safe.

Mayor Samora opened Public Comments.

Brud Helhoski, 691 A1A Beach Blvd, St. Augustine Beach, FL, he tried to talk about this ten years ago; there needs to be legal bike lanes; A Street sidewalk has a bike path symbol on it, but it is not a legal bike path; clean up work needs to be done first; getting ahead of this is the way to go; keep in mind what the constraints need to be; they are flying down the road, and it is dangerous.

Michel Pawlowski, 109 Kings Quarry Lane, St. Augustine Beach, FL, said within the last four days there were two bicycle instances that he described; the bicycles have no lights and he thought there was going to be bicycle safety for the summer; make it a focus of the Commission and law enforcement; he is for bicyclists, but they have responsibilities.

Mayor Samora closed Public Comments.

It was the consensus of the Commission for Chief Carswell to move forward.

Mayor Samora moved on to Item XIII.11.

11. Florida League of Cities' Annual Conference, August 11-13, 2022: Selection of Voting Delegate (Presenter: Max Royle, City Manager)

Discussion ensued regarding whether anyone would be able to attend and volunteer; what if there is no attendee; having no voting delegate; etc.

City Manager Royle said that he and Commissioner England went last time. Commissioner England said that she did not want the City to invest that kind of money since her term ends soon. Commissioner George said that it would be good to have someone there. Commissioner England advised that she does not have a conflict and agreed to go to the conference.

Mayor Samora moved on to Item XIV.

XIV. STAFF COMMENTS

City Manager Royle said that he was invited to the Island Hammock HOA meeting several weeks ago to give a brief update and it was good to meet the residents. He said that he was directed by the Commission to schedule a workshop with Florida Power and Light (FPL) in August to discuss undergrounding of utilities. He said that they are willing to meet with the City but that the Commission room will not be available for several weeks in August due to early voting. He said that the workshop could either be August 8th, or August 29th. He said that it could be pushed to September but that there are already two Commission meetings in September because of the budget.

Discussion ensued to decide on a date for the workshop meeting.

The consensus of the Commission was to schedule Tuesday, August 2nd, at 5:00 p.m. for the FPL workshop meeting.

Finance Director Douylliez advised that she has four versions of the budget going right now. She said that she is still waiting for the revenue numbers from the State along with insurance. She said that the proposed millage will be high because we can always go lower.

Chief Carswell advised that the Police Department would be holding "Coffee with a Cop" at The Kookaburra on Tuesday, July 12th, from 7:00-9:00 a.m.

Commissioner George advised that she has been getting questions as to when the candidate signs can go up. City Attorney McCrea said that he would have to research it. City Clerk Fitzgerald advised that the City policy is seven days before an election at a polling location and that she was not sure if there were any restrictions for private property.

Mayor Samora recapped the upcoming meetings: Planning and Zoning meets July 19th, the Commission special budget meeting is July 25th, and the next regular Commission meeting is on August 1st. He moved on to Item XV.

XV. ADJOURNMENT

Mayor Samora asked for a motion to adjourn.

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

Mayor Samora adjourned the meeting at 9:27 p.m.

Donald Samora, Mayor

ATTEST:

Dariana Fitzgerald, City Clerk

Demonstration Rain Garden and Permeable Pavers for the City's Parkettes

by

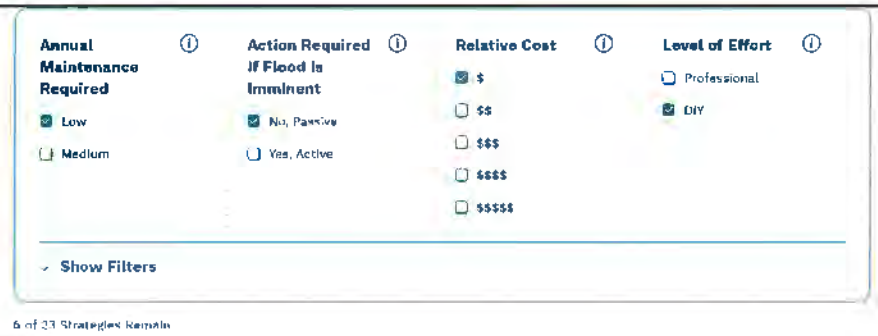
Dr. Lonnie Kaczmarsky, PhD Environmental Science

1

Reduce Flood Risk

Mitigation Strategies

An on-line tool for residents



Fortunately, there are many projects you can complete yourself to prevent water damage to your building(s) and property. Most of these actions are inexpensive and only require annual maintenance to function properly. The following Do-It-Yourself (DIY) actions can help prevent flood damage.

- For areas of the property where runoff is significant and causing erosion, consider placing rain barrels under downspouts, rain gardens in well-defined drainage areas, or establishing additional green space to reduce erosion.

2

Exhibit A-1

Date 7-11-2022

Definition

Rain Gardens: Planted areas designed to collect and manage stormwater that runs off streets, sidewalks, commercial and residential rooftops and other sources when it rains. Also called a "**bioswale**."

https://www.reducefloodrisk.org/mitigation-library/?effort-label=Lowest%20effort&effort-value=effort-lowest&cost-label=Lowest%20cost&cost-value=cost-lowest

3

Why do we need rain gardens?
As the city grows the increase of solid impervious surfaces becomes more problematic. The solid surfaces create a rush of water during rain storms, known as 'stormwater runoff.' The stormwater runoff from roofs, parking lots and roads increases flooding and carries pollutants into local waterways. This leads to costly municipal improvements in stormwater treatment structures.

Frequently asked questions

Does a rain garden form a pond? No. The rain water will soak in so the rain garden is dry between rainfalls.

Are they a breeding ground for mosquitoes? No. Mosquitoes need 7 to 12 days to lay and hatch eggs, and standing water in a rain garden will last only for a few hours after most storms. Also rain gardens attract dragonflies, which eat mosquitoes!

Do they require a lot of maintenance? They can be maintained with little effort after the plants are established. Some weeding needed in the first two years, and some thinning in later years as plants mature. Some regular maintenance like thinning aggressive plants or replanting bare areas.

Is a rain garden expensive? It doesn't have to be. The main cost will be purchasing and installing the plants, and even this cost can be minimized by using some native plants that might already exist in the area. The cost may range from $3-5 per square foot.

4

Exhibit A-2

Date 7-11-2022

5

Proposal

This year the city received millions of federal dollars from the American Rescue Plan Act Fund Budget (**ARPA**) for the city's drainage improvement. Reallocate a small amount for designing and installing a small demonstration **raingarden** in one of the parkettes or easement areas instead of paving them with asphalt for more parking. Installing raingardens is a US Treasury Dept. approved and encouraged use of the funds. Educational signage can explain to residents how adding a raingarden to their own yards can help alleviate some of the city's stormwater issues/costs. See excerpts from the U.S. government Final Rule below.

"In addition to eligible uses directly related to a local government's COVID-19 response, the **ARPA** allows funds to be used for "necessary investments in water, sewer, or broadband infrastructure." "Additionally, Treasury outlines several types of water, sewer and **stormwater projects** that are **allowed** or that local decisionmakers are **encouraged** to consider funding with these funds: **Green infrastructure investments** and projects that address the impacts of climate change or improve resilience to climate change, **such as rain gardens**;" "…eligible projects include to….control **non-point sources of pollution**; improve resilience of infrastructure to severe weather events; create **green infrastructure**; manage and treat **stormwater** or subsurface drainage water; and **protect waterbodies from pollution**."

6

Exhibit A-3

Date 7-11-2022

7

8

Exhibit A-4

Date 7-11-2022

In Residents' Yards

9

10

Exhibit A-5

Date 7-11-2022

What is a Rain Garden?

Nature's Water Filter: Rain gardens are shallow landscaped depressions that capture, clean and absorb stormwater runoff from roofs, parking lots and roads.

11

Encouraging residents to help

12

Exhibit A-6

Date 7-11-2022

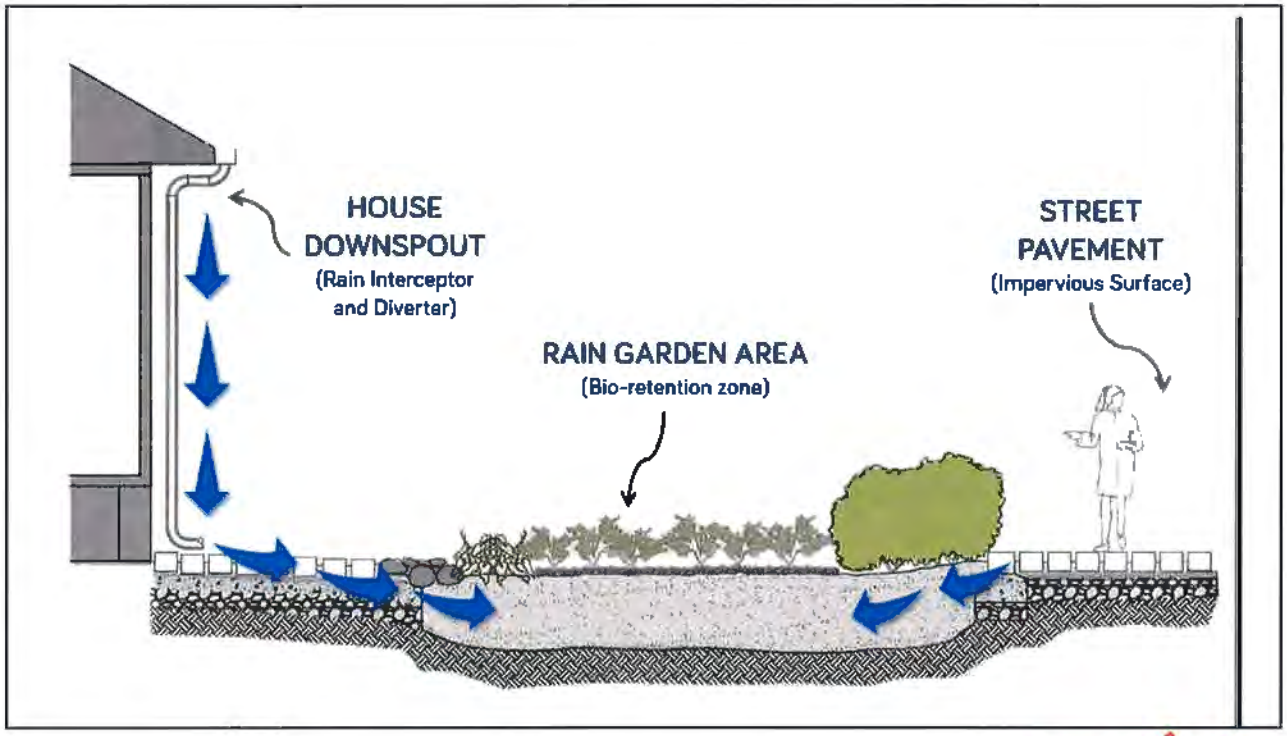
13

14

Exhibit A-7

Date 7-11-2022

15



16

Exhibit A-8

Date 7-11-2022

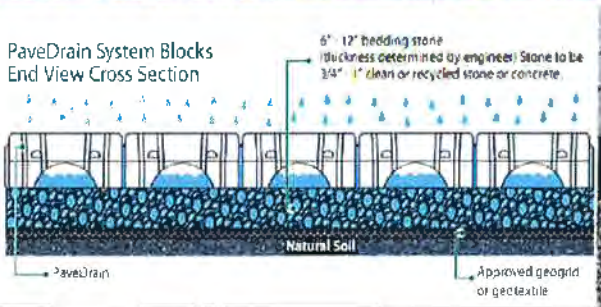
Proposal: Using **permeable pavers** instead of impermeable asphalt for parking lots *is* **green infrastructure.** The city can reallocate some funds they got from **ARPA** to purchase and store the permeable pavers until needed. Paving our green parkettes without using permeable pavers will increase flooding into adjacent residents' properties.

"Permeable pavement stormwater capture eliminates residential flooding in Grand Rapids"

The City of Grand Rapids, MI Mar 25th, 2022

"The city reconstructed the road using **permeable articulating blocks**, capturing nearly **220,000 gallons** of stormwater runoff annually and preventing flooding."

https://the-atlas.com/projects/permeable-pavement-eliminates-residential-flooding-in-grand-rapids-3028?PageSpeed=noscript



17

18

Exhibit A-9

Date 7-11-2022

Links about the American Rescue Plan Act Fund Budget (ARPA)

https://www.nlc.org/article/2021/06/01/using-american-rescue-plan-act-funds-for-water-wastewater-and-stormwater-infrastructure-projects/

https://www.epa.gov/green-infrastructure/green-infrastructure-funding-opportunities

Rain Garden links

Rain Gardens - A how-to manual for homeowners - Wisconsin DNR

https://nativeplantherald.prairienursery.com/2013/05/the-beneficial-beauty-of-rain-gardens/

https://stormwater.wef.org/2018/07/new-orleans-offers-green-infrastructure-grants-to-residents-of-flood-prone-gentilly-neighborhood/

http://www.holemanlandscape.com/2015/04/24/rain-gardens-3/

https://www.apsu.edu/sustainability/rain-gardens.php

https://nwdistrict.ifas.ufl.edu/hort/2014/05/27/rain-gardens-offer-option-for-problem-areas-of-yard/

https://www.dee-signlandscaping.com/rain-gardens.htm

https://henrico.us/services/virginia-conservation-assistance-program/

https://www3.uwsp.edu/cnr-ap/UWEXLakes/Pages/ecology/shoreland/raingardens.aspx

19

Exhibit A-10

Date 7-11-2022

Exhibit B

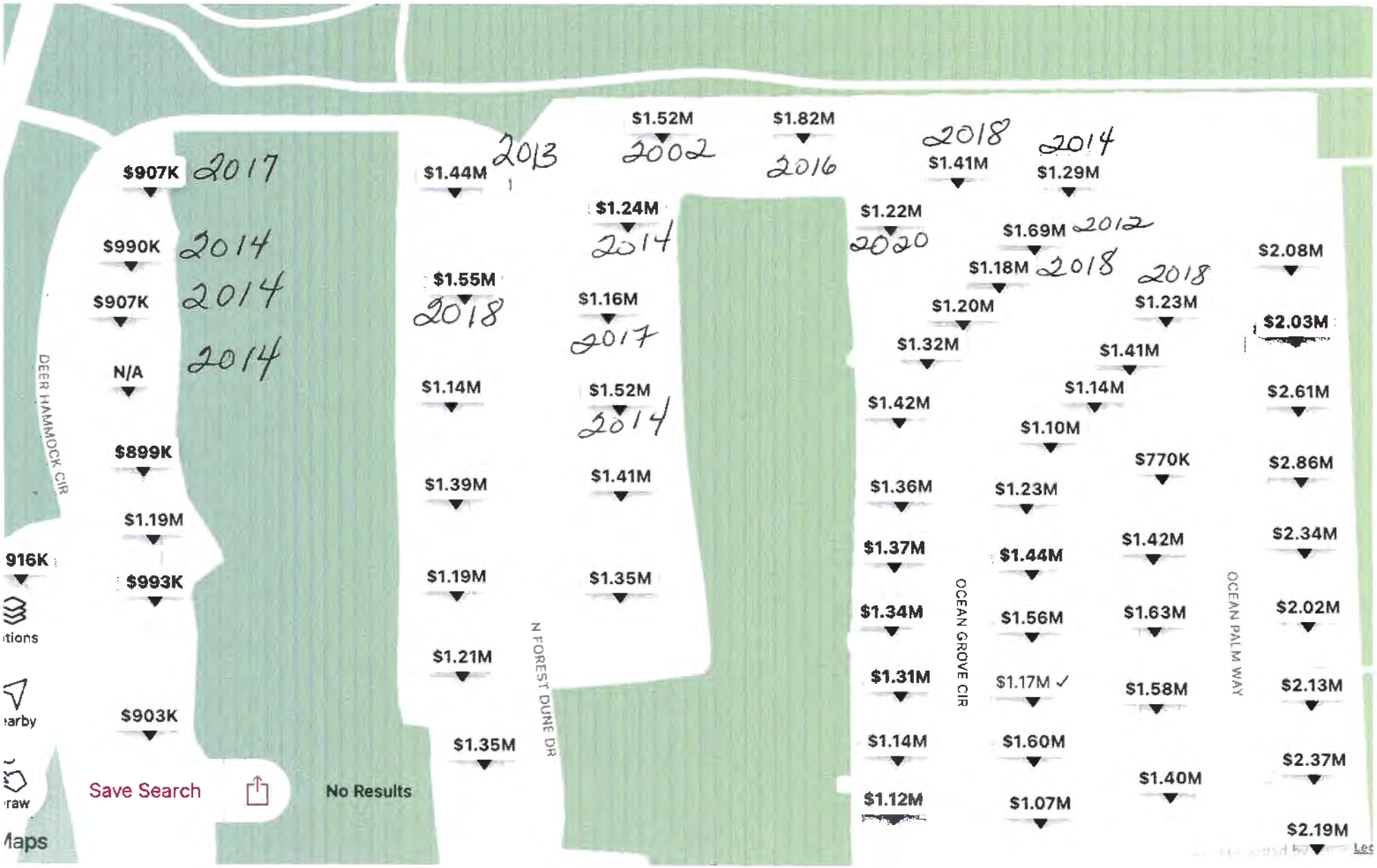
Date 7-11-2022

PM Mon Jul 11 ... 50%

. St. Augustine Beach, FL

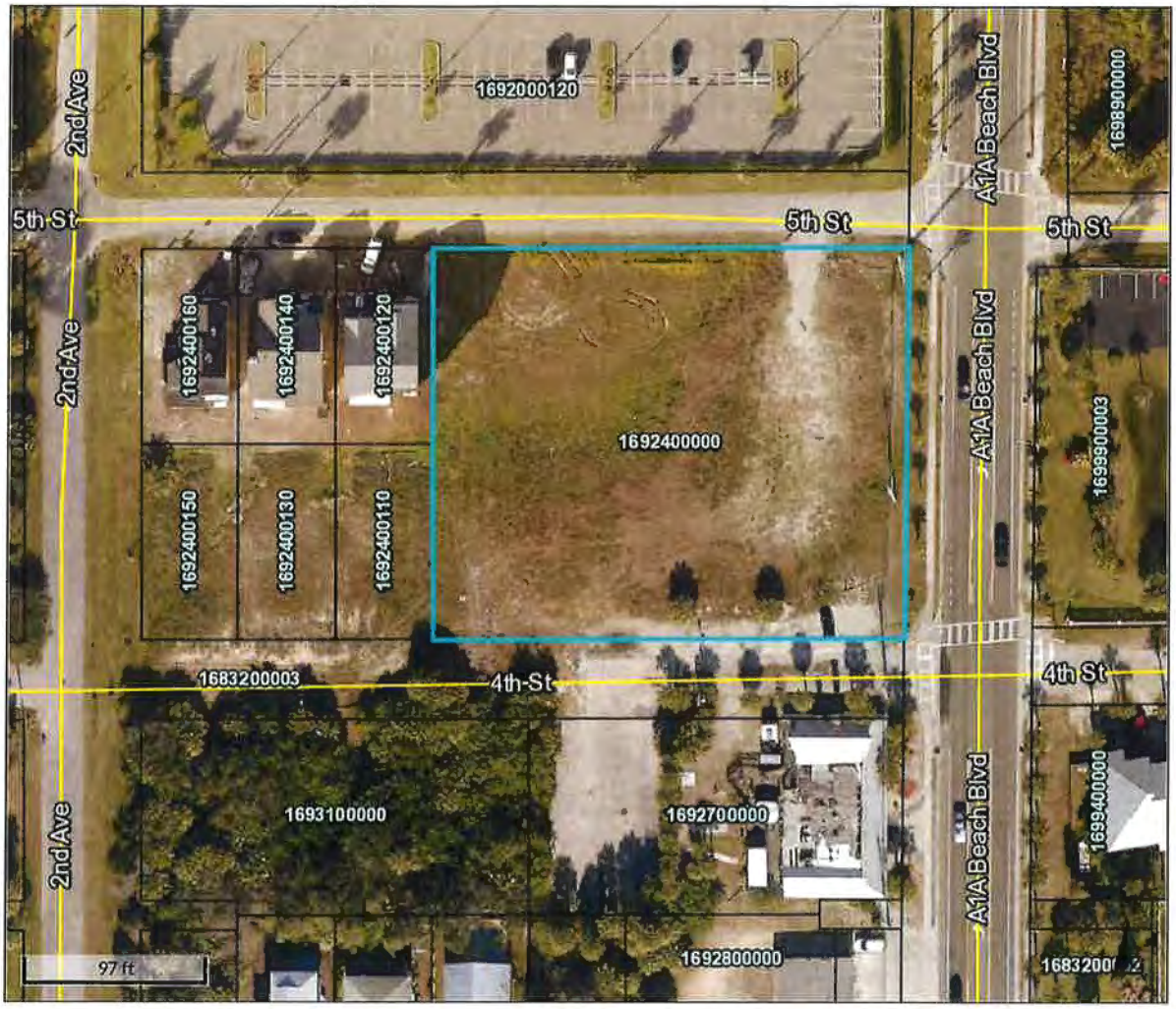
Lis

Filters Sale Price Bed / Bath Property Type



PROPERTY APPRAISER

St. Johns County, FL



Overview

Legend

☐ Parcels

Parcel ID	1692400000	**Physical Address**	4TH ST SAINT AUGUSTINE	**Building Value**	N/A	**Last 2 Sales**			
Property Class	1000 - Vacant Commercial	**Mailing Address**	HVG PROPERTIES LLC 688 OCEAN PALM WAY SAINT AUGUSTINE FL 32080-0000	**Extra Feature Value**	N/A	**Date**	**Price**	**Reason**	**Qual**
Taxing District	City of St Augustine Beach			**Total Land Value**	$1,476,690	8/7/2020	$1800000	01	Q
Acres	1.13			**Just Value**	$1,476,690	9/18/2007	$3806500	11	U
				Total Deferred	N/A				
				Assessed Value	$1,476,690				
				Total Exemptions	N/A				
				Taxable Value	$1,476,690				

The St. Johns County Property Appraiser's Office makes every effort to produce the most accurate information possible.
No warranties, expressed or implied, are provided for the data herein, its use or interpretation.

Date created: 7/12/2022
Last Data Uploaded: 7/12/2022 12:59:42 AM

Developed by Schneider GEOSPATIAL

Exhibit C

Date 7-11-2022

CONCEPTUAL EAST ELEVATION | 1"=10'-0"

4TH/5TH STREET - LOTS 1-6

5/12/2022

Exhibit D

Date 7-11-2022

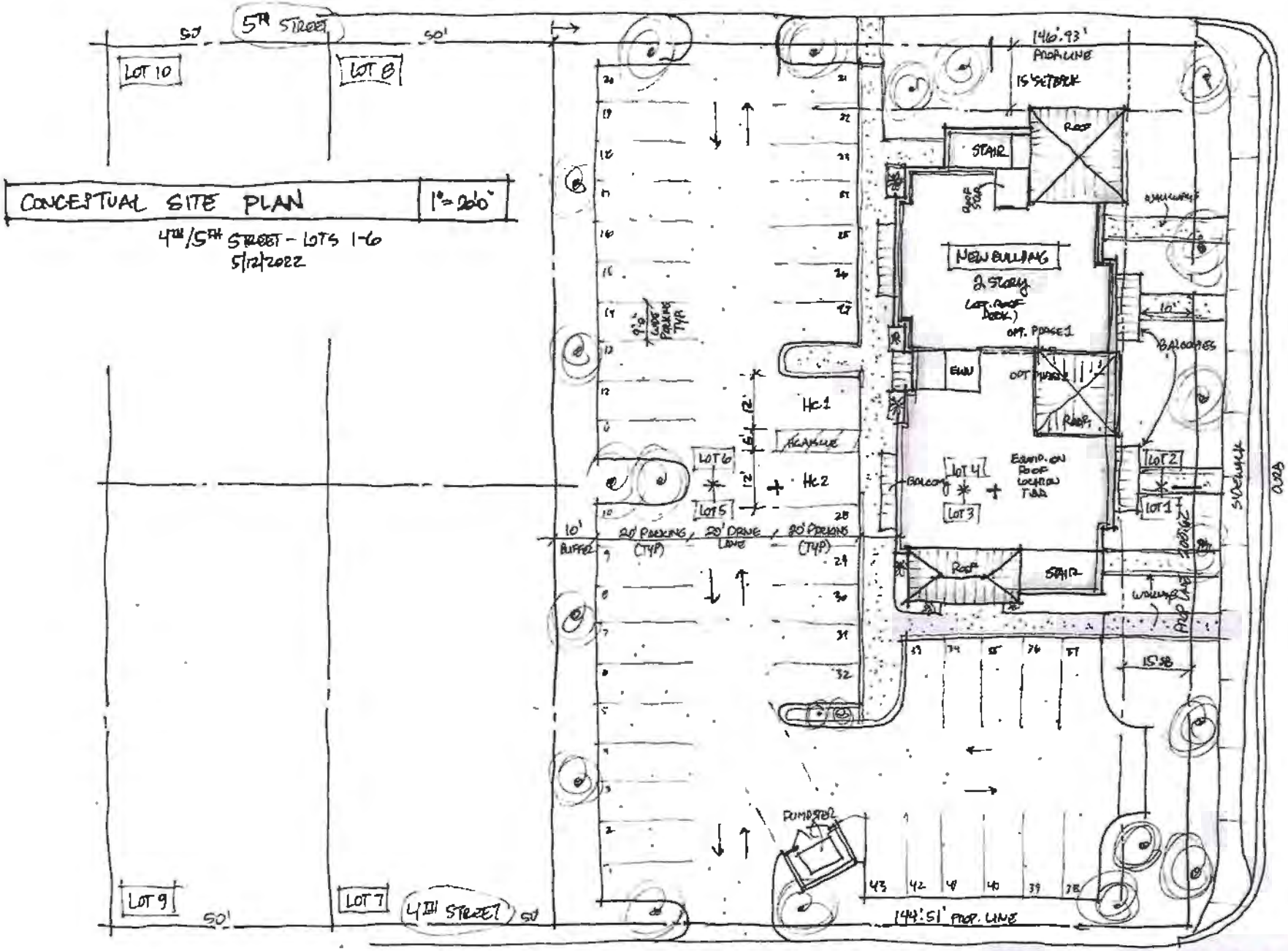


Exhibit E

Date 7-11-2022

Opposition to > in Transient Rental Licenses Medium Density - Ordinance 22-08

My name is Judy Jucker. I live at 106 3rd St.

We built our house in 2006. We now live next to a short term vacation rental built 6 months ago & another one across the street, each with an occupancy of up to 10.

I strongly oppose ANY increase of transient rental licenses in medium density.

4 POINTS

1 Short term rentals change the character & charm of the neighborhood.

I like knowing my neighbors. Renters are not invested in the community, are not part of the neighborhood; so they don't feel bound by normal rules of coexistence & respectfulness.

#2 There's already a saturation of short term rentals. VRBO website alone lists over 3,ooo & exist on each side of A1A in the commercial zone.

#3 There's a decrease in affordable long term rentals & rents have increased dramatically. A friend's monthly rent on 2nd St. just increased $600 to $2,500.

Investors are buying/building houses & duplexes for STRs & owners are absent. High rent = labor shortages. Service workers can't afford to live here.

#4 Add in safety, parking issues, > of traffic, upkeep, trash cans out all week & the NOISE.

Living next to a STR is a thrill a minute, you never know who your neighbor will be.

STRESS! NOISE is constant - think about when you go on vacation - totally different mind-set. It's time to have FUN! Parents check-out, kids are in the pool ALL day.

Imagine hearing MARCO POLO shouted out over & over till 10p at night.

It's actually unfair to renters - clueless they are renting in a quiet neighborhood.

And medium density is a small area - 24+ streets.

Recommend other options - look at lower density areas, review the existing 100 & the rules, decrease the #, & raise fees.

Let's preserve our neighborhoods. Thank you for your time & thanks for your service.

Exhibit F-1

Date 7-11-2022

- STR - Short Term Rental
- Medium Density - ABC & numbered Sts, AOC, Old Beach Rd.
- Cap of 100 reached 4 yrs ago - 6/27/18
- Transient rental - less than 30 day rental

Exhibit F-2

Date 7-11-2022

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
GEORGE - UNDINE - CELESTE	St. Augustine Beach City Commission
MAILING ADDRESS 107 A 11th St.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: X CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY: St. Augustine Beach COUNTY: St. Johns	NAME OF POLITICAL SUBDIVISION: City of St Augustine Beach
DATE ON WHICH VOTE OCCURRED July 11, 2022	MY POSITION IS: X ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

Exhibit G-1

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Undine C. George, hereby disclose that on July 11th, 20 22:

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

X inured to the special gain or loss of my relative, husband, Edward S. George;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Draft Ordinance 22-08, Second Reading, to Amend the Land Development Regulations to increase the number of transient rental licenses from 100 to 123 because my husband is on the wait list for a license.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

July 11, 2022
Date Filed

Undine George
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

St. Augustine Beach Police Department

Daniel Carswell, Chief Of Police

Alternative Vehicles Presentation

July 11th, 2022, Commission Meeting

Presented by: Chief Daniel Carswell

1

Introduction

- SABPD has noticed a substantial increase in the use of "Alternative Vehicles"
  - Electric bicycles ("E-bikes")
  - Low speed vehicles ("LSVs")
  - and Golf Carts
- The SABPD is in favor of the use of these vehicles. There use can help:
  - Eliminate traffic
  - Reduce individual carbon footprints
  - and Save gas money

2

Exhibit H-1

Date 7-11-2022

Introduction

Purpose: The City of St. Augustine Beach must ensure that sufficient city ordinance is in place and encourage safe operation.

Florida state statute does provide some basic regulation but gives the ability for local ordinance to be stricter.

3

TYPES OF ALTERNATIVE VEHICLES

4

Exhibit H 2

Date 7-11-2022

Electric Bicycles "E-bikes"- Bicycles with fully operational pedals, a seat, and an electric motor to assist.

- Can reach speeds of 20-30 mph.
- Not considered a motor vehicle.
- Operator is not required to have a valid driver's license but must be 16 years old.
- Allowed to travel on all roads, highways, and bike lanes.
- Subject to all state laws of normal bicycle operation.

5

Low Speed Vehicles (LSVs)- A four wheeled vehicle, with a VIN, whose top speed is greater that 20 miles per hour, but not greater than 25 miles per hour.

- May operate on streets 35 mph and under.
- Must meet minimum equipment standards.
- Must be registered, titled, and insured.
- Operator must have a valid driver's license.

6

Exhibit H-3

Date 7-11-2022

Golf Carts- A motor vehicle designed for operation on a golf course, not capable of exceeding 20 mph.

- May only be operated in designated areas.
- Must meet minimum equipment standards.
- Not required to be registered or insured.
- Operators are not required to have a valid driver's license but must be at least 14 years old.

7

Current Issues

1. Increased accessibility leads to increased injury
   - Rising number of alternative vehicle sales/rentals in SJC.
   - New types of Alternative Vehicles every year.
   - 56 reported crashes within St. Johns County since 2019.
   - 2 crashes/injuries this year in SAB.

2. Juvenile Operation
   - Juveniles operating vehicles capable of high speeds and serious injury.

8

Exhibit H-4

Date 7-11-2022

Concerns to Address

- E-Bikes operating on the sidewalk
- Alternative vehicles operating the beach
- Proposed memo with city ordinance recommendations.

9

Thank You

10

Exhibit 4-5

Date 7-11-2022