



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, DECEMBER 13, 2021 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A.** Special presentation of the American flag to the family of former mayor Eddy Mussallem in recognition of his contributions to the City of St. Augustine. (*T. Upchurch, Mayor*)

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

(PRESENTATIONS (MAXIMUM OF 10 MINUTES PER PRESENTATION)). PRESENTATIONS FOR COMMISSION MEETINGS MUST BE PRESENTED TO THE CITY MANAGER FOR APPROVAL NO LATER THAN TEN (10) WORKING DAYS PRIOR TO THE NEXT CITY COMMISSION MEETING. A PRESENTATION SUPPORT SERVICES REQUEST (AVAILABLE ON THE CITY'S WEBSITE) MUST ACCOMPANY ALL PRESENTATIONS.

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

- 7.C.1.** Discussion regarding uses of the American Rescue Plan. (*G. Johnson, Deputy Director Finance*)

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

8.B. Ordinances - First Reading (only if required by law)

8.C. Resolutions - Public Hearing (only if required by law)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

- 9.A.1. Ordinance 2021-29:** Amends the zoning of 66 Lewis Boulevard from PUD to Residential General Office-A (RGO-A). (*D. Birchim, Director Planning and Building*)

9.B. Resolutions

- 9.B.1. Resolution 2021-43:** Establishes the intent to reimburse certain capital expenditures. (*G. Johnson, Deputy Director Finance*)
- 9.B.2. Resolution 2021-44:** Authorizes a Utility Work Agreement between the Florida Department of Transportation and the City. (*R. Franklin, Director Public Works*)

10. STAFF REPORTS AND PRESENTATIONS

- 10.A.** Request for approval of Fish Island Preserve Logo. (*R. Franklin, Director Public Works*)
- 10.B.** Approval of an agreement between the City and Florida Power and Light to switch to LED lighting for streetlights throughout the City. (*R. Franklin, Director Public Works*)

11. ITEMS BY CITY ATTORNEY

- 11.A.** Legislative update, for information only, no presentation. (*I. Lopez, City Attorney*)

12. ITEMS BY CITY CLERK

- 12.A.** Request for two appointments for three positions - Code Enforcement Adjustment and Appeals Board
Request for two appointments - St. Augustine Firefighters' Pension Fund Board of Trustees
Request for one appointment - Planning and Zoning Board

13. ITEMS BY CITY MANAGER

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

NOTICES: In accordance with Florida Statute 286.0105: "if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone 904-825-1007; 1-800-955-8771 (TDB) or 1-800-955-8770 (V) via Florida Relay Services. ***The City of St. Augustine encourages anyone wishing to present the invocation at city commission meetings to contact the City Clerk's office, to be placed on the rotation list, and encourages people of all religious affiliations or of no religious affiliation to present a non-denominational invocation to inspire us in the work of the City Commission. The materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA - DECEMBER 13, 2021

- CA.1.** Preview of upcoming Commission meetings.
- CA.2.** **THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JANUARY 10, 2022: NONE**
- CA.3.** **Reminder of Upcoming Meetings:**
- January 10, 2022, 5:00pm, Regular City Commission Meeting
 - January 24, 2022, 3:00pm, Special City Commission Meeting (work force housing)
 - January 24, 2022, 5:00pm, Regular City Commission Meeting
- CA.4.** **APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:**
- October 25, 2021, Regular City Commission Meeting
 - October 25, 2021, Special City Commission Meeting
 - November 8, 2021, Regular City Commission Meeting
 - November 15, 2021, Special City Commission Meeting
- CA.5.** **RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):**
- Monica Thurston - 482 Pomont Avenue
- CA.6.** Order releasing the Code Enforcement lien levied against 330 Oglethorpe Boulevard as paid in full. *(I. Lopez, City Attorney)*
- CA.7.** **PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).**
- Proclamation 2022-01** : Proclaiming January, 2022, as Human Trafficking Awareness Month. *(B. Blonder, Commissioner)*
- CA.8.** **NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:**
- Certificate of Recognition to Luiza Nemeth for her 105th Birthday. *(T. Upchurch, Mayor)*
- CA.9.** Approval of the 2022 City Commission meeting and holiday schedule. *(D. Galambos, City Clerk)*
- CA.10.** Approval of nomination of Bob and Maria Alvarez as the deAviles Award recipient. *(N. Sikes-Kline, Commissioner)*

- CA.11.** Approval of summary of resilience workshop. *(R. Franklin, Director Public Works)*
- CA.12.** Approval of invoices in the amount of \$2,340.00 and \$750.00 for Marlowe v. City matter and invoices in the amount of \$885.00 and \$4,779.00 for MASCI v. City matter. *(I. Lopez, City Attorney)*

End Consent Agenda



American Rescue Plan Act (ARPA)

Award Amount = \$7,720,659

**Presented by: Greg Johnson,
Deputy Finance Director**

December 13, 2021

GFOA ARPA Guiding Principles

➤ Temporary Nature of ARPA Funds

- Care should be taken to avoid creating new programs or add-ons to existing programs that require an ongoing financial commitment.
- Use of ARPA funds to cover operating deficits caused by COVID-19 should be considered temporary and additional budget restraint may be necessary to achieve/maintain structural balance in future budgets.
- Investment in critical infrastructure is particularly well suited use of ARPA funds because it is a non-recurring expenditure that can be targeted to strategically important long- term assets that provide benefits over many years. However, care should be taken to assess any on-going operating costs that may be associated with the project.



Eligible Expenditures: Four Main Categories

- A. COVID-19 or a negative economic impact
- B. Premium pay for eligible workers
- C. For government services to the extent of the loss of revenue
- D. Investments in water, sewer and broadband infrastructure

Flood mitigation/Seawall construction is not an allowable use



Government Services

- **“Government services”**
 - **Directly provide services or aid to citizens**
 - **Maintenance of buildings**
 - **Can use it on a capital project together with bond financed portion**
 - **You can start a project and you finish it with future revenues / bonds**
 - **Cybersecurity, Healthcare service, School or education services, Police, fire or public safety**



Water/Sewer Infrastructure

- Necessary investments are designed to provide an adequate minimum level of service and are unlikely to be made using private sources of funds.
- Uses aligned with Environmental Protection Agency's Clean Water Revolving Fund and Drinking Water State Revolving Fund to expedite project identification.
 - Building/upgrading facilities and transmission, distribution, and storage systems, including the replacement of lead service lines.
 - Invest in wastewater infrastructure projects
 - E.g. constructing publicly-owned treatment infrastructure, managing and treating stormwater or subsurface drainage water, facilitating water reuse, and securing publicly-owned treatment works
- Recipients retain substantial flexibility to identify those water and sewer infrastructure investments that are of the highest priority for their own communities



- \$6.4M calculated revenue reduction
- Calculated by determining growth rate prior to COVID compared to growth rate since.
- Results in greater flexibility of allowable use options



ARPA Revenue Replacement Calculator

Background Information

1) Fiscal Year End

September

Notes:

Base Year Revenue Period

9/30/2019

FY used for base year calculation

2) Calculation Date

12/31/2020

Number of Months

15

Months between Base Year and Calculation Date

Estimate Revenue

3) Base Year Revenue

\$ (55,893,028)

[Use Worksheet to Calculate](#)

4) Growth Rate

8.4%

[Use Worksheet to Calculate](#)

Counterfactual Revenue

\$ (61,829,589)

Estimated Revenue Without Pandemic

5) Actual Revenue

\$ (55,422,018)

[Use Worksheet to Calculate](#)

Reduction in Revenue

Fiscal Year Ended

12/31/2020

Revenue Reduction

\$ (6,407,571)

Revenue Reduction %

-10.4%



CITY OF
ST AUGUSTINE
EST. 1565

Tentative Plan for Discussion

Item	Cost
Cyber security upgrades	\$650,000
Utility Monitoring system upgrades (SCADA)	\$650,000
Septic to sewer	\$2,000,000
Stormwater master plan	\$2,000,000
WWTP Outfall Rehab	\$500,000
WWTP UV Disinfection	\$700,000
Revenue Reduction	
*Street Sweeper	\$500,000
Police cars	\$250,000
Police evidence shed	\$200,000
Side loader garbage truck	\$350,000
	<u><u>\$7,800,000</u></u>

*Requesting approval to begin purchasing process

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: December 13, 2021

RE: **Ordinance 2021-29 – Amending the Zoning of 66 Lewis Boulevard from Planned Unit Development (PUD) to Residential General Office-A (RGO-A) – First Reading**

The property at 66 Lewis Boulevard is a .19 acre vacant parcel that is east of South Ponce de Leon Boulevard and west of the San Sebastian River. The property is adjacent to a large cellular tower to the north, a commercial parking lot to the south and east (Hurricane Patty's Restaurant) and residential properties to the west. This property was part of the River's Edge PUD that was never developed and which expired in 2008.

The River's Edge PUD contained 9 individual properties (within 11 parcels) and 4 of these properties have gone through the rezoning process. The remaining properties within the expired River's Edge PUD include the River's Edge Marina and several residential properties.

The city's Future Land Use Map (FLUM) identifies Residential Medium Density/Mixed Use as the land use category for the 66 Lewis Boulevard. The owner has applied to rezone the property to Residential General Office-A (RGO-A), which is consistent with this land use category. The owner has not presented any specific development plans for the property.

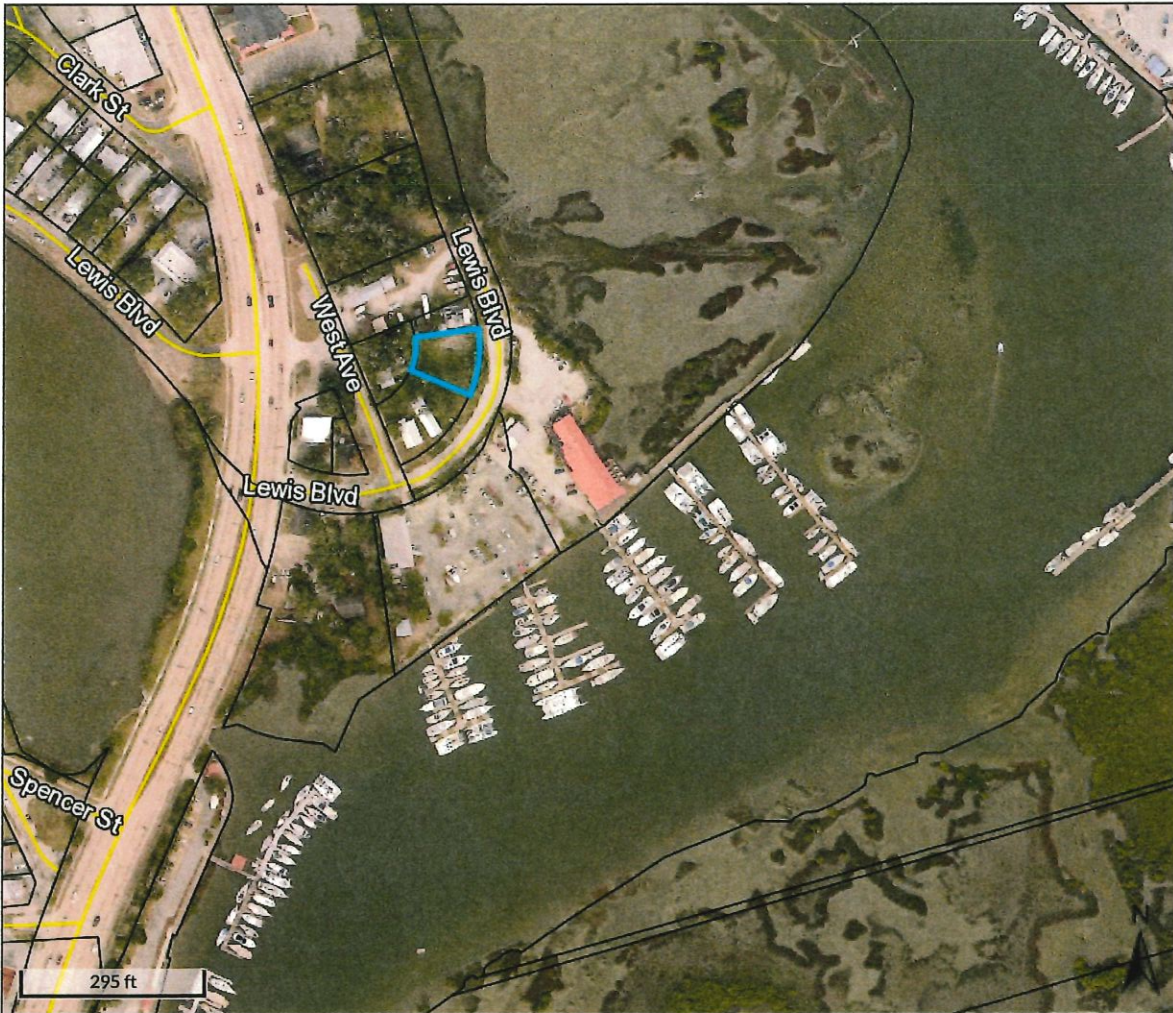
On November 2, 2021, the Planning and Zoning Board (PZB) made a positive recommendation to amend the zoning of 66 Lewis Boulevard from PUD to RGO-A.

Please place Ordinance 2021-29 on the City Commission agenda for first reading.

If you have any questions, please let me know.



David Birchim, AICP
Director, Planning and Building



Overview



Legend

□ Parcels

Parcel ID	1194900000	Physical Address	66 LEWIS BLVD	Building Value	N/A	Last 2 Sales			
Property Class	0000 - Vacant	Mailing Address	SAINT AUGUSTINE	Extra Feature Value	N/A	Date	Price	Reason	Qual
Taxing District	City of St Augustine	Address	OLD FLORIDA MUSEUM HOLDINGS LLC	Total Land Value	\$141,100	4/26/2017	\$200000	37	U
Acres	0.19		303B ANASTASIA BLVD 2536 SAINT AUGUSTINE FL 32080-0000	Just Value	\$141,100	n/a	0	n/a	n/a
				Total Deferred Assessed Value	N/A				
				Total Exemptions	N/A				
				Taxable Value	\$141,100				

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: 9/30/2021

Last Data Uploaded: 9/30/2021 2:17:44 AM

Developed by  **Schneider**
GEOSPATIAL

Google Maps 66 Lewis Blvd



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 ft



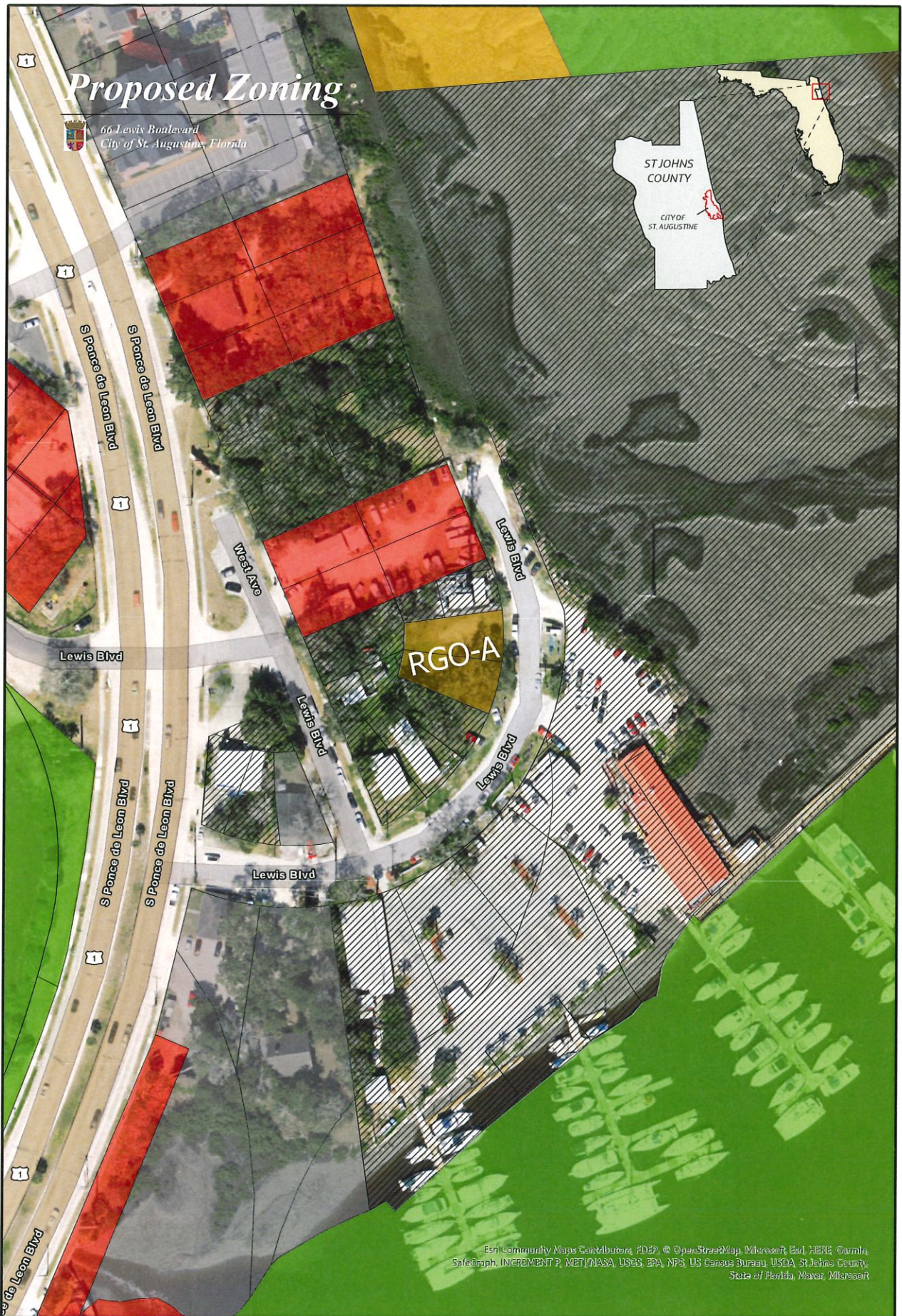
66 Lewis Blvd

Building

- 
Directions
- 
Save
- 
Nearby
- 
Send to your phone
- 
Share

 66 Lewis Blvd, St. Augustine, FL 32084

Photos



Zoning

Proposed Residential and general office-A zoning of 66 Lewis Boulevard

Map Summary:

The purpose of this map is to effectively illustrate what the new zoning proposal includes

Proposed Zoning Notes

Data Source:

Zoning data is provided by the City of St. Augustine's GIS Division and is identified and approved by the City of St. Augustine's Planning, Building, & Zoning Division



0 50 100 Feet

City of St. Augustine
Planning, Zoning, & Building Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (804) 825-1065

DISCLAIMER

This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown hereon.



ST AUGUSTINE
EST. 1565

Sec. 28-167. - Residential and general office-A: RGO-A.

(a) *Intent.* This district is intended to apply to those neighborhoods designated for mixed residential and commercial uses so as to create a medium intensity residential and low intensity commercial mix of uses.

(1) *Permitted uses and structures.*

- a. Multiple-family dwellings.
- b. Professional and business offices.
- c. Restaurants, but not drive-in.
- d. Retail sales such as specialty food stores and drugs (but not supermarkets), clothing and toy and hobby shops, pet shops (but not kennel or veterinarian), bookstore and newsstand, stationery and card shops, leather goods and luggage, jewelry (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shop, bake shop (but not wholesale bakery), sporting goods, sundries and notions, business office supplies, musical instruments, records and tapes, retail sale of alcohol and similar products, with no exterior display or storage of merchandise permitted.
- e. Marina.
- f. Museums.
- g. Parking facilities and garages.
- h. Bar/tavern.
- i. Home office, private.
- j. Hotels, motels, conference centers, convention centers and spas.

(2) *Permitted accessory uses and structures.* See [section 28-348](#).

(3) *Permissible uses by exception.*

- a. See section[s] [28-347](#)(1) and (2), special event venue as per [section 28-347](#)(8) only allowed as an accessory use to a principal use.
- b. Light manufacturing, processing, packaging and fabricating.
- c. Single-family dwellings, with minimum yard requirements as defined for zoning district RS-2 and a maximum height of thirty-five (35) feet.

- (4) *Minimum lot requirements.* As per planning and zoning board site plan review.
- (5) *Maximum lot coverage by all buildings and structures.* Fifty (50) percent.
- (6) *Minimum yard requirements.*
 - a. Front, fifteen (15) feet.
 - b. Side, ten (10) feet.
 - c. Rear, ten (10) feet.
- (7) *Maximum height of structures.* Forty (40) feet.

ORDINANCE NO. 2021-29

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY .19 ACRES OF PROPERTY LOCATED AT 66 LEWIS BOULEVARD, PID# 119490 0000 IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE PLANNED UNIT DEVELOPMENT (PUD) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF RESIDENTIAL GENERAL OFFICE-A (RGO-A); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida finds that all legal requirements have been met, a public hearing has been held and the Planning and Zoning Board has recommended that a parcel of property containing approximately .19 acres, located on the west side of the San Sebastian River, west of Lewis Boulevard and identified by the St. Johns County Property Appraiser as 66 Lewis Boulevard (PID#119490 0000) in the City of St. Augustine, being more fully described herein, should be rezoned;

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

Section 1. The following described property, containing approximately .19 acres located on the west side of the San Sebastian River, west of Lewis Boulevard and identified by the St. Johns County Property Appraiser as 66 Lewis Boulevard (PID# 119490 0000), is hereby rezoned from the classification of Planned Unit Development (PUD) to the City of St. Augustine classification of Residential General Office-A (RGO-A), and as more fully described in the attached legal description.

Section 2. The City Planning and Building Director is hereby authorized and directed to change the Zoning Atlas for the City of St. Augustine, Florida to reflect the rezoning of the above-described land.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. If any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

Section 5. This ordinance shall be effective ten (10) days after passage pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2021.

ATTEST:

Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk

(SEAL)

Instr #2017029871 BK: 4366 PG: 726, Filed & Recorded: 5/1/2017 9:39 AM #Pgs:2

Hunter S. Conrad, Clerk of the Circuit Court St. Johns County FL Recording \$18.50 Doc. D \$1,400.00



Prepared by:

Lisa M. Byers

Land Title of America, Inc.

2495 U.S. Highway 1 South

Saint Augustine, Florida 32086-6077

170196RL

Parcel Account Number: 119490-0000

(Space above for recording information)

Warranty Deed

This Indenture made this 26th day of April, 2017 BETWEEN Regina Solana, a married woman and Gerald Wilson, a married man each conveying their non-homestead property GRANTOR*, whose post office address is 2979 North 2nd Street, Saint Augustine, FL 32084, and Old Florida Museum Holdings, LLC, a Florida Limited Liability Company GRANTEE*, whose post office address is 303B Anastasia Boulevard #2536, Saint Augustine, FL 32080.

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs forever the following described land located in the County of Saint Johns, State of Florida, to-wit:

Lot Sixty-four (64) of Block "F" of Wildwood Park Company's Subdivision in New Augustine, as shown by a replat of Blocks "F" and "G" of said Subdivision made by Peter Kendrick and filed and recorded on the 15th day of November 1923 in Map Book 3, Page 15, of the current Public Records of Saint Johns County, Florida.

Also: Lot Numbered Sixty-six (66) in Block lettered "F" of the Wildwood Park Company's Subdivision in the southeast portion of the Avise and Viel Grant in Section Thirty-seven (37) in Township Seven (7) South, Range Thirty (30) East, as per Plat recorded in Plat Book 1, Page 133, of the Public Records of Saint Johns County, Florida.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS and RESERVATIONS of record, if any; However, this reference does not operate to reimpose same; SUBJECT TO Zoning Ordinances that may affect subject property; SUBJECT TO Taxes for the year 2017 and Subsequent Years.

THE GRANTOR WARRANTS THAT THE ABOVE DESCRIBED PROPERTY IS NOT THE GRANTOR'S HOMESTEAD AS THAT TERM IS DEFINED PURSUANT TO ARTICLE X, SECTION 4, CONSTITUTION OF THE STATE OF FLORIDA BECAUSE NEITHER THE GRANTOR NOR ANY DEPENDENTS OF GRANTOR RESIDE ON THE ABOVE DESCRIBED REAL PROPERTY OR UPON ANY REAL PROPERTY CONTIGUOUS THERETO.

BK: 4366 PG: 727

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

*Singular and plural are interchangeable, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

WITNESSES


Witness: DIRK M. SCHROEDER


Regina Solana

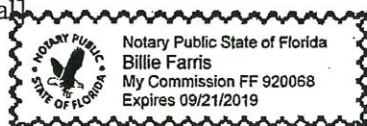

Witness: Cindy Brown

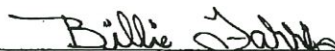

Gerald Wilson

County of Saint Johns
State of Florida

THE FOREGOING INSTRUMENT was acknowledged before me on **April 26th, 2017** by **Regina Solana and Gerald Wilson** who is or are personally known to me or has or have produced Driver's License(s) as identification.

[Seal]




Notary Public: Billie Farris
My commission expires: 9-21-2019



St. Johns County, FL

2021 TRIM Notice

[2021 TRIM Notice \(PDF\)](#)

Sales Questionnaire Form

If you are a new owner of this property, please click here to submit a Sales Questionnaire

[Sales Questionnaire](#)

Summary

[Clicking Image Opens Cyclomedia Viewer In a New Tab](#)



Parcel ID	1194900000
Location Address	66 LEWIS BLVD SAINT AUGUSTINE 32084-0000
Neighborhood	Ponce Boulevard South (SF) (681.03)
Tax Description*	3-15 WILDWOOD PARK LOTS 64 & 66 BLK F OR4366/726 <i>*The Description above is not to be used on legal documents.</i>
Property Use Code	Vacant Residential (0000)
Subdivision	Wildwood Park, Plat Amending Blocks F &
Sec/Twp/Rng	37-7-30
District	City of St Augustine (District 452)
Millage Rate	19.4926
Acreage	0.190
Homestead	N

Owner Information

Owner Name	Old Florida Museum Holdings LLC 100%
Mailing Address	303B ANASTASIA BLVD 2536 SAINT AUGUSTINE, FL 32080-0000

Map



Valuation Information

	2021
Building Value	\$0
Extra Features Value	\$0
Total Land Value	\$141,100
Agricultural (Assessed) Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$141,100
Total Deferred	\$0
Assessed Value	\$141,100
Total Exemptions	\$0
Taxable Value	\$141,100

Values listed are from our working tax roll and are subject to change.

Historical Assessment Information

Year	Building Value	Extra Feature Value	Total Land Value	Ag (Market) Value	Ag (Assessed) Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value
2021	\$0	\$0	\$141,100	\$0	\$0	\$141,100	\$141,100	\$0	\$141,100
2020	\$3,072	\$0	\$141,100	\$0	\$0	\$144,172	\$144,172	\$0	\$144,172
2019	\$2,672	\$0	\$141,100	\$0	\$0	\$143,772	\$143,772	\$0	\$143,772
2018	\$2,672	\$0	\$141,100	\$0	\$0	\$143,772	\$143,772	\$0	\$143,772
2017	\$10,684	\$0	\$105,825	\$0	\$0	\$116,509	\$75,526	\$40,983	\$75,526
2016	\$10,684	\$0	\$105,825	\$0	\$0	\$116,509	\$68,660	\$47,849	\$68,660
2015	\$10,684	\$0	\$105,825	\$0	\$0	\$116,509	\$62,418	\$54,091	\$62,418
2014	\$10,056	\$0	\$46,688	\$0	\$0	\$56,744	\$56,744	\$0	\$56,744
2013	\$10,056	\$0	\$46,688	\$0	\$0	\$56,744	\$56,744	\$0	\$56,744
2012	\$10,056	\$0	\$46,688	\$0	\$0	\$56,744	\$56,744	\$0	\$56,744
2011	\$10,056	\$0	\$52,912	\$0	\$0	\$62,968	\$62,968	\$0	\$62,968
2010	\$10,056	\$0	\$59,138	\$0	\$0	\$69,194	\$69,194	\$0	\$69,194

Land Information

Use Description	Front	Depth	Total Land Units	Unit Type	Land Value
Vacant Residential	83	100	8300	SF	\$141,100

Sale Information

Recording Date	Sale Date	Sale Price	Instrument Type	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
5/1/2017	4/26/2017	\$200,000.00	WARRANTY DEED	4366	726	U	I	SOLANA REGINA & WILSON GERALD	OLD FLORIDA MUSEUM HOLDINGS LLC
	10/7/2008	\$0.00	WARRANTY DEED	3130	1566	U	I	SOLANA REGINA & WILSON GERALD	SOLANA REGINA & WILSON GERALD
	3/1/1984	\$0.00		631	85	U	I		WILSON CATHERINE ***

No data available for the following modules: Exemption Information, Building Information, Extra Feature Information, Sketch Information.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: December 2, 2021

RE: **RESOLUTION 2021-43: ESTABLISHING INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES**

Please find attached Resolution 2021-43. The enclosed resolution is necessary to begin time-sensitive projects that the City intends to fund with debt. We have an RFP scheduled to be issued in the near future and expect to bring you a bank loan to present to the commission at the February 28th meeting.

Also attached is a synopsis of the capital projects associated with this borrowing. We are working with our financial advisor to complete this transaction while interest rates remain at historic lows. The current estimate for all projects is \$12,779,000.

Please place Resolution 2021-43 on the regular City Commission agenda for December 13, 2021.

Thank you.



Mark E. Simpson, CPA
Director of Financial Services

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

ESTABLISHING INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES

RESOLUTION NO. 2021-43

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA ESTABLISHING ITS INTENT TO REIMBURSE CERTAIN CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CITY'S VARIOUS WATER AND SEWER CAPITAL IMPROVEMENT PROJECTS WITH PROCEEDS OF A FUTURE TAX-EXEMPT FINANCING; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section 1. Authority for this Resolution. This Resolution is adopted pursuant to Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, the municipal charter of the City of St. Augustine, Florida (the "Issuer") and other applicable provisions of law.

Section 2. Findings. It is hereby ascertained, determined and declared that:

The Issuer has determined that the need exists to incur debt to finance the costs of all or a portion of various capital improvement projects related to the Issuer's water and sewer system, all in accordance with plans on file at the offices of the Issuer, as such plans may be modified from time to time (collectively, the "Project")

Section 3. Declaration of Intent. The Issuer hereby expresses its intent to be reimbursed from proceeds of a future tax-exempt financing for capital expenditures to be paid by the Issuer in connection with the Project. Pending reimbursement, the Issuer expects to use funds on deposit in the enterprise fund or other appropriate fund or account to pay costs associated with the Project. It is reasonably expected that the total amount of debt to be incurred by the Issuer with respect to the Project will not exceed \$15,000,000. This Resolution is intended to constitute a "declaration of official intent" within the meaning of Section 1.150-2 of the Income Tax Regulations which were promulgated pursuant to the Internal Revenue Code of 1986, as amended, with respect to the debt incurred to finance the costs of all or a portion of the Project.

Section 4. Severability. If any one or more of the covenants, agreements or provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions of this Resolution.

Section 5. Repeal of Inconsistent Resolutions. All resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED this __ day of _____, 2021.

Tracy Upchurch, Mayor-Commissioner

ATTEST:

Darlene H. Galambos, City Clerk

Approved as to Form and Correctness:

Isabelle C. Lopez, City Attorney



CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: Wastewater Treatment Plant Headworks Rehabilitation

The headworks of the wastewater plant is the initial stage of the sanitary sewage treatment process. The headworks screens out any trash, rags and debris as well as eliminates all grit before it enters the treatment process. By eliminating this debris, the headworks protects the operation of downstream equipment and enhances the efficiency of the water treatment process. The headworks is the original 1987 structure. The rehabilitation will consist of replacing the mechanical screen and grit system, control panels, electrical lightning protection and structural concrete improvements. The project will also elevate critical equipment to an elevation of 12 feet to ensure operational integrity of the headworks in the event of a Category 1 or 2 storm event and accounts for future sea level rise.



Project Cost Estimate:
\$4,000,000

Project Construction Duration:
12-16 Months

**Project Status: Ready to be
Solicited for Construction**





CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: Reverse Osmosis Concentrate Outfall Pipeline

The water treatment plants low pressure reverse osmosis (LPRO) plant produces approximately 300,000 gallons of brine concentrate per day. The brine is currently discharged to the city's sanitary sewer system and treated at the wastewater treatment plant (WWTP). The city has plans to expand the LPRO production which will ultimately produce up to 700,000 gallons of brine concentrate per day. To eliminate disposal of the brine to the WWTP, the city is permitted to construct an outfall pipe to the San Sebastian River for brine discharge. The project will eliminate the need to send and treat the brine at the WWTP. Additionally, the project will increase the overall treatment capacity of the WWTP.



Project Cost Estimate:
\$2,000,000

Project Construction Duration:
9 Months

**Project Status: Ready to be
Solicited for Construction**





CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: Pearl Street Gravity Sanitary Sewer Extension

The project will include construction of approximately 3,600 linear feet of sewer main and upgrades to approximately 3,000 feet of water mains, providing improved fire protection and hydrant coverage in the area. The new sewer will support the elimination of approximately 37 existing septic tanks and prevent more from being installed in the area. Also, this infrastructure will potentially incentivize the construction of more affordable housing in the area.



Project Cost Estimate:
\$2,570,000

Project Duration: 9-12 Months

Project Status: Ready for Design





CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: **Water Treatment Plant High Service Pump Motor Control Center & Emergency Generator Replacement**

The water treatment plant high service pump (HSP) motor control center (MCC) is one of the most critical components for delivering potable drinking water to the distribution center. The existing MCC has reached its end of life and does not provide fail safe distribution of potable water in the event of a power outage or surge. This project will completely replace the existing MCC and will be housed inside a climate-controlled environment. Variable frequency drives, programmable logic controllers and human machine interfaces and control panels with annunciators, alarms, cable and conduit will be installed. Additionally, a new emergency generator will be installed with an automatic transfer switch.



Project Cost Estimate:
\$1,500,000

Project Duration: 9 Months

Project Status: Ready to be Solicited for Construction





CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: West 3rd Street Gravity Sewer Extension

This project will install a gravity sewer collection system along three blocks of West 3rd Street between South Volusia Street and Knowlton Street. This project will eliminate and convert existing septic systems to gravity sewer connections. This project will also improve existing water service, replacing existing lines with mains capable of supplying potable water service and fire suppression via hydrants.



Project Cost Estimate:
\$995,000

Project Duration: 9-12 Months

Project Status: In Design Phase





CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: Lighthouse Park Gravity Sewer Conversion (Design)

The Lighthouse Park neighborhood, between Ocean Way and Anastasia Park Dr., abuts Salt Run, a Class II water body, and is identified as one of the city's top contributors of septic-system-based nitrogen to surface waters. The neighborhood currently utilizes a mix of septic systems and a low-pressure sewer system (LPSS). This project will install a gravity sanitary sewer collection system with lift station and eliminate the onsite septic systems, the low-pressure sewer system, and the associated nitrogen load to Salt Run.



Project Design Cost Estimate:
\$665,000

Project Duration: 9-12 Months

**Project Status: Ready for
Design**





CONSTRUCTION PROJECT INFORMATION FLYER
CITY OF ST. AUGUSTINE

Project Description: Arricola Ave Force Main Extension, from LS-51 to LS-52

The project will construct a wastewater force main via the horizontal directional drill (HDD) method of construction from lift station 51 to lift station 52 along Arricola Ave. Currently, the force main from LS-51 stops short of LS-52, discharging wastewater into a manhole on Solano Ave before continuing via gravity sewer to LS-52. The proposed project will eliminate problems with the current system that occasionally result in sanitary sewer overflows. This force main project provides the option for LS-50 and 51 to pump to LS-52 or directly to the wastewater treatment plant. This project also allows the city to utilize the backup diesel pumps at LS-50 and 51 to their full capacity eliminating potential sewer spills during storms.



Project Cost Estimate:
\$1,049,000.00

Project Duration: 4 Months

**Project Status: Ready for
Construction**



CITY OF
ST AUGUSTINE
EST. 1565

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan
City Manager

DATE: December 2, 2021

RE: Agenda Item for December 13, 2021 City Commission Meeting;
Resolution 2021-44 Utility Work by Highway Contractor Agreement for SR 312
(SR-207 to S. Holmes Blvd) between the FDOT and COSA

The FDOT and COSA Public Works Department request City Commission consideration of the proposed resolution authorizing a Utility Work Agreement between the FDOT and COSA for the COSA utility work to be accomplished by the FDOT's contractor as part of the construction of the project.

The FDOT is reconstructing a portion of a public road on SR 312 (SR-207 to S. Holmes Blvd), and the COSA owns certain utility facilities within the limits of the construction project that require adjustment or relocation.

FDOT's consultant will prepare a final engineering design, plans, technical special provisions, a cost estimate, and a contingency Utility Work Schedule (said contingency schedule to be used in the case of a bid rejection) for the Utility Work.

The COSA will bear certain costs associated with the Utility Work and wish to enter in a Three Party Escrow Agreement with the FDOT regarding all costs associated with the design and construction work.

Attached, please find the proposed Resolution 2021-44, Utility Construction Agreement, Wire and ACH Instructions, Scope of Services and Exhibit A; and please let me know of any questions or concerns.

Sincerely,


For Reuben C. Franklin Jr., P.E.
Public Works Director

Resolution 2021-44
Utility Work Agreement
Wire and ACH Instructions
Scope of Services, Exhibit A

cc: COSA Directors

RESOLUTION 2021-44

A RESOLUTION OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA AUTHORIZING ENTRY BY THE CITY INTO THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR UTILITY ADJUSTMENTS ON STATE ROAD 312 (SR-207 TO S. HOLMES BLVD), FINANCIAL PROJECT ID: D221-005-B, AND AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY MANAGER.

WHEREAS, the State of Florida Department of Transportation (the "FDOT") proposes to construct improvements on State Road 312 (SR-207 to S. Holmes Blvd.) (the "PROJECT"); and

WHEREAS, City of St. Augustine utility facilities are located in the area where the FDOT will construct the improvements, and the construction of the FDOT improvements will require relocation of the City's utility facilities; and

WHEREAS, the City Commission finds that contracting with the FDOT to have the FDOT contractor perform the utility relocations during the course of completing the FDOT drainage improvement work allows for the necessary relocation in a cost effective and efficient manner; and

WHEREAS, proceeding with the PROJECT requires that the CITY execute and deliver to the FDOT the agreement identified as UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT (the "AGREEMENT");

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine, Florida as follows:

Section 1. The City Commission ratifies and adopts the AGREEMENT, a true and correct copy of which is attached hereto and incorporated herein as Exhibit "A."

Section 2. The City Commission hereby acknowledges AGREEMENT estimated expenditure of utility funds in the amount of \$138,624.55 as designated by the City Manager.

Section 3. The City Commission authorizes the City Manager to execute the AGREEMENT and to deliver the AGREEMENT to the FDOT.

Section 4. The City Commission hereby directs the City Clerk to prepare a certified copy of this Resolution and to forward same to the FDOT along with the executed AGREEMENT.

.....

PASSED IN REGULAR SESSION of the City Commission of St. Augustine, Florida,
this _____ day of _____, 20____.

Tracy Upchurch, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

**Florida Department of Transportation
Office of the Comptroller
Wire and ACH Instructions**



**Wire and ACH Instructions for Local Funds Being Deposited into the Treasury Cash
Deposit Trust Fund K 11-78 with Department of Financial Services**

Please wire or ACH funds to:
Department of Financial Services
c/o Wells Fargo Bank, N.A.
1 Independent Drive
Jacksonville, Florida 32202
Phone: (813) 225-4338

ESCROW WIRING and ACH INSTRUCTIONS

Wells Fargo Bank, N.A.
Account # 4834783896
ABA # 121000248
Chief Financial Officer of Florida
Re: DOT – K 11-78, Financial project #

In order for FDOT to receive credit for the funds due to the Department, the reference line must contain "FDOT" and an abbreviated purpose, financial project number or LFA account number.

Once the wire transfer is complete, please contact Charmaine Small at 850-414-4885 with the following information:

Financial Project Number, Dollar amount of transfer, Name of Participant

It is critical that the above information be provided to the LFA accountants to properly process the deposit.

SUBSTITUTE FORM W9: The Department of Financial Services now requires all entities who receive payments from the State of Florida to have a Substitute Form W-9 on file. All cash disbursements (return of cash collateral or earned income) will be subject to this requirement. The Substitute Form W-9 can be completed online through the State of Florida Vendor Portal Website (<https://flvendor.myfloridacfo.com/>).

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Financial Project ID: 210230-4-56-01	Federal Project ID: D221-005-B
Financial Project ID: 210230-4-36-10	
Financial Project ID: 210230-4-66-01	
Financial Project ID: 210230-4-52-01	
County: St. Johns	State Road No.: 312
District Document No: 1	
Utility Agency/Owner (UAO): City of St. Augustine	

THIS AGREEMENT, entered into this _____ day of _____, year of _____, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as the "FDOT", and **City of St. Augustine**, hereinafter referred to as the "UAO";

WITNESSETH:

WHEREAS, the **FDOT**, is constructing, reconstructing, or otherwise changing a portion of a public road or publicly owned rail corridor, said project being identified as SR 312 (SR-207 to S. Holmes Blvd), State Road No.: 312, hereinafter referred to as the "Project"; and

WHEREAS, the **UAO** owns or desires to install certain utility facilities which are located within the limits of the Project hereinafter referred to as the "Facilities" (said term shall be deemed to include utility facilities as the same may be relocated, adjusted, installed, or placed out of service pursuant to this Agreement); and

WHEREAS, the Project requires the location (vertically and/or horizontally), protection, relocation, installation, adjustment or removal of the Facilities, or some combination thereof, hereinafter referred to as "Utility Work"; and

WHEREAS, the **FDOT** and the **UAO** desire to enter into a joint agreement pursuant to Section 337.403(1)(b), Florida Statutes for the Utility Work to be accomplished by the **FDOT's** contractor as part of the construction of the Project; and

WHEREAS, the **UAO**, pursuant to the terms and conditions hereof, will bear certain costs associated with the Utility Work;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the **FDOT** and the **UAO** hereby agree as follows:

1. Design of Utility Work

- a. **UAO** shall prepare, at **UAO's** sole cost and expense, a final engineering design, plans, technical special provisions, a cost estimate, and a contingency Utility Work Schedule (said contingency schedule to be used in the case of a bid rejection) for the Utility Work (hereinafter referred to as the "Plans Package") on or before _____, year of _____.
- b. The Plans Package shall be in the same format as the **FDOT's** contract documents for the Project and shall be suitable for reproduction.
- c. Unless otherwise specifically directed in writing, the Plans Package shall include any and all activities and work effort required to perform the Utility Work, including but not limited to, all clearing and grubbing, survey work and shall include a traffic control plan.
- d. The Plans Package shall be prepared in compliance with the **FDOT's** Utility Accommodation Manual and the **FDOT's** Plans Preparation Manual in effect at the time the Plans Package is prepared, and the **FDOT's** contract documents for the Project. If the **FDOT's** Plans Preparation Manual has been updated and conflicts with the Utility Accommodation Manual, the Utility Accommodation Manual shall apply where such conflicts exist.

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- e. The technical special provisions which are a part of the Plans Package shall be prepared in accordance with the **FDOT's** guidelines on preparation of technical special provisions and shall not duplicate or change the general contracting provisions of the **FDOT's** Standard Specifications for Road and Bridge Construction and any Supplemental Specifications, Special Provisions, or Developmental Specifications of the **FDOT** for the Project.
- f. **UAO** shall provide a copy of the proposed Plans Package to the **FDOT**, and to such other right of way users as designated by the **FDOT**, for review at the following stages: _____. Prior to submission of the proposed Plans Package for review at these stages, the **UAO** shall send the **FDOT** a work progress schedule explaining how the **UAO** will meet the **FDOT's** production schedule. The work progress schedule shall include the review stages, as well as other milestones necessary to complete the Plans Package within the time specified in Subparagraph a. above.
- g. In the event that the **FDOT** finds any deficiencies in the Plans Package during the reviews performed pursuant to Subparagraph f. above, the **FDOT** will notify the **UAO** in writing of the deficiencies and the **UAO** will correct the deficiencies and return corrected documents within the time stated in the notice. The **FDOT's** review and approval of the documents shall not relieve the **UAO** from responsibility for subsequently discovered errors or omissions.
- h. The **FDOT** shall furnish the **UAO** such information from the **FDOT's** files as requested by the **UAO**; however, the **UAO** shall at all times be and remain solely responsible for proper preparation of the Plans Package and for verifying all information necessary to properly prepare the Plans Package, including survey information as to the location (both vertical and horizontal) of the Facilities. The providing of information by the **FDOT** shall not relieve the **UAO** of this obligation nor transfer any of that responsibility to the **FDOT**.
- i. The Facilities and the Utility Work will include all utility facilities of the **UAO** which are located within the limits of the Project, except as generally summarized as follows: _____. These exceptions shall be handled by separate arrangement.
- j. If any facilities of the **UAO** located within the project limits are discovered after work on the project commences to be qualified for relocation at the **FDOT's** expense, but not previously identified as such, the **UAO** shall file a claim with the **FDOT** for recovery of the cost of relocation thereof. The filing of the claim shall not necessarily entitle the **UAO** to payment, and resolution of the claim shall be based on a determination of fault for the error. The discovery of facilities not previously identified as being qualified for relocation at the **FDOT's** expense shall not invalidate this Agreement.
- k. The **UAO** shall fully cooperate with all other right of way users in the preparation of the Plans Package. Any conflicts that cannot be resolved through cooperation shall be resolved in the manner determined by the **FDOT**.
- l. Upon completion of the Utility Work, the Facilities shall be deemed to be located on the public road or publicly owned rail corridor under and pursuant to the Utility Permit: _____
(Note: It is the intent of this line to allow either attachment of or separate reference to the permit).

2. Performance of Utility Work

- a. The **FDOT** shall incorporate the Plans Package into its contract for construction of the Project.
- b. The **FDOT** shall procure a contract for construction of the Project in accordance with the **FDOT's** requirements.
- c. If the portion of the bid of the contractor selected by the **FDOT** which is for performance of the Utility Work exceeds the **FDOT's** official estimate for the Utility Work by more than ten percent (10%) and

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the FDOT does not elect to participate in the cost of the Utility Work pursuant to Section 337.403(1)(b), Florida Statutes, the UAO may elect to have the Utility Work removed from the FDOT's contract by notifying the FDOT in writing within _____ days from the date that the UAO is notified of the bid amount. Unless this election is made, the Utility Work shall be performed as part of the Project by the FDOT's contractor.

- d. If the UAO elects to remove the Utility Work from the FDOT's contract in accordance with Subparagraph 2. c., the UAO shall perform the Utility Work separately pursuant to the terms and conditions of the FDOT's standard relocation agreement, the terms and conditions of which are incorporated herein for that purpose by this reference, and in accordance with the contingency relocation schedule which is a part of the Plans Package. The UAO shall proceed immediately with the Utility Work so as to cause no delay to the FDOT or the FDOT's contractor in constructing the Project.
- e. The UAO shall perform all engineering inspection, testing, and monitoring of the Utility Work to insure that it is properly performed in accordance with the Plans Package, except for the following activities: _____ and will furnish the FDOT with daily diary records showing approved quantities and amounts for weekly, monthly, and final estimates in accordance with the format required by FDOT procedures.
- f. Except for the inspection, testing, monitoring, and reporting to be performed by the UAO in accordance with Subparagraph 2. e., the FDOT will perform all contract administration for its construction contract.
- g. The UAO shall fully cooperate with the FDOT and the FDOT's contractor in all matters relating to the performance of the Utility Work.
- h. The FDOT's engineer has full authority over the Project and the UAO shall be responsible for coordinating and cooperating with the FDOT's engineer. In so doing, the UAO shall make such adjustments and changes in the Plans Package as the FDOT's engineer shall determine are necessary for the prosecution of the Project.
- i. The UAO shall not make any changes to the Plans Package after the date on which the FDOT's contract documents are mailed for advertisement of the Project unless those changes fall within the categories of changes which are allowed by supplemental agreement to the FDOT's contract pursuant to Section 337.11, Florida Statutes. All changes, regardless of the nature of the change or the timing of the change, shall be subject to the prior approval of the FDOT.

3. Cost of Utility Work

- a. The UAO shall be responsible for all costs of the Utility Work and all costs associated with any adjustments or changes to the Utility Work determined by the FDOT's engineer to be necessary, including, but not limited to the cost of changing the Plans Package and the increase in the cost of performing the Utility Work, unless the adjustments or changes are necessitated by an error or omission of the FDOT. The UAO shall not be responsible for the cost of delays caused by such adjustments or changes unless they are attributable to the UAO pursuant to Subparagraph 4.a.
- b. The initial estimate of the cost of the Utility Work is \$138,624.55. At such time as the FDOT prepares its official estimate, the FDOT shall notify the UAO of the amount of the official estimate for the Utility Work. Upon being notified of the official estimate, the UAO shall have five (5) working days within which to accept the official estimate for purposes of making deposits and for determining any possible contribution on the part of the FDOT to the cost of the Utility Work, or to elect to have the Utility Work removed from the FDOT's contract and performed separately pursuant to the terms and conditions set forth in Subparagraph 2. d. hereof.
- c. At least _____ (_____) calendar days prior to the date on which the FDOT advertises the Project for bids, the UAO will pay to the FDOT an amount equal to the FDOT's official estimate; plus _____ %

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for mobilization of equipment for the Utility Work, additional maintenance of traffic costs for the Utility Work, administrative costs of field work, tabulation of quantities, Final Estimate processing and Project accounting (said amounts are to be hereinafter collectively referred to as the Allowances); plus 10% of the official estimate for a contingency fund to be used as hereinafter provided for changes to the Utility Work during the construction of the Project (the Contingency Fund).

- d. Payment of the funds pursuant to this paragraph will be made (choose one):

- ☐ directly to the **FDOT** for deposit into the State Transportation Trust Fund.
- ☒ as provided in the attached Three Party Escrow Agreement between **UAO**, **FDOT** and the State of Florida, Department of Financial Services, Division of Treasury. Deposits of less than \$100,000.00 must be pre-approved by the **FDOT** Comptroller's Office prior to execution of this agreement.

- e. If the portion of the contractor's bid selected by the **FDOT** for performance of the Utility Work exceeds the amount of the deposit made pursuant to Subparagraph c. above, then subject to and in accordance with the limitations and conditions established by Subparagraph 2. c. hereof regarding **FDOT** participation in the cost of the Utility Work and the **UAO's** election to remove the Utility Work from the Project, the **UAO** shall, within fourteen (14) calendar days from notification from the **FDOT** or prior to posting of the accepted bid, whichever is earlier, pay an additional amount to the **FDOT** to bring the total amount paid to the total obligation of the **UAO** for the cost of the Utility Work, plus Allowances and 10% Contingency Fund. The **FDOT** will notify the **UAO** as soon as it becomes apparent the accepted bid amount plus allowances and contingency is in excess of the advance deposit amount; however, failure of the **FDOT** to so notify the **UAO** shall not relieve the **UAO** from its obligation to pay for its full share of project costs on final accounting as provided herein below. In the event that the **UAO** is obligated under this Subparagraph 3.e. to pay an additional amount and the additional amount that the **UAO** is obligated to pay does not exceed the Contingency Fund already on deposit, the **UAO** shall have sixty (60) calendar days from notification from the **FDOT** to pay the additional amount, regardless of when the accepted bid is posted.
- f. If the accepted bid amount plus allowances and contingency is less than the advance deposit amount, the **FDOT** will refund the amount that the advance deposit exceeds the bid amount, plus allowances and contingency if such refund is requested by the **UAO** in writing and approved by the Comptroller of the **FDOT** or his designee.
- g. Should contract modifications occur that increase the **UAO's** share of total project costs, the **UAO** will be notified by the **FDOT** accordingly. The **UAO** agrees to provide, in advance of the additional work being performed, adequate funds to ensure that cash on deposit with the **FDOT** is sufficient to fully fund its share of the project costs. The **FDOT** shall notify the **UAO** as soon as it becomes apparent the actual costs will overrun the award amount; however, failure of the **FDOT** to so notify the **UAO** shall not relieve the **UAO** from its obligation to pay for its full share of project costs on final accounting as provided herein below.
- h. The **FDOT** may use the funds paid by the **UAO** for payment of the cost of the Utility Work. The Contingency Fund may be used for increases in the cost of the Utility Work which occur because of quantity overruns or because of adjustments or changes in the Utility Work made pursuant to Subparagraph 2. h. Prior to using any of the Contingency Fund, the **FDOT** will obtain the written concurrence of the person delegated that responsibility by written notice from the **UAO**. The delegatee shall respond immediately to all requests for written concurrence. If the delegatee refuses to provide written concurrence promptly and the **FDOT** determines that the work is necessary, the **FDOT** may proceed to perform the work and recover the cost thereof pursuant to the provisions of Section 337.403(3), Florida Statutes. In the event that the Contingency Fund is depleted, the **UAO** shall, within fourteen (14) calendar days from notification from the **FDOT**, pay to the **FDOT** an additional 10% of the total obligation of the **UAO** for the cost of the Utility Work established under Subparagraph 3. e. for future use as the Contingency Fund.

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- i. Upon final payment to the Contractor, the **FDOT** intends to have its final and complete accounting of all costs incurred in connection with the work performed hereunder within three hundred sixty (360) days. All project cost records and accounts shall be subject to audit by a representative of the **UAO** for a period of three (3) years after final close out of the Project. The **UAO** will be notified of the final cost. Both parties agree that in the event the final accounting of total project costs pursuant to the terms of this agreement is less than the total deposits to date, a refund of the excess will be made by the **FDOT** to the **UAO** in accordance with Section 215.422, Florida Statutes. In the event said final accounting of total project costs is greater than the total deposits to date, the **UAO** will pay the additional amount within forty (40) calendar days from the date of the invoice. The **UAO** agrees to pay interest at a rate as established pursuant to Section 55.03, Florida Statutes, on any invoice not paid within the time specified in the preceding sentence until the invoice is paid.

4. Claims Against UAO

- a. The **UAO** shall be responsible for all costs incurred as a result of any delay to the **FDOT** or its contractors caused by errors or omissions in the Plans Package (including inaccurate location of the Facilities) or by failure of the **UAO** to properly perform its obligations under this Agreement in a timely manner.
- b. In the event the **FDOT's** contractor provides a notice of intent to make a claim against the **FDOT** relating to the Utility Work, the **FDOT** will notify the **UAO** of the notice of intent and the **UAO** will thereafter keep and maintain daily field reports and all other records relating to the intended claim.
- c. In the event the **FDOT's** contractor makes any claim against the **FDOT** relating to the Utility Work, the **FDOT** will notify the **UAO** of the claim and the **UAO** will cooperate with the **FDOT** in analyzing and resolving the claim within a reasonable time. Any resolution of any portion of the claim directly between the **UAO** and the **FDOT's** contractor shall be in writing, shall be subject to written **FDOT** concurrence and shall specify the extent to which it resolves the claim against the **FDOT**.
- d. The **FDOT** may withhold payment of surplus funds to the **UAO** until final resolution (including any actual payment required) of all claims relating to the Utility Work. The right to withhold shall be limited to actual claim payments made by the **FDOT** to the **FDOT's** contractor.

5. Out of Service Facilities

No Facilities shall be placed out of service unless specifically identified as such in the Plans. The following terms and conditions shall apply to Facilities placed Out-of-Service:

- a. The **UAO** acknowledges its present and continuing ownership of and responsibility for out of service Facilities.
- b. The **FDOT** agrees to allow the **UAO** to leave the Facilities within the right of way subject to the continuing satisfactory performance of the conditions of this Agreement by the **UAO**. In the event of a breach of this Agreement by the **UAO**, the Facilities shall be removed upon demand from the **FDOT** in accordance with the provisions of Subparagraph e. below.
- c. The **UAO** shall take such steps to secure the Facilities and otherwise make the Facilities safe in accordance with any and all applicable local, state or federal laws and regulations and in accordance with the legal duty of the **UAO** to use due care in its dealings with others. The **UAO** shall be solely responsible for gathering all information necessary to meet these obligations.
- d. The **UAO** shall keep and preserve all records relating to the Facilities, including, but not limited to, records of the location, nature of, and steps taken to safely secure the Facilities and shall promptly respond to information requests of the **FDOT** or other permittees using or seeking use of the right of way.

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- e. The **UAO** shall remove the Facilities at the request of the **FDOT** in the event that the **FDOT** determines that removal is necessary for **FDOT** use of the right of way or in the event that the **FDOT** determines that use of the right of way is needed for other active utilities that cannot be otherwise accommodated in the right of way. Removal shall be at the sole cost and expense of the **UAO** and without any right of the **UAO** to object or make any claim of any nature whatsoever with regard thereto. Removal shall be completed within the time specified in the **FDOT's** notice to remove. In the event that the **UAO** fails to perform the removal properly within the specified time, the **FDOT** may proceed to perform the removal at the **UAO's** expense pursuant to the provisions of Sections 337.403 and 337.404, Florida Statutes.
- f. Except as otherwise provided in Subparagraph e. above, the **UAO** agrees that the Facilities shall forever remain the legal and financial responsibility of the **UAO**. The **UAO** shall reimburse the **FDOT** for any and all costs of any nature whatsoever resulting from the presence of the Facilities within the right of way. Said costs shall include, but shall not be limited to, charges or expenses which may result from the future need to remove the Facilities or from the presence of any hazardous substance or material in or discharging from the Facilities. Nothing in this paragraph shall be interpreted to require the **UAO** to indemnify the **FDOT** for the **FDOT's** own negligence; however, it is the intent that all other costs and expenses of any nature be the responsibility of the **UAO**.

6. Default

- a. In the event that the **UAO** breaches any provision of this Agreement, then in addition to any other remedies which are otherwise provided for in this Agreement, the **FDOT** may exercise one or more of the following options, provided that at no time shall the **FDOT** be entitled to receive double recovery of damages:
 - (1) Terminate this Agreement if the breach is material and has not been cured within sixty (60) days from written notice thereof from **FDOT**.
 - (2) Pursue a claim for damages suffered by the **FDOT**.
 - (3) If the Utility Work is reimbursable under this Agreement, withhold reimbursement payments until the breach is cured. The right to withhold shall be limited to actual claim payments made by **FDOT** to third parties.
 - (4) If the Utility Work is reimbursable under this Agreement, offset any damages suffered by the **FDOT** or the public against payments due under this Agreement for the same Project. The right to offset shall be limited to actual claim payments made by **FDOT** to third parties.
 - (5) Suspend the issuance of further permits to the **UAO** for the placement of Facilities on **FDOT** property if the breach is material and has not been cured within sixty (60) days from written notice thereof from **FDOT**.
 - (6) Pursue any other remedies legally available.
 - (7) Perform any work with its own forces or through contractors and seek repayment for the cost thereof under Section 337.403(3), Florida Statutes.
- b. In the event that the **FDOT** breaches any provision of this Agreement, then in addition to any other remedies which are otherwise provided for in the Agreement, the **UAO** may exercise one or more of the following options:
 - (1) Terminate this Agreement if the breach is material and has not been cured within sixty (60) days from written notice thereof from the **UAO**.

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UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT
(AT UTILITY EXPENSE)

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- (2) If the breach is a failure to pay an invoice for Utility Work which is reimbursable under this Agreement, pursue any statutory remedies that the UAO may have for failure to pay invoices.
 - (3) Pursue any other remedies legally available.
- c. Termination of this Agreement shall not relieve either party from any obligations it has pursuant to other agreements between the parties nor from any statutory obligations that either party may have with regard to the subject matter hereof.

7. Force Majeure

Neither the UAO nor the FDOT shall be liable to the other for any failure to perform under this Agreement to the extent such performance is prevented by an act of God, war, riots, natural catastrophe, or other event beyond the control of the non-performing party and which could not have been avoided or overcome by the exercise of due diligence; provided that the party claiming the excuse from performance has (a) promptly notified the other party of the occurrence and its estimate duration, (b) promptly remedied or mitigated the effect of the occurrence to the extent possible, and (c) resumed performance as soon as possible.

8. Indemnification

FOR GOVERNMENT-OWNED UTILITIES,

To the extent provided by law, the UAO shall indemnify, defend, and hold harmless the FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any acts, action, error, neglect, or omission by the UAO, its agents, employees, or contractors during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which FDOT or said parties may be subject, except that neither the UAO, its agents, employees, or contractors will be liable under this section for damages arising out of the injury or damage to persons or property directly caused by or resulting from the negligence of the FDOT or any of its officers, agents, or employees during the performance of this Agreement.

When the FDOT receives a notice of claim for damages that may have been caused by the UAO in the performance of services required under this Agreement, the FDOT will immediately forward the claim to the UAO. The UAO and the FDOT will evaluate the claim and report their findings to each other within fourteen (14) working days and will jointly discuss options in defending the claim. After reviewing the claim, the FDOT will determine whether to require the participation of the UAO in the defense of the claim or to require the UAO to defend the FDOT in such claim as described in this section. The FDOT's failure to notify the UAO of a claim shall not release the UAO from any of the requirements of this section. The FDOT and the UAO will pay their own costs for the evaluation, settlement negotiations, and trial, if any. However, if only one party participates in the defense of the claim at trial, that party is responsible for all costs.

FOR NON-GOVERNMENT-OWNED UTILITIES,

The UAO shall indemnify, defend, and hold harmless the FDOT and all of its officers, agents, and employees from any claim, loss, damage, cost, charge, or expense arising out of any acts, action, error, neglect, or omission by the UAO, its agents, employees, or contractors during the performance of the Agreement, whether direct or indirect, and whether to any person or property to which FDOT or said parties may be subject, except that neither the UAO, its agents, employees, or contractors will be liable under this section for damages arising out of the injury or damage to persons or property directly caused by or resulting from the negligence of the FDOT or any of its officers, agents, or employees during the performance of this Agreement.

The UAO's obligation to indemnify, defend, and pay for the defense or at the FDOT's option, to participate and associate with the FDOT in the defense and trial of any damage claim or suit and any related settlement negotiations, shall arise within fourteen (14) days of receipt by the UAO of the FDOT's notice of claim for

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indemnification to the **UAO**. The notice of claim for indemnification shall be served by certified mail. The **UAO's** obligation to defend and indemnify within fourteen (14) days of such notice shall not be excused because of the **UAO's** inability to evaluate liability or because the **UAO** evaluates liability and determines the **UAO** is not liable or determines the **FDOT** is solely negligent. Only a final adjudication of judgment finding the **FDOT** solely negligent shall excuse performance of this provision by the **UAO**. The **UAO** shall pay all costs and fees related to this obligation and its enforcement by the **FDOT**. The **FDOT's** delay in notifying the **UAO** of a claim shall not release **UAO** of the above duty to defend.

9. Miscellaneous

- a. Time is of essence in the performance of all obligations under this Agreement.
- b. The Facilities shall at all times remain the property of and be properly protected and maintained by the **UAO** in accordance with the current Utility Accommodation Manual in effect at the time the Plans Package is prepared and the current utility permit for the Facilities; provided, however, that the **UAO** shall not be obligated to protect or maintain any of the Facilities to the extent the **FDOT's** contractor has that obligation as part of the Utility Work pursuant to the **FDOT's** specifications.
- c. The **FDOT** may unilaterally cancel this Agreement for refusal by the **UAO** to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the **UAO** in conjunction with this Agreement.
- d. This Agreement constitutes the complete and final expression of the parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, or negotiations with respect thereto, except that the parties understand and agree that the **FDOT** has manuals and written policies and procedures which may be applicable at the time of the Project and the relocation of the Facilities.
- e. This Agreement shall be governed by the laws of the State of Florida. Any provision hereof found to be unlawful or unenforceable shall be severable and shall not affect the validity of the remaining portions hereof.
- f. All notices required pursuant to the terms hereof may be sent by first class United States Mail, facsimile transmission, hand delivery, or express mail and shall be deemed to have been received by the end of five business days from the proper sending thereof unless proof of prior actual receipt is provided. The **UAO** shall have a continuing obligation to notify each District of the **FDOT** of the appropriate persons for notices to be sent pursuant to this Agreement. Unless otherwise notified in writing, notices shall be sent to the following addresses:

If to the **UAO**:

Reuben C. Franklin.

P. O. Box 210

St. Augustine, FL 32085-0210

If to the **FDOT**:

John P. McCarthy

FDOT/D2 Utilities Administrator

1109 South Marion Avenue, Lake City, FL 32024

10. Certification

This document is a printout of an **FDOT** form maintained in an electronic format and all revisions thereto by the **UAO** in the form of additions, deletions, or substitutions are reflected only in an Appendix entitled Changes To Form Document and no change is made in the text of the document itself. Hand notations on affected portions of this document may refer to changes reflected in the above-named Appendix but are for reference purposes only and do not change the terms of the document. By signing this document, the **UAO**

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(AT UTILITY EXPENSE)

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hereby represents that no change has been made to the text of this document except through the terms of the appendix entitled Changes to Form Document.

You MUST signify by selecting or checking which of the following applies:

- ☐ No changes have been made to this Form Document and no Appendix entitled "Changes to Form Document" is attached.
- ☒ No changes have been made to this Form Document, but changes are included on the attached Appendix entitled "Changes to Form Document."

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the day and year first written.

UTILITY: City of St. Augustine

BY: (Signature) _____

DATE: _____

(Typed Name: John Regan)

(Typed Title: City Manager)

Recommend Approval by the District Utility Office

BY: (Signature) _____

DATE: _____

FDOT Legal review

BY: (Signature) _____

DATE: _____

District Counsel

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: (Signature) _____

DATE: _____

(Typed Name: Robert L. Parks)

(Typed Title: Director of Transportation Development)

FEDERAL HIGHWAY ADMINISTRATION (if applicable)

BY: _____

DATE: _____

(Typed Name: _____)

(Typed Title: _____)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
REQUIRED CONTRACT PROVISIONS FOR FEDERAL AID CONTRACTS
(Appendix A of Assurances)

710-010-08
UTILITIES
OGC-04/17

Financial Project ID: 210230-4-56-01	Federal Project ID: D221-005-B
County: St. Johns	State Road No.: 312
District Document No: 1	
Utility Agency/Owner (UAO): City of St. Augustine	

During the performance of this Agreement, the **Utility Agency Owner (UAO)**, for itself, its assignees and successors in interest (**hereinafter referred to as the UAO**), agrees as follows:

(1) **Compliance with Regulations:** The **UAO** will comply with the Regulations of the **FLORIDA DEPARTMENT OF TRANSPORTATION** (**hereinafter referred to as the DEPARTMENT**) relative to nondiscrimination in Federally-assisted programs of the **DEPARTMENT** (Title 49, Code of Federal Regulations, Part 21, **hereinafter referred to as the "Regulations"**), which are herein incorporated by reference and made a part of this contract.

(2) **Nondiscrimination:** The **UAO**, with regard to the work performed by it after award and prior to completion of the **UAO** work, will not discriminate on the ground of race, color or national origin in the selection and retention of subcontractors, including procurement of materials or leases of equipment. The **UAO** will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix A & B of the Regulations.

(3) **Solicitations:** In all solicitations either by competitive bidding or negotiation made by the **UAO** for work to be performed under a subcontract, including procurement of materials and leases of equipment, each potential subcontractor or supplier shall be notified by the **UAO** of the **UAO's** obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color or national origin.

(4) **"Buy America" Requirements:** The **UAO** will use domestic steel and/or iron products incorporated into the finished work in compliance with the Buy America provisions of 23 CFR 635.410 as amended. As used in this provision, "steel and/or iron products" means manufactured products that are predominately steel and/or iron products and that are not otherwise exempt from Buy America requirements pursuant to rules and regulations of the Federal Highway Administration. As used in this provision, "domestic" means products that are manufactured in the United States which have not undergone any manufacturing process outside of the United States that modified the chemical content, physical shape or size, or final finish of a product, beginning with the initial melting and continuing through final shaping and coating. If a steel and/or iron product is taken outside the United States for any manufacturing process, it becomes foreign source steel and/or iron products. The **UAO** may incorporate into the finished work foreign source steel and/or iron products as long as the actual cost of such foreign products does not exceed 0.1% of the total amount of this Agreement, or \$2,500.00 whichever is greater. The **UAO** will retain documentation verifying compliance with the Buy America provision of this Agreement for a period of 3 years after final payment of the finished work. Upon request, the **UAO** will provide the documentation verifying compliance with the Buy America provision of this Agreement. The **UAO** will provide a certification with the invoice that states the following: "The **UAO** certifies that all manufactured products that are predominately steel and/or iron are domestic products in compliance with the Buy America provisions of 23 CFR 635.410 as amended except for the foreign source steel and/or iron allowance of 0.1% of the total amount of the agreement between the Florida Department of Transportation and the **UAO**, or \$2,500.00 whichever is greater."

(5) **Information and Reports:** The **UAO** will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the **DEPARTMENT** or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of the **UAO** is in the exclusive possession of another who fails or refuses to furnish this information, the **UAO** shall so certify to the **DEPARTMENT** or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

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REQUIRED CONTRACT PROVISIONS FOR FEDERAL AID CONTRACTS
(Appendix A of Assurances)

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(6) **Sanctions for Noncompliance:** In the event of the **UAO's** noncompliance with the nondiscrimination provisions of paragraphs (1) through (4), the **DEPARTMENT** shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the Agreement until the **UAO** complies; and/or
- (b) cancellation, termination or suspension of the Agreement, in whole or in part.

(7) **Incorporation of Provisions:** The **UAO** will include the provisions of paragraph (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, order or instructions issued pursuant thereto. The **UAO** will take such action with respect to any subcontract, procurement or lease as the **DEPARTMENT** or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event the **UAO** becomes involved in, or is threatened with, litigation with a subcontractor, supplier or lessor as a result of such direction, the **UAO** may request the State to enter into such litigation to protect the interests of the State, and, in addition, the **UAO** may request the United States to enter into such litigation to protect the interests of the United States.

**UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT
(AT UTILITY EXPENSE)**

APPENDIX: "CHANGES TO FORM DOCUMENT"

The following changes are hereby made to the Utility Work By Highway Contractor Agreement (At Utility Expense) between the **Florida Department of Transportation** (the "FDOT") and City of St. Augustine the ("UAO") dated the 10th day of August, 2021, for the project identified as **FPID # 210230-4-56-01**:

Item 1.a. is hereby DELETED and replaced with the following:

FDOT's Design Consultant shall prepare a final engineering design, plans, technical special provisions, and a cost estimate for the Utility Work (hereinafter referred to as the Plans Package). UAO shall have the right to review and approve the final engineering design, plans, and technical provisions of the utility work (referred to as Plans Package).

Item 1.f. is hereby DELETED.

Item 1.g. is hereby DELETED.

Item 1.h. is hereby DELETED and replaced with the following:

The UAO shall furnish the **FDOT's Design Consultant** such information from the UAOs files as requested by the **FDOT's Design Consultant** including, but not limited to, the type, size and location of the UAOs facilities.

Item 1.j. is hereby DELETED.

Item 1.k. is hereby DELETED and replaced with the following:

The UAO shall fully cooperate with all other right of way users. Any conflicts that cannot be resolved through cooperation shall be resolved in the manner determined by the FDOT.

Item 2.e. is hereby DELETED and replaced with the following:

The FDOT shall perform all engineering inspection, testing, and monitoring of the Utility Work to insure that it is properly performed in accordance with the Plans Package except for the following activities: _____;
and will complete the FDOT daily diary records showing approved quantities and amounts for, weekly, monthly, and final estimates in accordance with the format required by the FDOT.

Item 2.f. is hereby DELETED and replaced with the following:

FDOT will perform all contract administration for its construction contract.

Item 4.a. is hereby DELETED and replaced with the following:

The UAO shall be responsible for all costs incurred as a result of any delay to the FDOT or its contractors caused by failure of the UAO to properly perform its obligations under this agreement in a timely manner.

Page 9.a shall be added to include the following language:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



Isabelle Lopez, City Attorney

ENGINEER'S ESTIMATE
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 2

PROJECT DESCRIPTION:	FINANCIAL PROJECT ID # :	210230-4-56-01
	STATE ROAD NO. 313 FROM SR 207 TO HOLMES BLVD.	
	PAY ITEM SPEC YEAR:	July 2021
	SUBMITTAL TYPE:	Preliminary Design Estimate
	COUNTY:	St. Johns
	DATE:	October 26, 2021
	ENGINEERING CONSULTANT FIRM:	DRMP, Inc.
	CONTACT NAME:	Kimberly Sadowski
	PHONE NUMBER:	(407) 896-0594
	FILE VERSION:	Plans Set 10-25-21
	PAGE NUMBER:	1 of 2

COMPONENT GROUPS

100 - STRUCTURES	NOT USED	
200 - ROADWAY	NOT USED	
300 - SIGNING & PAVEMENT MARKINGS	NOT USED	
400 - LIGHTING	NOT USED	
500 - SIGNALIZATION	NOT USED	
550 - ITS	NOT USED	
600 - LANDSCAPE / PERIPHERALS	NOT USED	
700 - UTILITIES		\$110,899.64
800 - ARCHITECTURAL	NOT USED	
900 - MASS TRANSIT	NOT USED	
1000 - INVALID & OTHER ITEMS	NOT USED	
COMPONENT SUB-TOTAL		\$110,899.64
(102-1) MOT (Maintenance of Traffic)	5%	\$5,544.98
SUB-TOTAL		\$116,444.62
(101-1) MOB (Mobilization)	5%	\$5,544.98
SUB-TOTAL		\$121,989.60
CEI	5%	\$5,544.98
SUB-TOTAL		\$127,534.59
PU (Project Unknowns)	10%	\$11,089.96
SUB-TOTAL		\$138,624.55
(999-25) Initial Contingency (Do Not Bid)		
PROJECT GRAND TOTAL		\$138,624.55

ENGINEER'S ESTIMATE
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT 2

FINANCIAL PROJECT ID:	210230-4-56-01
FILE VERSION:	Plans Set 10-25-21
PAGE NUMBER:	2 of 2

700 - UTILITIES

PAY ITEM #	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
1050 18002	Utility Pipe, Filling And Plugging - Place Out Of Service, Force Main, 2"	LF	112	\$13.00	\$1,456.00
1050 31202	Utility Pipe, F&I, PVC, Force Main, 2", PVC (Open Trench)	LF	118	\$26.28	\$3,101.04
	Utility Fittings for PVC Pipe, F&I, Bends, 11.25°, Force Main, 2"	EA	1	\$1,000.00	\$1,000.00
	Utility Fittings for PVC Pipe, F&I, Bends, 25.50°, Force Main, 2"	EA	1	\$1,500.00	\$1,500.00
	Utility Fittings for PVC Pipe, F&I, Bends, 45°, Force Main, 2"	EA	3	\$2,000.00	\$6,000.00
	Utility Pipe Adjust/Modify, Water, 6"	LF	78	\$60.89	\$4,749.42
1050 16003	Utility Pipe, Remove & Dispose, Water, 6"	LF	83	\$13.40	\$1,112.20
1080 27106	Utility Fixtures, F&I, 6", Line Stop Assembly	EA	2	\$8,324.15	\$16,648.30
	Utility Fitting, F&I, PVC, Reducer, 6"X4"	EA	2	\$763.66	\$1,527.32
1080 23106	Utility Fixture- Tapping Saddle/Sleeve, Furnish & Install, 6"	EA	2	\$2,868.12	\$5,736.24
	Utility Fittings for PVC Pipe, F&I, Bends, 45°, Water (Temporary), 6"	EA	4	\$1,800.00	\$7,200.00
1050 31204	Utility Pipe, F&I, PVC, Water, 6" (Temporary Surface Line)	LF	456	\$68.28	\$31,135.68
1050 31206	Utility Pipe, F&I, PVC, Water, 6" (Open Trench)	LF	103	\$78.74	\$8,110.22
	Utility Fittings for PVC Pipe, F&I, Bends, 45°, Water, 6"	EA	12	\$1,500.00	\$18,000.00
	Utility Fixture, F&I 6" Valve Assembly	EA	2	\$1,811.61	\$3,623.22
700 - UTILITIES			COMPONENT TOTAL		\$110,899.64

Exhibit “A”

Scope of Work

FPID# 210230-4-56-01: The cost within this Agreement reflects the construction costs to relocate existing City of St. Augustine utility facilities to accommodate FDOT’s construction along State Road 312.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: November 23, 2021

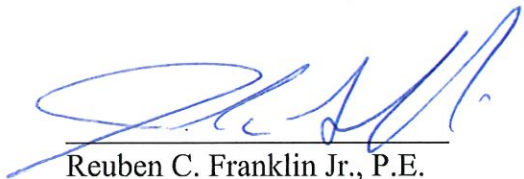
RE: Agenda Item for December 13, 2021 City Commission Meeting
Fish Island Preserve Logo Selection

Public Works requests a presentation be placed on the staff agenda for the December 13, 2021 meeting for Commission approval of a logo for Fish Island Preserve.

A committee of five city staff members was convened to review multiple logos developed under contract by Hybrid Designs. After two public meetings, the committee recommended the attached logo be brought to the city commission for its approval.

The selection committee members were Reuben Franklin, Melissa Wissel, Cindy Walker, Merin Dunn and J.B. Miller.

Please let me know if you have any questions or concerns regarding this agenda item.



Reuben C. Franklin Jr., P.E.
Public Works Director

cc: City Attorney & Department Heads

Attachment: Fish Island Preserve logo

Recommended Fish Island Preserve Logo



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, P.E.
City Manager

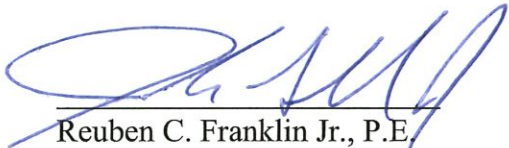
DATE: November 18, 2021

RE: Consent Agenda Item for December 13, 2021 City Commission Meeting;
LED Lighting Change Out Contract between COSA and FPL

The Public Works Department requests City Commission consideration of the proposed agreement between COSA and FPL authorizing the execution of the switch to LED Lighting for street lights throughout the City.

Attached you'll find the agreement, an example of the LED lighting, the FPL lighting catalog and plan, and a lighting location map. This agreement will be presented to the HARB on December 16, 2021 for information and input.

Please let me know if you have any questions or concerns regarding this agenda item.



Reuben C. Franklin Jr., P.E.
Public Works Director

cc: City Attorney & Department Heads

Attachments: FPL LED Lighting Agreement
FPL Street Light Locations
FPL Street Light LED Examples
FPL LED Catalogue
FPL LED Lighting Plan



FPL Account Number: _____

FPL Work Request Number: _____

LED LIGHTING AGREEMENT

In accordance with the following terms and conditions, _____ (hereinafter called the Customer), requests on this _____ day of **May, 2017**, from FLORIDA POWER & LIGHT COMPANY (hereinafter called FPL), a corporation organized and existing under the laws of the State of Florida, the following installation or modification of lighting facilities at (general boundaries) _____, located in _____, Florida.

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

<u>Poles</u>				
Pole Type	Existing Pole Count (A)	# Installed (B)	# Removed (C)	New Pole Count (A+B-C)
Wood				
Standard Concrete				
Standard Fiberglass				
Decorative Concrete				
Decorative Fiberglass				

<u>Underground Conductor</u>				
Type	Existing Footage (A)	Feet Installed (B)	Feet Removed (C)	New Footage (A+B-C)
Under Pavement		N/A ⁽¹⁾		
Not Under Pavement				

- (1) All new conductor installed is in conduit and billed as Not Under Pavement

		<u>Fixtures</u> ⁽²⁾	
--	--	---------------------------------------	--

[illegible]

(2) Catalog of available fixtures and the assigned billing tier for each can be viewed at www.fpl.com/partner/builders/lighting.html

(b) Modification to existing facilities other than described above (explain fully): _____

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

FPL AGREES:

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

THE CUSTOMER AGREES:

2. To pay a contribution in the amount of \$_____ prior to FPL's initiating the requested installation or modification.
3. To purchase from FPL all of the electric energy used for the operation of the Lighting System.
4. To be responsible for paying, when due, all bills rendered by FPL pursuant to FPL's currently effective lighting rate schedule on file at the FPSC or any successive lighting rate schedule approved by the FPSC, for facilities and service provided in accordance with this agreement.
5. To provide access, final grading and, when requested, good and sufficient easements, suitable construction drawings showing the location of existing and proposed structures, identification of all non-FPL underground facilities within or near pole or trench locations, and appropriate plats necessary for planning the design and completing the construction of FPL facilities associated with the Lighting System.
6. To perform any clearing, compacting, removal of stumps or other obstructions that conflict with construction, and drainage of rights-of-way or easements required by FPL to accommodate the lighting facilities.

IT IS MUTUALLY AGREED THAT:

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

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

8. Lighting facilities will only be installed in locations that meet all applicable clear zone right-of-way setback requirements.
9. FPL will, at the request of the Customer, relocate the lighting facilities covered by this agreement, if provided sufficient right-of-ways or easements to do so and locations requested are consistent with clear zone right-of-way setback requirements. The Customer shall be responsible for the payment of all costs associated with any such Customer- requested relocation of FPL lighting facilities. Payment shall be made by the Customer in advance of any relocation.
10. FPL may, at any time, substitute for any luminaire installed hereunder another luminaire which shall be of at least equal illuminating capacity and efficiency.
11. This Agreement shall be for a term of ten (10) years from the date of initiation of service, and, except as provided below, shall extend thereafter for further successive periods of five (5) years from the expiration of the initial ten (10) year term or from the expiration of any extension thereof. The date of initiation of service shall be defined as the date the first lights are energized and billing begins, not the date of this Agreement. This Agreement shall be extended automatically beyond the initial the (10) year term or any extension thereof, unless either party shall have given written notice to the other of its desire to terminate this Agreement. The written notice shall be by

certified mail and shall be given not less than ninety (90) days before the expiration of the initial ten (10) year term, or any extension thereof.

12. In the event lighting facilities covered by this agreement are removed, either at the request of the Customer or through termination or breach of this Agreement, the Customer shall be responsible for paying to FPL an amount equal to the fixture, pole, and conductor charges for the period remaining on the currently active term of service plus the cost to remove the facilities.
13. Should the Customer fail to pay any bills due and rendered pursuant to this agreement or otherwise fail to perform the obligations contained in this Agreement, said obligations being material and going to the essence of this Agreement, FPL may cease to supply electric energy or service until the Customer has paid the bills due and rendered or has fully cured such other breach of this Agreement. Any failure of FPL to exercise its rights hereunder shall not be a waiver of its rights. It is understood, however, that such discontinuance of the supplying of electric energy or service shall not constitute a breach of this Agreement by FPL, nor shall it relieve the Customer of the obligation to perform any of the terms and conditions of this Agreement.
14. The obligation to furnish or purchase service shall be excused at any time that either party is prevented from complying with this Agreement by strikes, lockouts, fires, riots, acts of God, the public enemy, or by cause or causes not under the control of the party thus prevented from compliance, and FPL shall not have the obligation to furnish service if it is prevented from complying with this Agreement by reason of any partial, temporary or entire shut-down of service which, in the sole opinion of FPL, is reasonably necessary for the purpose of repairing or making more efficient all or any part of its generating or other electrical equipment.
15. **This Agreement supersedes all previous Agreements** or representations, either written, oral, or otherwise between the Customer and FPL, with respect to the facilities referenced herein and constitutes the entire Agreement between the parties. This Agreement does not create any rights or provide any remedies to third parties or create any additional duty, obligation or undertakings by FPL to third parties.
16. In the event of the sale of the real property upon which the facilities are installed, upon the written consent of FPL, this Agreement may be assigned by the Customer to the Purchaser. No assignment shall relieve the Customer from its obligations hereunder until such obligations have been assumed by the assignee and agreed to by FPL.
17. This Agreement shall inure to the benefit of, and be binding upon the successors and assigns of the Customer and FPL.
18. The lighting facilities shall remain the property of FPL in perpetuity.
19. This Agreement is subject to FPL's Electric Tariff, including, but not limited to, the General Rules and Regulations for Electric Service and the Rules of the FPSC, as they are now written, or as they may be hereafter revised, amended or supplemented. In the event of any conflict between the terms of this Agreement and the provisions of the FPL Electric Tariff or the FPSC Rules, the provisions of the Electric Tariff and FPSC Rules shall control, as they are now written, or as they may be hereafter revised, amended or supplemented.

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

Charges and Terms Accepted:

Customer (Print or type name of Organization)

By: _____
Signature (Authorized Representative)

(Print or type name)

Title: _____

FLORIDA POWER & LIGHT COMPANY

By: _____
(Signature)

(Print or type name)

Title: _____

City of St. Augustine FPL Street Light Locations Historic Preservation Zones

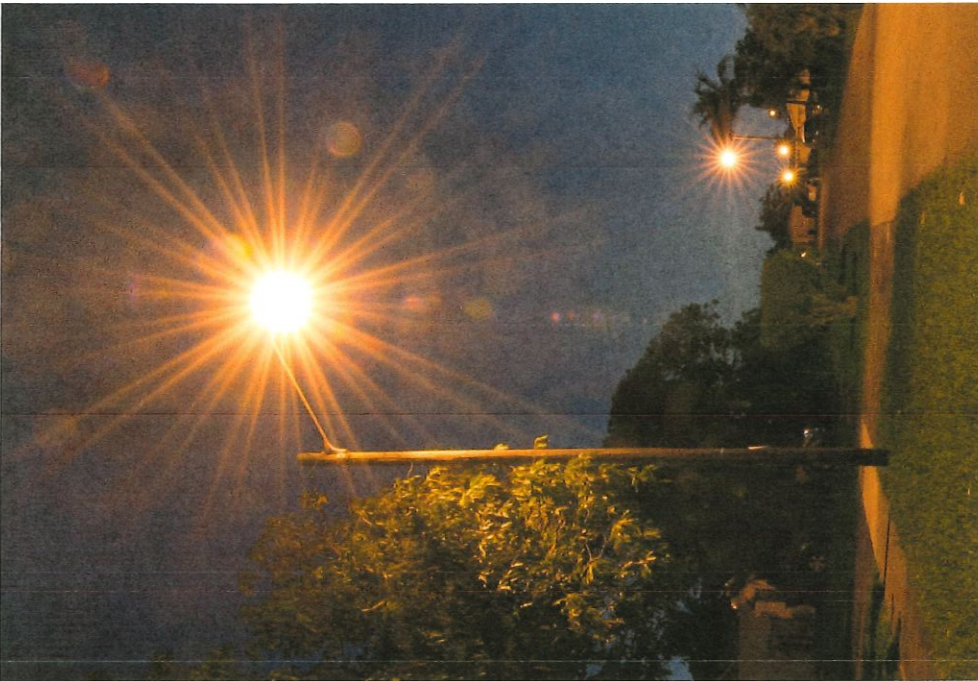
* FPL Street Lights

Zoning District

- HP-1
- HP-2
- HP-3
- HP-4
- HP-5



0 500 1,000



Existing 2200 Kelvin HPS



3000 Kelvin



4000 Kelvin



LED Lighting Solutions



Roadway Lighting | Area Lighting | Pendant Lighting | Post Top Lighting | Brackets and Poles

Safer. Smarter. More Vibrant Spaces.



Roadway Lighting

Feel Safe, Drive Safe



Shield facing coastal line

**Cree – RSW Large and Extra-large
Turtle-friendly Amber**



Cree – RSW



Cree – XSPM



AEL – ATBS



AEL – ATBM and ATBL



Available in black,
bronze, or gray

AEL – ATB2



Cooper – Verdeon M



Cooper – Verdeon M

ROADWAY LIGHTING

Manufacturer	Style	Fixture	Pole Options	Bracket Options	Light Pattern	Line Watts/ NEMA Label	Color Temp	Lumens	Glare Rating (BUG)	.ies File	Billing Tier
Cree	RSW Large and Extra-large Turtle-friendly Amber	 (Gray) shield facing coastal line	6, 7	1	3	92/90	594nM (Amber)	3,715	B3-U0-G3	PL 14092-001A RSWL - TRL AID FnRpt.ies	F5
			6, 7	1	3	144/140	594nM (Amber)	5,300	B1-U0-G2	PL15098-001A RSWX-A-HT-3ME-32L-TRL-UL-GY-N AID FnRpt.ies	I5
	RSW	 (Gray)	6, 7	1	3	28/30	3000K	3,300	B1-U0-G1	RSWS-3ME-3L-30K7.ies	B2
			6, 7	1	3	26/30	4000K	3,300	B1-U0-G1	RSWS-3ME-3L-40K7 CONFIGURED.ies	B2
			6, 7	1	3	45/50	3000K	5,000	B1-U0-G1	RSWS-3ME-5L-30K7 CONFIGURED.ies	C2
			6, 7	1	3	41/40	4000K	5,000	B1-U0-G1	RSWS-3ME-5L-40K7 CONFIGURED.ies	C2
	XSPM	 (Gray)	6, 7	1	3	95/100	4000K	12,000	B2-U0-G2	XSPMD-D-HT-3ME-12L-40K7-UL-SV-N-DAL_PL14275-001A.ies	G3
AEL	ATBS	 (Gray)	6, 7	1	2	40/40	4000K	4,770	B1-U0-G1	ATBS_E_XXXXX_R2.ies	C2
			6, 7	1	2	47/50	4000K	5,392	B1-U0-G1	ATBS_F_XXXXX_R2.ies	C2
			6, 7	1	2	76/80	3000K	8,212	B2-U0-G2	ATBS_I_XXXXX_R2_3K_DALI.ies	E2
			6, 7	1	2	76/80	4000K	8,653	B2-U0-G2	ATBS_I_XXXXX_R2.ies	E2
	ATBM	 (Gray)	6, 7	1	3	118/120	4000K	15,453	B2-U0-G3	ATBM_P30_XXXXX_R3_4K_5K.ies	G2
	ATBL	 (Gray)	6, 7	1	3	259/260	4000K	28,091	B3-U0-G5	ATBL_F_XXXXX_R3.ies	O4
	ATB2	 (Gray)	6, 7, 9	1	4	133/130	3000K	15,627	B2-U0-G3	ATB2_40BLEDE10_XXXXX_R4_3K_DALI.ies	H3
			6, 7, 9	1	4	133/130	4000K	16,593	B2-U0-G3	ATB2_40BLEDE10_XXXXX_R4_4K_5K.ies	H3
			6, 7, 9	1	4	268/270	3000K	30,644	B3-U0-G5	ATB2_80BLEDE10_XXXXX_R4_3K_DALI.ies	O5
			6, 7, 9	1	4	268/270	4000K	32,329	B3-U0-G5	ATB2_80BLEDE10_XXXXX_R4.ies	O5
		 (Bronze)	6, 7	Hybrid only	4	133/130	4000K	16,593	B2-U0-G3	ATB2_40BLEDE10_XXXXX_R4_4K_5K.ies	H3
			6, 7	Hybrid only	4	268/270	4000K	32,329	B3-U0-G5	AATB2_80BLEDE10_XXXXX_R4.ies	O5
		 (Black)	4,6,7,8*,9	2	4	133/130	4000K	16,593	B2-U0-G3	ATB2_40BLEDE10_XXXXX_R4_4K_5K.ies	H3
			4,6,7,8*,9	2	4	268/270	4000K	32,329	B3-U0-G5	ATB2_80BLEDE10_XXXXX_R4.ies	O5
Cooper	Verdeon M	 (Gray)	6, 7	1	3	182/180	4000K	22,236	B3-U0-G3	VERD-M-A03-E-U-T3-AP.ies	K4
	Verdeon M	 (Gray)	6, 7	1	3	247/250	4000K	29,537	B3-U0-G4	VERD-M-A04-E-U-T3-AP.ies	N4

* Pole option 8 black – 33' (24' MH) available only

Note: All roadway fixtures are grey unless otherwise noted



FPL®

LED Lighting Solutions

Area Lighting

Inspiring Illumination



Acuity – AEL



Available in black,
or gray or bronze

Cooper – Galleon



Cooper – UFLD

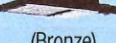
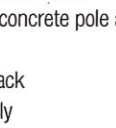


Cooper – UFLD



Cooper – UFLD

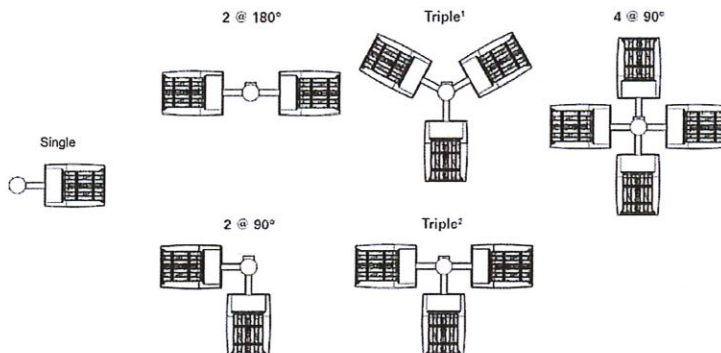
AREA LIGHTING

Manufacturer	Style	Fixture	Pole Options	Bracket Options	Light Pattern	Line Watts/ NEMA Label	Color Temp	Lumens	Glare Rating (BUG)	.ies File	Billing Tier
Acuity/AEL	ATB2		1, 9	1, 5	5	295/300	4000K	36,750	B5-U0-G4	ATB2-P605-R5-4K.ies	R3
Cooper	Galleon	 (Black)	1,4,8*,9	Double at 90°, triple at 90° and quad spoke bracket available**	4	113/110	4000K	14,658	B2-U0-G3	GAP-SA2C-740-U-T4W.ies	G3
		 (Gray)	1,4,8*,9		4	225/230	4000K	28,333	B3-U0-G4	GAN-SA4C-740-U-T4W.ies	M4
		 (Bronze)	1,4*,8*,9		4	445/450	4000K	56,291	B4-U0-G5	GAN-SA8C-740-U-T4W.ies	Y6
		 (Bronze)	1,4*,8*,9		4	558/560	4000K	69,521	B4-U0-G5	GAN-SA0C-740-U-T4W.ies	EE7
Cooper	UFLD		6, 7	24" stand-off (2DS)	6x6	51/50	4000K	5,976	B2-U0-G1	UFLD-S-C15-X-U-66.ies	D3
			6, 7	24" stand-off (2DS)	6x6	85/90	4000K	10,530	B3-U0-G1	UFLD-C25-X-U-66.ies	F3
			6, 7	24" stand-off (2DS)	6x6	184/180	4000K	23,797	B4-U0-G2	UFLD-C70-X-U-66.ies	K4
			6, 7	24" stand-off (2DS)	6x6	371/370	4000K	48,028	B5-U0-G3	UFLD-L-C175-X-U-66.ies	U5

* Galleon pole options 1, 4
20' (13' MH) Standard concrete pole
35' (27'6" MH) Standard concrete pole applicable to all.

* Galleon pole option 8 black
33' (24' MH) available only

* Galleon configurations



Note: Glare (BUG) Ratings for UFLD are measured at 0° tilt.



FPL®

LED Lighting Solutions

Pendant Lighting

Functional Can Be Beautiful



Holophane – Bern



Holophane – Teardrop with deep skirt



Holophane – Teardrop (Memphis)

Turtle-friendly amber



Holophane – Bern

PENDANT LIGHTING

Manufacturer	Style	Fixture	Pole Options	Bracket Options	Light Pattern	Line Watts/ NEMA Label	Color Temp	Lumens	Glare Rating (BUG)	.ies File	Billing Tier
Holophane	Bern		3, 4, 8	3	3	58/60	4000K	6,808	B1-U0-G2	ISF 31451P5 GBLF2 P20 40K XX X X L3.ies	D11
		 (Turtle-friendly amber)	3, 4, 8	3	3	56/60	Amber	1,934	B1-U0-G0	Upon Request	D11
	Teardrop w/deep skirt	 (Black)	3, 4, 8	3	3	144/140	4000K	11,384	B3-U0-G3	ISF 36774P15 ES2 P35S 40K XX SG 3 DS.ies	I11
	Teardrop (Memphis)	 (Black)	3, 4, 8	3	3	144/140	4000K	15,375	B2-U3-G4	ISF 33920P15 ES2 P35S 40K XX TG 3.ies	I10



LED Lighting Solutions

Post Top Lighting

Making a Great First Impression



AEL – Contemporary
(Contempo)



Cooper – Arbor



Cooper – Mesa



GE – EPTC



GE – Traditional Carriage (Town & Country) – No Side Panels



GE – Traditional Carriage (Town & Country) – W/Side Panels



Black/Black

Holophane – Granville



Clear/Black

Holophane – Granville



Green/Green

Holophane – Granville



FPL

LED Lighting Solutions

Post Top Lighting

Making a Great First Impression



King – Victorian



King – Victorian (No Lens)



King – Vizcaya

POST TOP LIGHTING (Page 1 of 2)

Manufacturer	Style	Fixture	Pole Options	Bracket Options	Light Pattern	Line Watts/ NEMA Label	Color Temp	Lumens	Glare Rating (BUG)	.ies File	Billing Tier
AEL	Contemporary (Contempo)	 (Grey)	1 (20'), 2, 8	NA	3	38/40	3000K	3,358	B1-U3-G2	245L_P30_XX_30K_R3_RNA_FPD95.ies	C2
			1 (20'), 2, 8	NA	3	72/70	3000K	6,385	B2-U3-G2	245L_P55_XX_30K_R3_RNA_FPD95_Special.ies	E2
			1 (20'), 2, 8	NA	3	38/40	4000K	3,615	B1-U3-G2	245L_P30_XX_40K_R3_RNA_FPD95.ies	C2
			1 (20'), 2, 8	NA	3	72/70	4000K	6,874	B2-U3-G2	245L_P55_XX_40K_R3_RNA_FPD95_Special.ies	E2
Cooper	Arbor		1 (20'), 2**, 5, 8	NA or 6	3	48	3000K	4,197	B1-U0-G2	ARB-B2-LED-D1-T3-7030	C7
			1 (20'), 2**, 5, 8	NA or 6	3	48	4000K	4,534	B1-U0-G2	ARB-B2-LED-D1-T3-7040	C7
			1 (20'), 2**, 5, 8	NA or 6	3	96	3000K	7,823	B2-U0-G3	ARB-B3-LED-D1-T3-7030	F7
			1 (20'), 2**, 5, 8	NA or 6	3	96	4000K	8,451	B2-U0-G3	ARB-B3-LED-D1-T3-7040	F7
	Mesa	 (Black)	1 (20'), 2**, 5, 8, 9	NA or 6	3	75/80	4000K	7,456	B2-U0-G2	PMM-E03-LED-E-U-T3.ies	E5
			1 (20'), 2**, 5, 8, 9	NA or 6	3	150/150	4000K	14,911	B3-U0-G3	PMM-E06-LED-E-U-T3.ies	I6
			1 (20'), 2**, 5, 8, 9	NA or 6	5	258	4000K	28,336	B5 U0 G4	MSA-SA4D-740-U-5WQ.ies	P5
GE	EPTC	 (Black)	1 (20'), 2, 8	NA or 6	3	65/70	4000K	7,300	B3-U0-G1	eptc02_07A40_____.ies	D4
	Traditional Carriage (Town & Country) - No Side Panels	 (Black)	1 (20'), 2, 8	NA or 6	3	39/40	3000K	4,090	B1-U0-G2	EPTT01_F4BN30_____-120-277V.IES	C2
			1 (20'), 2, 8	NA or 6	3	39/40	4000K	4,110	B2-U0-G2	EPTT01_F4BN40_____-120-277V.IES	C2
			1 (20'), 2, 8	NA or 6	3	73/70	3000K	7,425	B1-U0-G2	EPTT01_F7DN30_____-120-277V.IES	E2
			1 (20'), 2, 8	NA or 6	3	73/70	4000K	7,660	B2-U0-G2	EPTT01_F7DN40_____-120-277V.IES	E2
	Traditional Carriage (Town & Country) - W/Side Panels	 (Black)	1 (20'), 2, 8	NA or 6	3	39/40	3000K	3,500	B1-U3-G3	EPTT01_F4BA30_____-120-277V.IES	C2
			1 (20'), 2, 8	NA or 6	3	39/40	4000K	3,600	B1-U3-G3	EPTT01_F4BA40_____-120-277V.IES	C2
			1 (20'), 2, 8	NA or 6	3	73/70	3000K	6,450	B1-U4-G3	EPTT01_F7DA30_____-120-277V.IES	E2
			1 (20'), 2, 8	NA or 6	3	73/70	4000K	6,750	B1-U4-G3	EPTT01_F7DA40_____-120-277V.IES	E2

*Also available in double bracket configuration

**New construction only

Post Top B – 8/24/21

10

POST TOP LIGHTING (Page 2 of 2)

Manufacturer	Style	Fixture	Pole Options	Bracket Options	Light Pattern	Line Watts/ NEMA Label	Color Temp	Lumens	Glare Rating (BUG)	.ies File	Billing Tier
Holophane	Granville		1, 5, 8*	NA or 4, 6	3	37/40	3000K	4,704	B2-U3-G4	ISF 193553P6 GVD3 P20 30K XXXX GL3LU.ies	C5
			1, 5, 8*	NA or 4, 6	3	37/40	5000K	5,075	B2-U3-G4	ISF 193553P8 GVD3 P20 50K XXXX GL3LU.ies	C5
			1, 5, 8*	NA or 4, 6	3	51/50	3000K	7,216	B2-U4-G5	ISF 193553P10 GVD3 P30 30K XXXX GL3LU.ies	D5
			1, 5, 8*	NA or 4, 6	3	51/50	5000K	7,484	B2-U4-G5	ISF 193553P12 GVD3 P30 50K XXXX GL3LU.ies	D5
	Granville		1, 5, 8*	NA or 4, 6	3	51/50	5000K	8,210	B2-U5-G4	ISF 193532P12 GVD3 P30 50K XXXX GL3.ies	D5
	Granville		1, 5	NA or 4	3	37/40	3000K	4,704	B2-U3-G4	ISF 193553P6 GVD3 P20 30K XXXX GL3LU.ies	C5
			1, 5	NA or 4	3	37/40	5000K	5,075	B2-U3-G4	ISF 193553P8 GVD3 P20 50K XXXX GL3LU.ies	C5
			1, 5	NA or 4	3	51/50	3000K	7,216	B2-U4-G5	ISF 193553P10 GVD3 P30 30K XXXX GL3LU.ies	D5
			1, 5	NA or 4	3	51/50	5000K	7,484	B2-U4-G5	ISF 193553P12 GVD3 P30 50K XXXX GL3LU.ies	D5
King	K56		1, 2, 5, 8	NA	3	60	3000K	4,338	B1-U3-G1	0056TP4AR3X06030XXE.ies	E5
			1, 2, 5, 8	NA	3	100	3000K	6,311	B2-U3-G2	0056TP4AR3X10030XXE.ies	G5
	K56 (No lens)		1, 2, 5, 8	NA	3	60	3000K	4,598	B1-U0-G1	0056TP4NL3X10030XXE.ies	E5
			1, 2, 5, 8	NA	3	100	3000K	6,731	B2-U0-G2	0100WP4NG3X04030XXE.ies	G5
	Vizcaya		1, 2, 5, 8	N/A or 4, 6	3	40	3000K	4,190	B1-U0-G1	0100WP4NG3X04030XXE.ies	C5
			1, 2, 5, 8	N/A or 4, 6	3	60	3000K	5,986	B2-U0-G2	0100WP4NG3X06030XXE.ies	E5

*Also available in double bracket configuration

**New construction only

Post Top B – 8/24/21



FPL®

LED Lighting Solutions

Brackets and Poles

Discover a New Road to Efficiency

BRACKETS (Page 1 of 2)



1

Style

Standard
2', 6', 8', 12'
Side Mounted

Color

Silver



2

Style

Standard
8' Side Mounted Arm
or Standard 6', 8'
Tenon Mounted Arm

Color

Black



For pole
#4 only



3

Style

Decorative 6' Single or
Double, Tenon Mounted
Arm or Decorative
48" Pedestrian Side
Mounted Arm

Color

Black



FPL®

LED Lighting Solutions

Brackets and Poles

Discover a New Road to Efficiency

BRACKETS (Page 2 of 2)



4

Style

Decorative
Double Bracket
Tenon Mounted Arm

Color

Black
Green



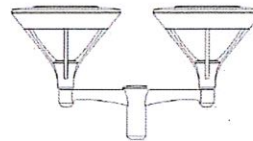
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Style

Multiple Fixture
Configurations
Available

Color

Black
Gray
Bronze



6

Style

Decorative Double
Modern Bracket
Tenon Mounted Arm

Color

Black

- 1 Standard Concrete
Tenon Mount
20' (13' MH)
35' (27'6" MH)
- 2 Standard Black Fiberglass
Tenon Mount
13' (10' MH)
20' (15'6" MH)
- 3 Black Washington Concrete
Tenon Mount
23' (16' MH)
- 4 Black Octagonal Concrete
Tenon Mount
37' (30' MH)
- 5 Black or Green Washington Concrete
Tenon Mount
18.5' (14'6" MH)

- 6 Standard Wood
Arm Mount
35' (29' MH)
40' (33'6" MH)
45' (38" MH)
- 7 Standard Concrete
Arm Mount
30' (22'6" MH)
35' (27'6" MH)
40' (30" MH)
45' (35' MH)
- 8 Black Tapered Concrete
Tenon Mount
14'6" (10' MH)
21' (15'6" MH)
33' (24' MH)
- 9 Grey Round Concrete Pole on Concrete Base (Non-roadway Only)
22' pole
25' MH



LED Lighting Plan

Saint Augustine

Going Green

This plan reduces power consumption by:
and that eliminates:
or removing:

353,304 kWh / year
248 metric tons of CO₂ every year¹
53 cars from the road²

¹eGRID, U.S. annual non-ferrous CO₂ output emission rate, year 2012 data
²US Environmental Protection Agency

TOTAL	1366		\$ 11,814.33	\$ 12,005.81	\$ 12,664.95	\$ -
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Installation Details		Existing	Option 1	Option 2	Option 3
1 70 CH	select fixture:	SL1 - HPS0070	RSW 45 Watt 3000K	ATBS 76 Watt	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 3,158.82	\$ 4,856.50	\$ 4,856.50	
	Pole				
	Maintenance	\$ 1,510.74	\$ 991.90	\$ 991.90	
	Energy**	\$ 1,317.21	\$ 631.46	\$ 1,178.71	
Monthly Total		\$ 5,986.77	\$ 6,479.85	\$ 7,027.11	
Quantity:	763				
FPL Conversion:	Yes				
Full/Hybrid:	Full				

Installation Details		Existing	Option 1	Option 2	Option 3
2 70 PTT	select fixture:	SL1 - HPS0070	Traditional Carriage 39 Watt 3000K	Traditional Carriage 39 Watt 3000K	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 95.22	\$ 146.40	\$ 146.40	
	Pole				
	Maintenance	\$ 45.54	\$ 29.90	\$ 29.90	
	Energy**	\$ 39.71	\$ 17.71	\$ 17.71	
Monthly Total		\$ 180.47	\$ 194.00	\$ 194.00	
Quantity:	23				
FPL Conversion:	Yes				
Full/Hybrid:	Full				

Installation Details		Existing	Option 1	Option 2	Option 3
3 100 CH	select fixture:	SL1 - HPS0100	RSW 45 Watt 3000K	ATBS 76 Watt	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 656.76	\$ 992.94	\$ 992.94	
	Pole				
	Maintenance	\$ 310.44	\$ 202.80	\$ 202.80	
	Energy**	\$ 381.02	\$ 129.11	\$ 241.00	
Monthly Total		\$ 1,348.22	\$ 1,324.85	\$ 1,436.74	
Quantity:	156				
FPL Conversion:	Yes				
Full/Hybrid:	Full				

Installation Details		Existing	Option 1	Option 2	Option 3
4 100 PTT	select fixture:	SL1 - HPS0100	Traditional Carriage 73 Watt 3000K	Traditional Carriage 73 Watt 3000K	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 75.78	\$ 114.57	\$ 114.57	
	Pole				
	Maintenance	\$ 35.82	\$ 23.40	\$ 23.40	
	Energy**	\$ 43.96	\$ 27.29	\$ 27.29	
Monthly Total		\$ 155.56	\$ 165.26	\$ 165.26	
Quantity:	18				
FPL Conversion:	Yes				
Full/Hybrid:	Full				

*Includes fixture fee and monthly conversion fee where applicable.

**Includes Non-Fuel Energy charge, Fuel, Conservation, Capacity, Environmental, and Storm Charges.
Based upon FPL bill rates as of 01.01.22

Installation Details		Existing	Option 1	Option 2	Option 3
5 150 CH	select fixture:	SL1 - HPS0150	ATBS 76 Watt	ATBS 76 Watt	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 1,571.08	\$ 2,304.13	\$ 2,304.13	
	Pole				
	Maintenance	\$ 731.24	\$ 470.60	\$ 470.60	
Quantity:	362				
FPL Conversion:	Yes	Energy**	\$ 1,292.48	\$ 559.23	\$ 559.23
Full/Hybrid:	Full	Monthly Total	\$ 3,594.80	\$ 3,333.96	\$ 3,333.96

Installation Details		Existing	Option 1	Option 2	Option 3
6 150 PTT	select fixture:	SL1 - HPS0150	Traditional Carriage 73 Watt 3000K	Traditional Carriage 73 Watt 3000K	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 86.80	\$ 127.30	\$ 127.30	
	Pole				
	Maintenance	\$ 40.40	\$ 26.00	\$ 26.00	
Quantity:	20	Energy**	\$ 71.41	\$ 30.32	\$ 30.32
FPL Conversion:	Yes	Monthly Total	\$ 198.61	\$ 183.62	\$ 183.62
Full/Hybrid:	Full				

Installation Details		Existing	Option 1	Option 2	Option 3
7 200 CH	select fixture:	SL1 - HPS0200	ATB2 133 Watt, Gray	ATB2 133 Watt, Gray	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 151.34	\$ 215.40	\$ 215.40	
	Pole				
	Maintenance	\$ 59.11	\$ 29.90	\$ 29.90	
Quantity:	23	Energy**	\$ 120.24	\$ 62.60	\$ 62.60
FPL Conversion:	Yes	Monthly Total	\$ 330.69	\$ 307.89	\$ 307.89
Full/Hybrid:	Full				

Installation Details		Existing	Option 1	Option 2	Option 3
8 400 CH	select fixture:	SL1 - HPS0400	ATB2 268 Watt, Gray	ATB2 268 Watt, Gray	
	fixture / pole:	1	1	1	1
	select pole:				
	Fixture*	\$ 6.64	\$ 9.37	\$ 9.37	
	Pole				
	Maintenance	\$ 2.58	\$ 1.30	\$ 1.30	
Quantity:	1	Energy**	\$ 9.99	\$ 5.71	\$ 5.71
FPL Conversion:	Yes	Monthly Total	\$ 19.21	\$ 16.37	\$ 16.37
Full/Hybrid:	Full				

*Includes fixture fee and monthly conversion fee where applicable.

**Includes Non-Fuel Energy charge, Fuel, Conservation, Capacity, Environmental, and Storm Charges.
Based upon FPL bill rates as of 01.01.22

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice Mayor, and City Commissioners

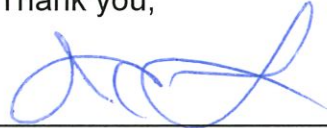
DATE: December 2, 2021

RE: **LEGISLATIVE SESSION UPDATE**

Please find enclosed two (2) spreadsheets detailing several proposed bills within the Florida House and Senate that our office is tracking which may be of interest or impactful to the City or local governments in general for the 2021 Special Legislative Session and the 2022 Pre-Legislative Session.

Please place these spreadsheets on the agenda for the December 13, 2021 City Commission meeting for a brief oral presentation under item 11.A.

Thank you,



Isabelle C. Lopez
City Attorney

xc: John Regan, City Manager
Richard K. Thibault, Assistant City Attorney

**LEGISLATIVE BILL TRACKING
2021 SPECIAL SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 1-B	COVID-19 Mandates	Grail, Massullo	Prohibits private employers from imposing COVID-19 vaccination mandate for certain employees; requires employer to exempt certain employee from vaccination; authorizes employee who is terminated to file complaint with DLA; requires AG to impose administrative fine for violations; specifies eligibility for reemployment assistance for unlawfully terminated employee; prohibits educational institutions & elected or appointed local officials from imposing COVID-19 vaccination mandates on students; provides right of action to obtain declaratory judgment & injunctive relief for violations; prohibits educational institutions & governmental entities from imposing COVID-19 vaccination mandates for employees; declares null & void any ordinance, rule, or policy that imposes mandates; specifies eligibility for reemployment assistance for unlawfully terminated employee; prohibits mandating facial coverings or restricting certain activities for students based on quarantine policies; provides parents may allow their children to wear facial coverings; prohibits district school boards, district school superintendents, & elected or appointed local officials from prohibiting employees from returning to work or subjecting employees to restrictions or disparate treatment. APPROPRIATION: \$5,000,000.	Filed 11/08/21; Referred to Commerce Committee. In Commerce Committee 11/08/21; Added to Commerce Committee agenda; Favorable by Commerce Committee; Reported out of Commerce Committee; Bill released to Rules Committee; Bill added to Special Order Calendar; 1st Reading (Original Filed Version) 11/15/21; Read 2nd time; Placed on 3rd reading 11/16/21; Read 3rd time; In Messages; Referred to Appropriations; Withdrawn from Appropriations; Placed on Calendar, on 2nd reading; Received; Substituted for SB 2-B; Read 2nd time; Read 3rd time; In Messages; Ordered enrolled; Signed by Officers and presented to Governor 11/17/2021; Approved by Governor 11/18/21; Chapter No. 2021-272.	11/16/21 Amendment 139915 ruled out of order; Amendment 423057 Failed; Amendment 230279 Failed; Amendment 740571 Failed; Amendment 552373 Failed; Amendment 691917 Failed; Amendment 657537 ruled out of order; Amendment 886167 Failed; 11/17/21 Amendment(s) failed (316770, 450848, 609214); Passed; YEAS 24 NAYS 14.
SB 2-B	COVID-19 Mandates	Burgess	Prohibiting private employers from imposing a COVID-19 vaccination mandate for employees unless certain individual exemptions are made available; specifying conditions for claiming exemptions; requiring the Department of Health to notify a noncompliant private employer and allow such employer the opportunity to cure a violation; prohibiting educational institutions and elected or appointed local officials from imposing COVID-19 vaccination mandates on students; prohibiting educational institutions and governmental entities from imposing COVID-19 vaccination mandates for any employees; prohibiting district school boards, district school superintendents, elected or appointed local officials, and district school board employees from mandating facial coverings or restricting certain activities for students based on quarantine policies unless certain conditions are met, etc. APPROPRIATION: \$5,000,000	Filed 11/08/21; Referred to Judiciary; Agenda--Judiciary 11/12/21; Introduced -S/J; In Appropriations; On Committee agenda--Appropriations 11/15/21; Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 11/16/21; Read 2nd time; Substituted HB 1-B; Laid on Table, refer to HB 1-B 11/17/21.	11/15/21 Favorable by Judiciary; YEAS 7 NAYS 4; 11/16/21 Favorable by Appropriations; YEAS 13 NAYS 6.
HB 3-B	Pub. Rec./COVID-19 Vaccination Policies and Practices	Massullo, Grail	Provides exemption from public records requirements for employee complaints alleging private employer's violation of state law regarding employer COVID-19 vaccination policies or practices & all information held by DLA pursuant to active investigation of such complaints; defines "active"; specifies information that remains confidential & exempt after investigation is completed or ceases to be active; authorizes release of confidential & exempt information to governmental entities for specified purpose; provides for future repeal of exemption; provides statement of public necessity.	Filed 11/08/21; Referred to Commerce Committee; In Commerce Committee 11/08/21; Added to Commerce Committee agenda; Favorable with CS by Commerce Committee; Reported out of Commerce Committee; Laid on Table under Rule 7.18(a); CS Filed; Bill released to Rules Committee; Bill added to Special Order Calendar (11/16/2021); 1st Reading (Original Filed Version); 1st Reading (Committee Substitute Version) 11/15/21; Read 2nd time; Placed on 3rd reading 11/16/21; Read 3rd time; In Messages; Referred to Appropriations; Withdrawn from Appropriations; Placed on Calendar, on 2nd reading; Received; Substituted for SB 4-B; Read 2nd time; Read 3rd time; In Messages; Ordered enrolled; Signed by Officers and presented to Governor 11/17/21; Approved by Governor 11/18/21; Chapter No. 2021-273.	11/16/21 Amendment 077827 Failed; 11/17/21 CS passed; YEAS 85, NAYS 31; CS passed; YEAS 26 NAYS.

SB 4-B	Public Records/Employer COVID-19 Vaccination Policies	Burgess	Providing an exemption from public records requirements for employee complaints alleging a private employer's violation of state law regarding employer COVID-19 vaccination policies or practices and all information held by the Department of Legal Affairs pursuant to an active investigation of such complaints; specifying information that remains confidential and exempt after an investigation is completed or ceases to be active; providing for future repeal of the exemption, providing a statement of public necessity, etc.	Filed 11/08/21; Referred to Judiciary; Appropriations 11/08/21; On Committee agenda-- Judiciary 11/12/21; Introduced -S-J 3; In Appropriations; On Committee agenda-- Appropriations; 11/15/21; Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 11/16/21; Read 2nd time; Substituted CS/HB 3-B; Laid on Table, refer to CS/HB 3-B 11/17/21.	11/15/21 Favorable by Judiciary; YEAS 7 NAYS 4; 11/16/21 Favorable by- Appropriations; YEAS 13 NAYS 6.
HB 5-B	Florida Occupational Safety and Health State Plan	Zika	Requires EOG to develop proposal for state plan to assert state jurisdiction over occupational safety & health issues for government & private employees; requires office to designate or hire necessary staff to develop proposal; requires Division of Risk Management & Division of Workers' Compensation within DFS, DOH, & DBPR to assist office with development of proposal upon request; requires office to submit status report to Legislature by specified date; requires that status report contain specified information; provides appropriation. APPROPRIATION: \$1,000,000.	Filed 11/08/21; Referred to Pandemics & Public Emergencies Committee; In Pandemics & Public Emergencies Committee 11/08/21; Added to Pandemics & Public Emergencies Committee agenda; Favorable by Pandemics & Public Emergencies Committee; Bill released to Rules Committee; Bill added to Special Order Calendar (11/16/2021); 1st Reading (Original Filed Version) 11/15/21; Read 2nd time; Placed on 3rd reading 11/16/21; Read 3rd time; In Messages; Referred to Appropriations; Withdrawn from Appropriations; Placed on Calendar, on 2nd reading; Received Substituted for SB 6-B; Read 2nd time; Read 3rd time; In Messages; Ordered enrolled; Signed by Officers and presented to Governor 11/17/21; Approved by Governor 11/18/21; Chapter No. 2021-274.	11/16/21 Amendment 032897 ruled out of order; Amendment 541075 ruled out of order; Amendment 179457 Failed; Amendment 505369 Failed; Amendment 154975 Failed; 11/17/21 Passed; YEAS 76, NAYS 38; Passed; YEAS 23 NAYS 13.
SB 6-B	Florida Occupational Safety and Health State Plan	Hutson; Gruters; Perry	Defining the term "state plan", requiring the Executive Office of the Governor to develop a proposal for a state plan to assert state jurisdiction over occupational safety and health issues for government and private employees; requiring the Division of Risk Management and the Division of Workers' Compensation within the Department of Financial Services, the Department of Health, and the Department of Business and Professional Regulation to assist the office with development of the proposal upon request, etc. APPROPRIATION: \$1,000,000.	Filed 11/09/21; Referred to Judiciary; Appropriations -S-J 3 11/08/21; On Committee agenda-- Judiciary, 11/12/21; Introduced -S-J 3; In Appropriations; On Committee agenda-- Appropriations 11/15/21; Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 11/16/21; Read 2nd time; Substituted HB 5-B; Laid on Table, refer to HB 5-B 11/17/21.	11/15/21 Favorable by Judiciary; YEAS 7 NAYS 4; 11/16/21 Favorable by- Appropriations; YEAS 12 NAYS 7.

HB 7-B	Vaccinations During Public Health Emergencies	Andrade	Removes authority of State Health Officer to order vaccination of individuals upon declaration of public health emergency; revises requirement that DOH adopt certain rules.	Filed 11/08/21; Referred to Health & Human Services Committee; In Health & Human Services Committee 11/08/21; Added to Health & Human Services Committee agenda; Favorable by Health & Human Services Committee; Reported out of Health & Human Services Committee; Bill released to Rules Committee; 1st Reading (Original Filed Version) 11/15/21; Read 2nd time; Placed on 3rd reading; Added to Third Reading Calendar 11/16/21; Read 3rd time; In Messages; Referred to Appropriations; Withdrawn from Appropriations; Placed on Calendar, on 2nd reading; Received; Substituted for SB 8-B; Read 2nd time; Read 3rd time; In Messages; Ordered enrolled; Signed by Officers and presented to Governor 11/17/21; Approved by Governor 11/18/21; Chapter No. 2021-275.	11/17/21 Passed; YEAS 82, NAYS 34; Passed; YEAS 23, NAYS 13.
HB 8-B	Vaccinations During Public Health Emergencies	Bean	Removing the authority of the State Health Officer to order the vaccination of individuals upon declaration of a public health emergency; revising a requirement that the Department of Health adopt certain rules, etc.	Filed 11/08/21; Referred to Judiciary; Appropriations -SJ 3, 11/08/21; On Committee agenda-- Judiciary 11/12/21; Introduced -SJ 3; Favorable by Judiciary; In Appropriations; On Committee agenda-- Appropriations; Placed on Calendar, on 2nd reading; Placed on Special Order Calendar 11/16/21; Read 2nd time; Substituted HB 7-B; Laid on Table, refer to HB 7-B 11/17/21.	11/15/21 Favorable by- Appropriations YEAS 7 NAYS 4.

CS = Committee Substitute filed.
 * Bills with no counterpart in Senate or House have minimal chance of passage.

**LEGISLATIVE BILL TRACKING
2022 PRE-SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 105	Regulation of Smoking by Counties and Municipalities	Fine; Altman	Authorizes counties & municipalities to further restrict smoking within boundaries of public beaches & public parks under certain circumstances.	Filed 09/15/21. Referred to Professions & Public Health Subcommittee. Referred to Environment, Agriculture & Flooding Subcommittee. Referred to Health & Human Services Committee. Now in Professions & Public Health Subcommittee 09/22/21.	
SB 224	Regulation of Smoking in Public Places	Grueters	Authorizing counties and municipalities to further restrict smoking within the boundaries of public beaches and public parks under certain circumstances; prohibiting smoking within the boundaries of a state park, etc.	Filed 09/15/21. Referred to Community Affairs; Environment and Natural Resources; Rules 09/21/21. On Committee agenda--Community Affairs 11/03/21. In Environment and Natural Resources 11/03/21.	Favorable by Community Affairs; YEAS 8 NAYS 0.
SB 280	Local Ordinances	Hutson	Authorizing courts to assess and award attorney fees and costs and damages in certain civil actions filed against local governments; requiring a board of county commissioners to prepare a business impact statement before the adoption of a proposed ordinance; requiring a governing body of a municipality to prepare a business impact statement before the adoption of a proposed ordinance, etc.	Filed 09/21/21. Referred to Community Affairs; Judiciary; Rules 10/13/21.	
HB 403	Local Ordinances	Giallonbardo	Authorizes courts to assess & award attorney fees & costs & damages in certain civil actions filed against local governments; requires local governments to prepare business impact statement before adoption of proposed ordinances; specifies requirements for posting & content of statement; requires counties & municipalities to suspend enforcement of certain ordinances subject of certain legal actions; requires courts to give priority to certain cases; specifies factors court must consider in determining whether ordinance is arbitrary or unreasonable provides declaration of important state interest.	Filed 10/25/21. Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Civil Justice & Property Rights Subcommittee; Referred to State Affairs Committee; In Local Administration & Veterans Affairs Subcommittee 11/05/21. Added to Local Administration & Veterans Affairs Subcommittee agenda 11/23/21.	
HB 303	Sanitary Sewer Lateral Inspection Programs	Truenow	Authorizes counties & municipalities to access sanitary sewer laterals within their jurisdiction for specified purposes; requires counties & municipalities to notify private property owners within specified timeframe if county or municipality intends to access owner's sanitary sewer lateral; provides that counties & municipalities that establish programs are legally & financially responsible for all work done; requires counties & municipalities that establish programs to consider economical methods for counties & municipalities; authorizes program established by county or municipality to evaluate & rehabilitate sanitary sewer laterals on residential & commercial properties to use state or local funds allocated for environmental preservation or protection of water quality.	Filed 10/14/21. Referred to Environment, Agriculture & Flooding Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to State Affairs Committee; In Environment, Agriculture & Flooding Subcommittee 10/26/21.	
SB 608	Sanitary Sewer Lateral Inspection Programs	Brodeur	Defining the term "continuous monolithic pipe system"; authorizing counties and municipalities, respectively, to access sanitary sewer laterals within their jurisdiction for specified purposes; requiring counties and municipalities to notify private property owners within a specified timeframe if the county or municipality intends to access the owner's sanitary sewer lateral; authorizing a program established by a county or a municipality to evaluate and rehabilitate sanitary sewer laterals on residential and commercial properties to use state or local funds allocated for environmental preservation or the protection of water quality, etc.	Filed 10/25/21. Referred to Environment and Natural Resources; Community Affairs; Appropriations 11/03/21. On Committee agenda--Environment and Natural Resources, 11/30/21. Pending reference review under Rule 4.7(2) - (Committee Substitute) 11/30/21.	CS by Environment and Natural Resources; YEAS 6 NAYS 0.

HB 323	Fish and Wildlife Conservation Commission	Sirois	Revises vessel conditions that may be used to determine that vessel is at risk of becoming derelict; requires specified evidence to establish vessel restriction rules for protection zones for springs; prohibits municipalities & counties from designating public bathing beach areas or swim areas within specified areas; repeals provisions relating to derelict vessels & relocation & removal of such vessels from waters of this state; authorizes commission to establish program to provide grants to local governments; authorizes commission to use funds not awarded as grants for certain purposes; requires commission to adopt rules; provides that employees of commission or Florida Forest Service may operate drones for specified purposes.	Filed 10/15/21; Referred to Environment, Agriculture & Flooding Subcommittee; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to State Affairs Committee; Referred to Environment, Agriculture & Flooding Subcommittee 11/05/21; Added to Environment, Agriculture & Flooding Subcommittee agenda 11/23/21.
SB 494	Fish and Wildlife Conservation Commission	Hutson	Revising the vessel conditions that an officer of the Fish and Wildlife Conservation Commission or a law enforcement agency may use to determine that a vessel is at risk of becoming derelict; prohibiting municipalities and counties from designating public bathing beach areas or swim areas within their jurisdictions which are within the marked channel portion of the Florida Intracoastal Waterway or within a specified distance from any portion of the marked channel; authorizing the commission to establish a program to provide grants to local governments for certain actions regarding derelict vessels and those declared to be a public nuisance; providing that all employees of the commission or the Florida Forest Service may operate drones for specified purposes, etc.	Filed 10/13/21; Referred to Environment and Natural Resources Appropriations Subcommittee on Agriculture, Environment, and General Government Appropriations 10/21/21; On Committee agenda—Environment and Natural Resources, 11/30/21.
HB 325	Vacation Rentals	Fischer	Requires advertising platforms to collect & remit taxes for certain transactions; revises regulated activities of public lodging establishments & public food service establishments preempted to state; expands authority of local laws, ordinances, or regulations to include requiring vacation rentals to register with local vacation rental registration programs; preempting regulation of advertising platforms to state; authorizes division to issue & deliver notice to cease & desist for certain violations; provides that such notice does not constitute agency action for which hearings may be sought; authorizes division to collect attorney fees & costs; authorizes division to impose time on advertising platforms for violations.	Filed 10/18/21; Referred to Regulatory Reform Subcommittee; Referred to Ways & Means Committee; Referred to Commerce Committee; Now in Regulatory Reform Subcommittee 11/05/21.
SB 512	Vacation Rentals	Burgess	Requiring advertising platforms to collect and remit taxes for certain transactions; revising the regulated activities of public lodging establishments and public food service establishments preempted to the state to include licensing, expanding the authority of local laws, ordinances, or regulations to include requiring vacation rentals to register with local vacation rental registration programs; authorizing local governments to adopt vacation rental registration programs and impose fines for failure to register; requiring advertising platforms to require that persons placing advertisements for vacation rentals include certain information in the advertisements and attest to certain information, etc.	Filed 10/15/21; Referred to Regulated Industries; Community Affairs; Rules 11/03/21.
HB 515	Municipal Water and Sewer Utility Rates	Robinson, F.	Requires municipality to charge customers receiving its utility services in another outside the boundaries of the municipality the same rates, fees, & charges as it charges consumers within its municipal boundaries.	Filed 11/04/21; Referred to Tourism, Infrastructure & Energy Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Commerce Committee; In Tourism, Infrastructure & Energy Subcommittee 11/19/21.
SB 886	Municipal Water and Sewer Utility Rates	Jones	Requiring a municipality to charge customers receiving its utility services outside the boundaries of the municipality the same rates, fees, and charges as it charges consumers within its municipal boundaries under certain circumstances, etc.	Filed 11/09/21; Referred to Community Affairs; Regulated Industries; Rules 11/30/21.

SB 518	Residential Home Protection	Brodeur	Revising conditions under which a local government may not require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on a residential property; specifying when a tree poses an unacceptable risk, etc.	Filed 10/15/21; Referred to Community Affairs; Governmental Oversight and Accountability; Rules 11/03/21.	
HB 569	Business Damages Caused by Local Governments	McClure	Authorizes certain businesses to claim business damages from county or municipality if county or municipality enacts or amends certain ordinances or charter provisions; provides exceptions; requires pre-suit procedures; authorizes recovery of costs & fees; specifies that certain evidence relating to mediations & negotiations is inadmissible; requires courts to consider certain factors & follow specified guidance.	Filed 11/10/21; Referred to Civil Justice & Property Rights Subcommittee; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Judiciary Committee; In Civil Justice & Property Rights Subcommittee 11/19/21.	
SB 620	Local Government	Hutson	Authorizing certain businesses to claim business damages from a county or municipality if the county or municipality enacts or amends certain ordinances or charter provisions; authorizing businesses to recover costs and fees in a specified manner and if certain requirements are met; requiring courts to consider certain factors and follow specified guidance when assessing costs; specifying requirements for the courts in determining and awarding attorney fees; requiring attorneys and businesses to submit certain documentation relating to attorney fees, etc.	Filed 10/25/21. Referred to Judiciary; Rules; Appropriations 11/03/21.	
HB 691	Resilience-Related Advisory Committees	Slosberg	Authorizes resilience-related advisory committees to conduct public meetings & workshops by means of communications media technology; provides that use of technology by committee member constitutes member's presence at meeting or workshop; provides notice requirements for public meetings or workshops conducted by means of communications media technology.	Filed 11/22/21.	
SB 690	Resilience-Related Advisory Committees	Rodriguez	Authorizing specified resilience-related advisory committees to conduct public meetings and workshops by means of communications media technology; providing that use of such technology by a committee member constitutes that member's presence at such meeting or workshop; requiring that such technology allow the public to audibly communicate, etc.	Filed 10/27/21; Referred to Community Affairs; Environment and Natural Resources; Rules 11/16/21.	
HB 6025	Preemption of Tree Pruning, Trimming, and Removal	Eskamani	Repeals provisions relating to tree pruning, trimming, & removal on residential property.	Filed 09/13/21; Referred to Local Administration & Veterans Affairs Subcommittee; Referred to Commerce Committee; Referred to State Affairs Committee; Now In Local Administration & Veterans Affairs Subcommittee 09/22/21.	
SB 316	Preemption of Tree Pruning, Trimming, and Removal	Stewart	Repealing a provision relating to tree pruning, trimming, or removal on residential property, etc.	Filed 09/22/21; Referred to Community Affairs; Judiciary; Rules 10/13/21.	
CS = Committee Substitute filed. * Bills with no counterpart in Senate or House have minimal chance of passage.					

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: December 2, 2021

RE: Request for **TWO (2)** appointments – Code Enforcement Adjustment and Appeals Board

Notification was previously given regarding two (2) term expirations and one (1) vacancy on the Code Enforcement Adjustment and Appeals Board. A vacancy was created with the recent appointment of Charles Pappas to the Planning and Zoning Board. The current term expirations are Brad Beach and Stephen E, Simmons, JD. Mr. Simmons has served two full terms and thereby is not eligible for reappointment. Mr. Beach was appointed to fill one term vacancy and is eligible for reappointment. The requested appointments will expire December 27, 2024.

An advertisement requesting applications was placed in the St. Augustine Record and posted on the City's website. As of the agenda deadline, two applications were received from the following:

- Brad Beach
- Marilyn Meade Garrett

Attached are the applications received, in addition to the current Code Enforcement Adjustment and Appeals Board roster, board profile and responsibilities. Should you concur, staff requests consideration of appointment for the two applicants and will continue to advertise the vacant position.



Darlene Galambos
City Clerk

Attachments: Applications

xc: City Clerk's Files (CEAAB)

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT BRAD BEACH
2. RESIDENCE 5 HOPE ST PHONE 904-521-3470
(address)
3. BUSINESS OWNED (Address) 5 HOPE ST PHONE 904-521-3470
4. PROPERTY OWNED (Address) 5 HOPE ST.
5. MAILING ADDRESS PREFERRED 5 HOPE ST
6. E-mail Address BRAD@ITSA NEWDAY.CO
7. BOARD DESIRED CODE ENFORCEMENT
8. OCCUPATION (include resume if available) ARCHITECT
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
LICENSED ARCHITECT, LEED AP
10. OTHER COMMENTS OR INFORMATION
NONE

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	☐
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT



DATE NOVEMBER 26, 2021

12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.

JBB
Initial

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT Marilyn Meade Garrett
2. RESIDENCE (address) 8 E. Park Ave. 32084 PHONE 904-814-2199
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) 8 E. Park Ave., St. Aug. 32084
5. MAILING ADDRESS PREFERRED 8 E. Park Ave., St. Aug. 32084
6. E-mail Address merrilyn61@att.net or Marilyn.Garrett@ecrwy.com
7. BOARD DESIRED Code Enforcement, Adjustments & Appeals
8. OCCUPATION (include resume if available) Commercial Analytics Specialist
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
I was a licensed Mortgage Broker & Realtor in the past.

10. OTHER COMMENTS OR INFORMATION

I come from a family of General Contractors. My dad (Bob Meade) served on this board for many years.

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.

Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No

Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.

RACIAL CATEGORY (Check as many as apply)

- | | |
|--|--------------------------|
| ☐ American Indian or Alaska Native | ☐ |
| ☐ Asian | |
| ☐ Black or African American | |
| ☐ Native Hawaiian or Other Pacific Islander | |
| ☒ White | |

12. SIGNATURE OF APPLICANT

Marilyn M. Garrett

DATE 11/5/2021

12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.


Initial

CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

Authorization:	Chapter 2, Article V, Division 2, Code of the City of St. Augustine.
Number of Members:	Seven 7
Terms of Office:	To establish staggered terms, original appointments were two 2 for one 1 year; three 3 for two 2 years; and two 2 for three 3 years. Thereafter, all appointments are for three 3 years.
Appointment:	By City Commission.
Reappointment:	Normal appointments expire December 27 of each year. Members may serve two 2 consecutive full terms only.
Qualifications:	When possible, shall include: architect, businessperson, engineer, general contractor, subcontractor, and realtor. Resident of the city.
Duties:	Hear cases presented by the local governing body attorney or by a member of the administrative staff of the local governing body. At the conclusion of the hearing, the board shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted herein. The board shall have the power to: 1 Adopt rules for the conduct of its hearings, 2 Subpoena alleged violators and witnesses to its hearings, Subpoenas may be served by the Police Dept., 3 Subpoena evidence, 4 Take testimony under oath, 5 Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.
Attendance:	Failure to attend two 2 of three 3 successive meetings without cause and without prior approval of the chairman of the Enforcement Board shall declare that member's office vacated.
Meetings:	Second Tuesday of each month, the Alcazar Room, 3:00 P.M.

CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

Meets Monthly, 2nd Tuesday - 3:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
Brad Beach Architect	5 Hope Street, 32084 904-521-3470 brad@kasperarch.com	4/26/2021 fill vacancy	12/27/2021
Stephen E. Simmons, JD Retired Judge	97 Cerro Street 302-229-8000 sesjdis@gmail.com	12/14/15 1 st full term 12/10/2018 2 nd full term	12/27/2021
Charlu "Cece" Reigle Realtor	186 Oneida Street 904-315-3150 ccreigle@gmail.com	2/26/2018 fill vacancy 12/14/20 1 st full term	12/27/2023
VACANT			12/27/2022
Karen Valachovic Realtor/Registered nurse	38 Carrera St., 32084 904-923-6053 karenvseils@gmail.com	2/10/2020 1 st full term	12/27/2022
Thomas Day Retired	19 Saragossa St. 32084 904-819-9711 tomday1@comcast.net	01/14/19 fill vacancy 12/14/20 1 st full term	12/27/2023
Larry Weeks Director of BS and Campus Planner/Flagler	106 Inlet Drive 32080 904-810-5313 larryd.weeks@gmail.com	01/08/18 1 st full term 12/14/20 2 nd full term	12/27/2023

Updated 09/28/21

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: December 2, 2021

RE: Request for **TWO (2)** appointments – St. Augustine Firefighters' Pension Fund Board of Trustees

Notification was previously given regarding the term expirations of James T. "Jim" Springfield and Richard M. "Rick" Hernandez. Mr. Springfield has resigned from the Board and Mr. Hernandez is eligible for reappointment. The requested appointments will expire January 1, 2024.

An advertisement requesting applications was placed in the St. Augustine Record and a notice was posted on the City's website. Applications were received from the following:

1. Richard M. Hernandez
2. Greg Johnson, CPA

Attached are the applications received, in addition to the current roster, board profile and responsibilities.



Darlene Galambos
City Clerk

Attachments: Applications

xc: Clerk's Office (FFPB)

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT RICHARD M HERNANDEZ
2. RESIDENCE
(address) 215 S. MATANZAS BLVD PHONE 904 669-0153
3. BUSINESS OWNED (Address) _____ PHONE _____
4. PROPERTY OWNED (Address) _____
5. MAILING ADDRESS PREFERRED _____
6. E-mail Address ISLANDMASONRY@COMCAST.NET
7. BOARD DESIRED FIRE FIGHTERS PENSION
8. OCCUPATION (include resume if available) RETIRED
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)

10. OTHER COMMENTS OR INFORMATION

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☒ Yes ☐ No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☒ White	

12. SIGNATURE OF APPLICANT

Richard M Hernandez DATE 11-7-21

12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.

PH
Initial

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee. In accordance with Ordinance 2003-14 citizen boards that assist in the governing of the City of St. Augustine shall be made up of persons who reside within the City Limits. Exceptions to this City Commission policy may be made for members of ad-hoc committees on a case-by-case basis by the City Commission.

1. APPLICANT Greg Johnson, CPA
2. RESIDENCE
(address) 6436 Madison St., St. Augustine, FL PHONE 478-733-2560
3. BUSINESS OWNED (Address) N/A PHONE N/A
4. PROPERTY OWNED (Address) 6436 Madison St., St. Augustine, FL
5. MAILING ADDRESS PREFERRED 6436 Madison St., St. Augustine, FL
6. E-mail Address Johnsongreg@zoho.com
7. BOARD DESIRED Fire Fighter Pension Board
8. OCCUPATION (include resume if available) Deputy Director of Finance
9. PROFESSIONAL QUALIFICATIONS: (If necessary, attach additional information)
Finance professional with over 6 years of financial management and government finance experience.
Active Certified Public Accountant and Master of Business Administration.
10. OTHER COMMENTS OR INFORMATION
I would love the opportunity to serve the current and former fire service members of St. Augustine in this role.
I believe my government finance experience combined with my education/certification makes me a strong candidate.

11. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

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Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box. Check as many as apply.	
RACIAL CATEGORY (Check as many as apply)	
☒ American Indian or Alaska Native ☒	
☐ Asian	
☐ Black or African American	
☐ Native Hawaiian or Other Pacific Islander	
☐ White	

12. SIGNATURE OF APPLICANT

Greg Johnson, CPA

DATE 10/10/21

12. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, FL 32085.

GJ

Initial

EXPERIENCE

- Deputy Director of Finance, City of St. Augustine, June 2021 - Present
- Responsible for Accounting, Budget, Payroll, and Accounts Payable
 - Oversea Customer Service Department: Utility Billing, Business Licenses, and Customer Service
 - MUNIS ERP Financial System Administrator
 - Enhance City financial processes by implementing positive pay and MUNIS improvements
 - Financial Statement Preparation
- Executive Director of Budget, DeKalb County School District (26th Largest in US), March 2021 – June 2021
- Established Zero Based Budget Approach (ZBB) District Wide
 - Lead budget development process
 - Determine financial and operational impact of Federal, State, and Local legislative changes
 - Meet with Chiefs, Division Heads, and Superintendent to review budget priorities and needs
 - Lead team of two direct reports & 4 indirect report: Grants, School Allotments, Position Control
 - Improve internal processes and procedures
 - Financial Statement Preparation
 - Interact with external auditors to satisfy audit requests
- Interim Budget Manager III, DeKalb County School District (26th Largest in US), March 2020 – March 2021
- Lead FY21 budget process during COVID-19 uncertainty and 14% State revenue cut
 - Monitor and develop \$1.1B General Fund budget and \$800M Capital/SPLOST budget
 - Meet with Chiefs, Division Heads, and Superintendent to review budget priorities and needs
 - Supervise & lead team of four direct reports: Grants, End User Training, Position Control
 - Determine financial and operational impact of Federal, State, and Local legislative changes
 - Review and approve grant reimbursement requests
 - Improve internal processes and procedures
 - Handle end user MUNIS (Financial ERP system) issues/questions
 - Financial Statement Preparation
 - Interact with external auditors to satisfy audit requests
 - Provide MS Excel training to Finance Division
 - Maintain all responsibilities shown for Budget Analyst III position below
- Budget Analyst III, DeKalb County School District (26th Largest in US) April 2018 – March 2020
- Assist in forecasting, developing, and overseeing \$1.1B General Fund & \$800M ESPLOST budget
 - Ad hoc reporting and data analysis for CFO & Board Members
 - Senior Finance rep for ERP implementation team (Tyler/MUNIS)
 - Financial Statement preparation and review
 - Assist Accounting Department with complex accounting issues/situations
 - Responsible for reconciling legacy financial system to new ERP system
 - Occasionally present to Board of Education at monthly meetings
 - Routinely selected to participate in interviews and resume review panels
 - Train and assist end users with MUNIS ERP financial system
 - High level decision making committee member
 - General ledger maintenance and cleanup
 - Review and approve monthly State/Federal Grant reimbursement requests
 - Review, approve, and post budget transfers

Auditor in Charge, Georgia Department of Audits: Education Audit Division June 2015 – April 2018

- Perform financial statement and Federal compliance audits of Educational entities throughout Georgia
- Lead teams of 3-5 on multiple audit engagements as the auditor in charge
- Develop audit plan, staffing assignments, and budget hour expectations for staff
- Consistently meet budget expectations and audit deadlines
- Complete performance evaluations and plans to improve staff performance
- Develop recommendations for clients to find solutions to financial statement and compliance issues
- Develop findings and deficiencies to report on Comprehensive Annual Financial Reports (CAFRs)
- Review staff work papers

Headwaiter, Bonefish Grill, Macon, Georgia

Aug. 2012 – May 2015

- Reconcile nightly cash to cash sales
- Distributed tip-share to employees, ran nightly sales reports, prepared bank deposits
- Tracked daily sales figures using Excel spreadsheets
- Winner of multiple sales/customer service competitions
- Achieved highest average sales per day, 2014

EDUCATION/CERTIFICATIONS

Certified Public Accountant (CPA); License #CPA036871

Master of Business Administration (MBA),
Mercer University, Atlanta, Georgia

GPA: 3.7

Bachelor of Science: Business and Information Technology, Accounting Concentration
Middle Georgia State University, Macon, Georgia

GPA: 3.3

SOFTWARE/PROFESSIONAL SKILLS

- Finance Division's MUNIS "guru"
- Mastery skill level with MS Office Excel (nested/embedded formulas, vlookups, pivot tables, macros, ect.)
- Bid data manipulation and analysis
- Strategic financial planning and decision making
- Excellent understanding of GAAP and Modified Accrual accounting
- Collaborative thought leader capable of bringing teams together
- Thorough understanding of the design, implementation, monitoring, and improving of internal controls
- Excellent verbal and written communication skills at all levels of organization
- Routinely praised for flexibility and positive attitude
- Goal oriented and consistent performer
- Lifelong Learner

MEMBERSHIPS

- Georgia Government Finance Officers Association (GGFOA) – Membership Committee Member (2020)
- Vice President - Association of Governmental Accountants (AGA): Atlanta Chapter (2017-2018)
- Executive Council Member – Association of Governmental Accountants: Atlanta Chapter (2016-2018)

BOARD OF TRUSTEES
ST. AUGUSTINE FIREFIGHTERS' PENSION TRUST FUND

Meets quarterly, February, May, August and November – 2:00 P.M.
 Human Resources Conference Room, Elevator Lobby "D," 2nd Floor, City Hall

Board Member	Contact information	Election Date	2-Year Terms Expire
Christopher Pacetti CHAIR	101 Malaga Street 829-1098 staugffpension@yahoo.com	03/05/10 12/11/12 12/09/13 11/2014 12/2016 12/2017 12/2020	01/01/2023

Sean Crofutt VICE-CHAIR/Secretary	101 Malaga Street 829-1098	02/2018 11/2019	01/01/2022
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Appointed Board Members	Contact Information	Appointment	2-Year Term Expiration
VACANT			01/01/22
Richard M. Hernandez	215 S. Matanzas Blvd, 32080 669-0153 islandmansonry@comcast.net	3/11/2012 12/09/2013 1/11/2016 12/11/2017	01/01/22
JoLinda LeVeck	276 Sunshine Drive 669-4182 jolindasafd@gmail.com	1/8/2020	01/01/23

Pedro Herrera
 Sugarman & Susskind, P.A.
 100 Miracle Mile ste 300
 Coral Gables, FL 33134
 305-613-5302
pherrera@sugarmansusskind.com

Daniel Johnson
 AndCo Consulting
 340 West Central Ave, Ste 300
 Winter Haven, FL 33880
 836-293-8289
dani@bogdahngroup.com

Doug Lozen
 Foster & Foster, Inc.
 13420 Parker Commons
 Blvd, Ste 104
 Fort Myers, FL 33912
 239-433-5500
Doug.Lozen@foster-foster.com

Kimberly Kutlenios
 Fifth Third Bank
 200 E. Robinson St, 9th Floor
 Orlando, FL 32801
 407-999-3027
Kimberly.kutlenios@53.com

12/29/20

BOARD OF TRUSTEES
ST. AUGUSTINE FIREFIGHTERS' PENSION TRUST FUND

Authorization:	Article V, Chapter 20, Code of Ordinances
Number of Members:	Five (5)
Terms of Office:	Elected and appointed members Two (2) year terms.
Appointment:	Two (2) legal residents of the city appointed by City Commission: two (2) member representatives elected by the firefighters; and one (1) selected by previous four (4).
Qualifications:	None stated in ordinance
Duties:	The general administration, management, and responsibility for the proper operation of the retirement system, and for construing and making effective the provisions thereof.
Attendance:	A vacancy is created when a member of the board fails to attend three (3) consecutive meetings, unless excused. Sec 2-162
Meetings:	Quarterly in February, May, August, November

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: December 2, 2021

RE: Request for **ONE (1)** appointment for the PLANNING AND ZONING BOARD (PZB)

Notification was previously given regarding a vacancy due to the resignation of William Masson. The vacant term will expire September 30, 2023.

An advertisement requesting applications was placed in the St. Augustine Record and posted on the City's website. Applications were received from the following:

1. Dr. Ashleigh D. Barnes, Esq.
2. Christina M. Griggs
3. David Gay, M.D.

Attached are the applications received, in addition to the current PZB roster, board profile and responsibilities.



Darlene Galambos
City Clerk

Attachments: Applications

xc: City Clerk's Files (PZB)

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee.

1. APPLICANT NAME Dr. Ashleigh Barnes
2. BOARD/COMMITTEE DESIRED Planning & Zoning Board
3. RESIDENCE (Address) 110 Bridge St
4. PHONE 912 409 5849 E-MAIL barnesashleigh@gmail.com
5. BUSINESS OWNED (Address) 110 Bridge St
6. BUSINESS PHONE 904 417 8814 E-MAIL ashleigh@univselect.com
7. PROPERTY OWNED (Address) 110 Bridge St
8. PREFERRED MAILING ADDRESS 110 Bridge St St Augustine, FL 32084
9. OCCUPATION (include resume) small business owner, attorney
10. PROFESSIONAL QUALIFICATIONS (submit a cover letter) previous law professor,
current small business owner, attorney
11. OTHER COMMENTS OR INFORMATION _____

12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.	
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No	
Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box.	
RACIAL CATEGORY (Check as many as apply)	
☐ American Indian or Alaska Native	☐ Asian
☐ Black or African American	☒ White
☐ Native Hawaiian or Other Pacific Islander	

13. SIGNATURE OF APPLICANT

Ashleigh Barnes

DATE 11/15/2021

14. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to: Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, Florida 32085.

Initial _____

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 2.

Qualifications: All members of the Planning and Zoning Board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- | | |
|--|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☒ Attorney, Florida Bar |
| ☒ Educator, college level <i>previous law professor</i> | ☐ Landscape Architect, Florida registered |
| ☐ Engineer, Florida registered | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | |

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3.

Qualifications: All members of the Historic Architectural Review Board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- | | |
|--|---|
| ☐ History or related fields | ☐ Art History |
| ☐ Archaeology | ☐ Former HARB Member |
| ☐ Architectural History | ☐ Other |
| ☐ Historic Architecture | |

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 5.

Qualifications: All members of the Corridor Review Committee shall hold no government office nor receive any salary or compensation for their services to the board herein created. The initial appointment of members shall be as follows: two (2) members of the board as established herein shall be appointed for a term of three (3) years; two (2) members for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term. Two (2) seats on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and three (3) seats for property owners or tenants of properties located within the respective entry corridors: Anastasia Boulevard, San Marco Avenue, and King Street. The members of the CRC shall meet as needed, as an ad hoc committee meeting noticed by the City Clerk and shall meet at least annually to elect one (1) of its members as chairperson and one (1) as vice-chair.

Please check those qualifications that apply to you:

- | | |
|---|--|
| ☐ Architect, Florida licensed or retired | ☒ Owner of property located within Entry Corridor |
| ☐ Landscape Architect, Florida licensed or retired | ☒ Tenant of property located within Entry Corridor |

** live in Lincolnville*

ASHLEIGH BARNES

barnesashleigh@gmail.com

110 Bridge Street, St. Augustine, FL 32084 • 912.409.5849

BUSINESS EXPERIENCE

UNIVERSITY SELECT, LLC

Founder

Handles all legal work (IP, business & tax), manages creative vision, process & IP development.

UNLOCK THE TEST, LLC

Founder

Handles all legal work (IP, business & tax), manages creative vision, process, IP development, and investment – angel, small firm & VC.

ACADEMIC EXPERIENCE

UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW, Gainesville, Florida

International Programs Research Scholar

Jan. 2013 – Dec. 2014

Write and publish an original article in a scholarly journal, present research in the International Law Society seminar series, and contribute to the development of international programs in collaboration with International Programs Coordinator.

FLORIDA COASTAL SCHOOL OF LAW, Jacksonville, Florida

Visiting Professor

Aug. 2013 – Jul. 2014

Courses: Criminal Law, International Criminal Law, and International Human Rights.

Committees: Ad Hoc Scholarship Committee, Ad Hoc International and Comparative Law Certificate Committee, Multicultural Affairs Committee.

Teaching Evaluations: Criminal Law (Spring 2014), 4/5; International Criminal Law (Spring 2014), 4.75/5.

JINDAL GLOBAL LAW SCHOOL, Delhi, India

Assistant Professor

Jan. 2010 – Aug. 2012

Courses: Public International Law (J.D. students), LL.M. Dissertation Advisor, International Relations (National Security & Int. Humanitarian Law), Law and Society (sociological methods on identity, children, and the law), International and Regional Human Rights, International Criminal Law. Developed a course on Feminist Legal Theory. Coached moot court teams addressing public international law, international humanitarian law, and international criminal law problems.

Awards: Outstanding Contribution to Research and Scholarship

Co-Director for the Centre for Women, Law, and Social Change

Convened conference, *Global Perspectives: Feminisms of Discontent*, Feb. 2011, hosting leading feminist legal scholars from India, Canada, Australia, the U.K., and the U.S. Editor for conference volume, accepted by Oxford University Press. Co-founded the Women's Law Society of O.P. Jindal Global University.

AUSTRALIAN NATIONAL UNIVERSITY COLLEGE OF LAW, Canberra, Australia

Convener/Lecturer

Jan. 2009 – Jul. 2009

Convened and lectured upper-level course on International Criminal Law at the top law school in Australia. Reorganized the course to reflect developments in ICL and personal experience at three international tribunals.

Tutor

Aug. 2008 – Dec. 2008
Administered tutorials for Public International Law and Jurisprudence. Reorganized, researched and updated a course on International Dispute Settlement.

OTHER EXPERIENCE

GUARDIAN AD LITEM, West Palm Beach, FL

Program Attorney

Oct. 2007 – Apr. 2008

Represented the manifest best interests of children in dependency litigation. Handled all aspects of legal representation, including drafting motions, responses, and orders for the court. Headed a team of 5 employees and approximately 100 volunteers. Conducted weekly meetings, spearheaded policy changes to better manage and better organize our teams' workload of over 200 cases.

SPECIAL COURT OF SIERRA LEONE, Hague, Netherlands

Legal Intern

Mar. 2007 – Jun. 2007

Worked with Defense Counsel for Charles Taylor. Aided with drafting pre-trial motions to the Court. Conducted research on international criminal law precedent from *ad hoc* tribunals, and where applicable, domestic law of states.

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA, Arusha, Tanzania

Legal Intern

Jan. 2004 – Apr. 2004

Worked in Trial Chambers. Conducted legal research on case law from *ad hoc* tribunals and relevant national law. Drafted judgments and summarized submissions from the parties for inclusion in decisions.

INTERNATIONAL CRIMINAL COURT FOR THE FORMER YUGOSLAVIA, Hague, Netherlands

Legal Intern

Jun. 2003 – Aug. 2003

Worked with Defense Counsel. Drafted motions and summarized Court transcripts. Conducted legal research focusing on ICTY Trial Court and Appellate Court decisions and motions.

EDUCATION

AUSTRALIAN NATIONAL UNIVERSITY, Ph.D., Australia, Sept. 2014

Thesis: *The Legal Construction of the Child in the United Nations Convention on the Rights of the Child*
Primary research areas include: international children's rights, international human rights, developmental psychology, sociological and historical approaches to childhood.

Teaching: International Criminal Law (Lecturer/Convener), Public International Law (tutor), Jurisprudence (tutor), Alternative Dispute Resolution (course development), Jessup Moot Court (national oral and memorial judge)

Activities: Centre for International and Public Law

Honors: University Research & International Higher Research Degree Merit Scholarships

UNIVERSITY OF LEIDEN, LL.M., Netherlands, Sept. 2007

Focus: Public International Law, International Criminal Law Specialization

Thesis: *The Legal Construction of the Child in the UN Convention on Rights of the Child*, resulting in Honors.

Activities: Leiden Journal of International Law (editor); International Tribunal for Sierra Leone, Defense Team (intern); Jessup Moot Court (coach); Jurisprudence Reading Group, (coordinator).

UNIVERSITY OF FLORIDA'S LEVIN COLLEGE OF LAW, J.D., Jun. 2004

Honors: Cum Laude Fall '03 & Spring '04

Activities: Intern at International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, Jessup Moot Court

Abroad: University of Cape Town (Summer '02), Leiden University (Spring '03) & Amsterdam University (Spring '04)

STETSON UNIVERSITY, B.A., Dec. 2000

Honors: Dean's List, Academic Scholarship, Athletic Scholarship

Abroad: Moscow State University (Fall '00)

ACADEMIC PRESENTATIONS

CONVENER

'Feminisms of Discontent: Global Perspectives,' held at Jindal Global Law School, Delhi, India, February 2011.

PRESENTER

'Law and Childhood Studies,' held at University College London, England, July 2010: *The UNCRC's Performance of the Child as Developing*.

'Global North and Global South Perspective on Transnational Issues,' Joint Conference with Osgoode Hall and Jindal Global University, held in Toronto, Canada, November 2010 and held in New Delhi, India, March 2011: *A Genealogy of the UNCRC*

'The Child,' Existential and Phenomenological Theory and Culture, Congress of Social Sciences and Humanities of Canada, Fredericton, New Brunswick, Canada, May 2011: *The Docile Body: The Regulation of Childhood through the Discourse of Rights*.

'Juvenile Criminal Justice and Human Rights: International and Transnational Perspectives, Sixth Conference on the Future of Adversarial Systems, Chapel Hill, North Carolina, April, 2014: *A Child and A Soldier: Victim, Perpetrator, and Illegal Method of Waging War*.

'Law and Inequalities: Global and Local', 50th Anniversary Law And Society Association Annual Meeting, Minneapolis, MN, May, 2014: *Distinct Rights for Children, Women, Persons with Disabilities, and Elders: Comparing the Construction of Vulnerability in Law*.

'Uncomfortable Conversation: The Universal and the Particular – Vulnerability and Identities Workshop II', Miami, Florida, November, 2014: *Beyond Children's Rights: Building a Coalition through Vulnerability Discourse*'.

ASSOCIATIONS

Florida Bar Association

DR. ASHLEIGH D. BARNES, ESQ

110 Bridge Street,
St. Augustine, FL 32084
abarnes1@ufl.edu
912.409.5849

November 11, 2021

RE: TENURE TRACK FACULTY POSITION

Dear City Commission:

I am writing to apply for to serve on the Planning & Zoning Board (PZB)

I previously was a law professor at UF (adjunct – Business & International Law), Florida Coastal School of Law (International & Criminal), and taught law overseas in Australia and India. Currently, I run a small business and a start-up, handling business management as well as various aspects of intellectual property, tax & business law.

I reside in Lincolntonville, two of my three children attend KES, and I would love the opportunity to serve what has been my home for the last 9 years.

Please see the attached CV and application for further details regarding education, and work experience. I would welcome the chance to interview with you. Thank you in advance for your consideration.

Sincerely,

Ashleigh Barnes

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee.

1. APPLICANT NAME Christina Griggs
2. BOARD/COMMITTEE DESIRED Planning & Zoning
3. RESIDENCE (Address) 29 Mirvela Ave., St. Augustine, FL 32080
4. PHONE 352-474-3650 E-MAIL Christina.griggs@jbpro.com
5. BUSINESS OWNED (Address) _____
6. BUSINESS PHONE _____ E-MAIL _____
7. PROPERTY OWNED (Address) _____
8. PREFERRED MAILING ADDRESS _____
9. OCCUPATION (include resume if available) Civil Engineer
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) EI # 1100022968 (Sitting for PE in April 2022)
11. OTHER COMMENTS OR INFORMATION _____
12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.

Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes ☒ No

Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box.

RACIAL CATEGORY (Check as many as apply)

☐ American Indian or Alaska Native

☐ Black or African American

☒ Asian
☒ White

☐ Native Hawaiian or Other Pacific Islander

13. SIGNATURE OF APPLICANT

Christina Griggs

DATE 11/18/21

14. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to: Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, Florida 32085.

CG
Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 2.

Qualifications: All members of the Planning and Zoning Board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two (2) consecutive full terms.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☐ Attorney, Florida Bar |
| ☐ Educator, college level | ☐ Landscape Architect, Florida registered |
| ☒ Engineer, Florida registered | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | |

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 3.

Qualifications: All members of the Historic Architectural Review Board shall hold no government office nor receive any salary or compensation for their services to the board herein created. While preference shall be given to current city residents, the city commission may appoint a non-resident upon a finding that such non-resident is uniquely qualified. No member shall be appointed for more than two (2) consecutive full terms. Alternates shall be appointed for a three (3) year term. Alternates shall have previously served as regular members and shall comply with all local and state requirements of office. Alternates will only be called upon to participate and vote at meetings in the event of an anticipated lack of quorum or bare minimum quorum of the regular members.

Persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines who do not have a professional degree in any of the fields set forth in this section may be appointed by the city commission when persons with such degrees are not available for appointment, or when such appointment is determined to be in the best interest of the city.

Please check those qualifications that apply to you:

- | | |
|--|---|
| ☐ History or related fields | ☐ Art History |
| ☐ Archaeology | ☐ Former HARB Member |
| ☐ Architectural History | ☐ Other |
| ☐ Historic Architecture | |

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

Authorization: Code of Ordinances, Chapter 28, Article II, Division 5.

Qualifications: All members of the Corridor Review Committee shall hold no government office nor receive any salary or compensation for their services to the board herein created. The initial appointment of members shall be as follows: two (2) members of the board as established herein shall be appointed for a term of three (3) years; two (2) members for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter all members shall be appointed for a three (3) year term. Two (2) seats on the board shall be designated for a licensed, or retired, architect or landscape architect with preference given to those who are city residents or whose business is located within the city; and three (3) seats for property owners or tenants of properties located within the respective entry corridors: Anastasia Boulevard, San Marco Avenue, and King Street. The members of the CRC shall meet as needed, as an ad hoc committee meeting noticed by the City Clerk and shall meet at least annually to elect one (1) of its members as chairperson and one (1) as vice-chair.

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida licensed or retired | ☐ Owner of property located within Entry Corridor |
| ☐ Landscape Architect, Florida licensed or retired | ☐ Tenant of property located within Entry Corridor |

Christina Murray Griggs
29 Miruela Ave.
St. Augustine, FL 32080

To whom it may concern,

I am excited to apply for an appointment on the Planning and Zoning Board. I am a St. Augustine native and a St. Augustine High School graduate (go Jackets!).

My parents, Larry and Priscilla Griggs, moved to north Davis Shores in the 80's. You may know my father, as he previously served on the Planning and Zoning Board himself and works at his own practice in town as an elder law attorney. My mother also worked as an attorney for many years, and now works as a nurse.

After graduating from high school in 2007, I attended the University of Florida where I obtained a Bachelor of Science degree in Civil Engineering in 2012. Since graduation, I have worked in both the private and public sector focusing on land development. I worked for a public utility in Gainesville, Gainesville Regional Utilities, as well as multiple private consulting firms. From serving on both the public and private side, I understand the needs of both an individual as well as a city. I have dealt with the political side of working for a public agency. I have worked in both plan review where I enforced City code as well as the design side where I had to meet governing agency codes. I understand the pressure and needs of both sides which gives me a different level of understanding and a whole picture of what comes with planning and land development.

I have seen and experienced the many changes in development in St. Augustine over the past 30 years. St. Augustine is such a special city to me, and I have always known I wanted to move back one day and raise my own children here. Currently, I work for a civil engineering and surveying consulting firm in our St. Augustine office, and I am very happy to be pursuing my professional career in my hometown.

I believe the knowledge I have gained from my professional experience as a civil engineer, as well as the changes I have experienced in St. Augustine over the past 30 years, gives me a level understanding that sets me apart and qualifies me as an asset to the board. Being involved in the City I love and call home is so important to me, and as such, I appreciate being considered for an appointment on the Planning and Zoning Board.

Thank you,


Christina Griggs, EI

Christina M. Griggs, E.I.

(352) 474-3650

29 Miruela Ave, St. Augustine FL 32080

christinagriggs1@gmail.com

EDUCATION

University of Florida, Gainesville, FL – Graduated May 2012
Bachelor of Sciences, CIVIL ENGINEERING

LICENSES

EIT, State of Florida EI #1100022968

WORK EXPERIENCE

JBPro – St. Augustine, FL Engineering Project Manager	March 2021 – Present
Eda Consultants – Gainesville, FL Project Designer	October 2020 – February 2021
Gmuer Engineering - Gainesville, FL Senior Engineer	November 2019-October 2020
Gainesville Regional Utilities (GRU) – Gainesville, FL Utility Engineer II	June 2016-November 2019
Eda Engineers-Surveyors-Planners, Inc. – Gainesville, FL Project Engineer	May 2015-June 2016
Larry T. Griggs, Attorney at Law – St. Augustine, FL Office Assistant	December 2014- May 2015
Matthews Design Group – St. Augustine, FL Project Engineer	June 2014- December 2014
CHW Professional Consultants – Gainesville, FL Project Engineer	March 2013- June 2014
Clear Carbon Innovations – Gainesville, FL Laboratory Assistant	July 2012 –March 2013

AWARDS AND ACCOMPLISHMENTS

ASCE Young Engineer of the Year, 2019
ASCE Volunteer of the Year, 2019

VOLUNTEER EXPERIENCE

ASCE Gainesville Branch Past President	October 2020-Present
ASCE Gainesville Branch President	February 2019-October 2020
ASCE Gainesville Branch Treasurer	October 2018-February 2019

RE: Planning and Zoning Board Application

Please consider the following application for upcoming vacancies on the City of Saint Augustine's Planning and Zoning Board. I am an Orthopedic Surgeon living and employed locally. I am aware that this is not the typical applicant for a position on the board; however, I have a keen interest in the appropriate development of the City of Saint Augustine. Please feel free to contact me if additional information is needed.

Thank you,

A handwritten signature in black ink, appearing to read 'David Gay', with a long, sweeping horizontal line extending to the right.

David Gay, M.D.

955 Lew Blvd.

St. Augustine, FL 32080

(904) 651-6772

CITY OF ST. AUGUSTINE
APPLICATION REQUESTING APPOINTMENT TO CITY BOARD/COMMITTEE

The undersigned wishes to apply for City Commission appointment to serve in a voluntary capacity on a City of St. Augustine board or committee.

1. APPLICANT NAME David Gay, M.D.
2. BOARD/COMMITTEE DESIRED P.Z.B.
3. RESIDENCE (Address) 955 Low Blvd. St. Augustine, FL 32080
4. PHONE (904) 651-6772 E-MAIL algay40@hotmail.com
5. BUSINESS OWNED (Address) N/A
6. BUSINESS PHONE _____ E-MAIL _____
7. PROPERTY OWNED (Address) 955 Low Blvd. St. Augustine FL 32080
8. PREFERRED MAILING ADDRESS 955 Low Blvd. St. Augustine FL 32080
9. OCCUPATION (include resume if available) Orthopedic Surgeon
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) _____

11. OTHER COMMENTS OR INFORMATION _____

12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

Specific Instructions: The two questions below are designed to identify your ethnicity and race. Regardless of your answer to question 1, go to question 2.

Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) ☐ Yes | ☒ No

Question 2. Please select the racial category or categories with which you most closely identify by placing an "X" in the appropriate box.

RACIAL CATEGORY (Check as many as apply)

☐ American Indian or Alaska Native

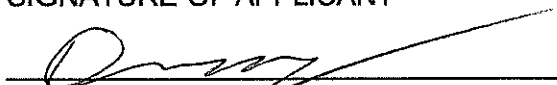
☐ Asian

☐ Native Hawaiian or Other Pacific Islander

☐ Black or African American

☒ White

13. SIGNATURE OF APPLICANT



DATE 11/29/21

14. AGREEMENT: In filing this application, the undersigned understands that it becomes a part of the public records of the City of St. Augustine and does hereby certify that all information contained herein is true to the best of his/her knowledge. It is also understood that, if appointed, it is required by the State of Florida to file a financial disclosure Form 1 with the Supervisor of Elections, St. Johns County, within thirty (30) days of appointment, and each year thereafter, covering the term of appointment and to file Form 1-F upon departure from the board. Submit applications to: Darlene Galambos, City Clerk, P.O. Box 210, St. Augustine, Florida 32085.

Initial _____

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- | | |
|---|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☐ Attorney, Florida Bar |
| ☐ Educator, college level | ☐ Landscape Architect, Florida registered |
| ☐ Engineer, Florida registered | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | |
-

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| ☐ Archaeology | ☐ Former HARB Member |
| ☐ Architectural History | ☐ Other |
| ☐ Historic Architecture | |
-

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| ☐ Landscape Architect, Florida licensed or retired | ☐ Tenant of property located within Entry Corridor |

David Matthew Gay, M.D.

Upper Extremity Orthopedic Specialist

120 Health Park Dr., Suite #120

Saint Augustine, FL 32086

Employment Experience

Orthopedic Surgeon, Flagler Health, Saint Augustine, FL (2020- current)

Director of Orthopedics, Flagler Health, Saint Augustine, FL (2020 – current)

Regional Director of Orthopedics, Advent Health Care Partners, Palm Coast, FL (2019-2020)

Orthopedic Surgeon, Advent Health Care Partners, Palm Coast, FL (2010 - 2020)

Professional Training

Shoulder and Elbow Fellowship– Melbourne Shoulder and Elbow Centre, Melbourne, Australia (2009)

Hand and Upper Extremity Fellowship- Hospital for Special Surgery, New York, New York (2008-2009)

Orthopaedic Resident, University of Florida Health Science Center Jacksonville, Florida (2003-2008)

Education

University of South Carolina School of Medicine (1999-2003)
-Doctorate in Medicine

Appalachian State University (1994-1997)
-*Cum Laude* Graduate with a Bachelor of Science in Biology
-Minors in Mathematics and Chemistry

Leadership and Professional Honors

Emerging Leaders Program – American Orthopaedic Association (2007-2012)

Finalist – Marshall Award for Best Fellowship Research Project. Monash University. Melbourne, Australia (2009)

Chief Resident, University of Florida – HSCJ, Department of Orthopaedic Surgery (2007- 2008)

University of Florida / Shands Jacksonville Graduate Medical Education Committee Member at Large (2007- 2008): Selected by the residents of the University of Florida to represent them at the Graduate Medical Education Committee.

University of Florida Resident Graduate Medical Education Committee Member (2005-2008): Selected by the Orthopaedic faculty to be the departmental representative at the committee's monthly meeting.

American Orthopaedic Association Resident Leadership Forum (2007): Selected by the Orthopaedic Department Faculty to represent the department at the AOA-OREF Zimmer Leadership Forum

Marshall Horowitz Research Grant (2006): Annual award given within the Department of Orthopaedics to fund orthopaedic research.

Erdman Medical Scholarship (2002-2003): Academic achievement scholarship awarded to medical students in their final year of training.

Hugh H. Wells Scholarship (2001-2002): Academic achievement scholarship awarded to medical students who have completed their preclinical medical school training.

AMA USC Student Section Vice-President (2000-2001): Assisted the President of the Student Section with increasing student membership and planning events.

Founder and President of USC Wilderness Medical Society Student Interest Group (2000-2001): Established a Student Interest Group Chapter of the Wilderness Medical Society at the University of South Carolina.

University of South Carolina Representative to the South Carolina Medical Association (2000-2001): Represented the University of South Carolina School of Medicine at the South Carolina Medical Association's meetings and disseminated the information to the class representatives of the medical school.

AMA Student Section, South Carolina Medical Society, and Columbia Medical Society Class Representative (1999-2000): Maintained communication between the officers in the more senior classes with the student members in the freshman class.

Continuing Student of Appalachian State Scholarship (1995-1997): Academic achievement scholarship awarded to students who have completed at least one year of undergraduate work.

Ida Ledbetter Premedical Scholarship (1995-1996): Academic achievement scholarship awarded to a student who is majoring in Premedical Biology.

Tri-Beta Honor Society: National Biological Honor Society.

Gamma Beta Phi Honor Society: National Academic Honor and Community Service Organization.

Additional Professional Activities

Physician Provider to the NBC/Mountain Dew Action Sports Tour (2006)

Physician Provider to the American Motorcyclist Association Supercross and Motocross Championship Series (2006)

Publications

Schrumpf, MA, Lyman S, Do H, Schreiber JJ, **Gay DM**, Marx R, Daluiski A. *Incidence of Postoperative Elbow Contracture Release in New York State. Journal of Hand Surgery.* September 2013.

Gay DM, Lyman S, Huong D, Marx R, Hotchkiss RN, Daluiski A. *Indications, and Reoperation Rates for Total Elbow Arthroplasty. Journal of Bone and Joint Surgery – American.* January 2012.

Raphael BS, Weiland AJ, Altcheck DW, **Gay DM**. *Revision arthroscopic contracture release in the elbow resulting in an ulnar nerve transection: surgical technique to avoid complications.. Journal of Bone and Joint Surgery - American.* 2011 Mar; 93 Suppl 1:100-8.

Gay DM, Raphael BS, Weiland AJ. *Revision Arthroscopic Contracture Release in the Elbow Resulting in an Ulnar Nerve Transection. Journal of Bone and Joint Surgery – American.* May 2010.

Duprey K, **Gay DM**, Goll C, Patney MJ. *Bilateral Congenital Hamate-Capitate Fusion with a Scapholunate Ligament Dissociation. Orthopedics,* September 2005.

Gay DM, Voss FR. *Atrophic Femoral Nonunion with Bone Loss: Treatment with Monorail Transport. Journal of Orthopaedic Trauma,* August 2004.

McElmurray JH, Mukherjee R, Patterson TM, Goldberg AT, King MK, Hendrick JW, **Gay DM**, Clair MJ, Jolly JR, Spinale FG. *Comparison of Amlodipine or Nifedipine Treatment with Developing Congestive Heart Failure: Effects of Myocyte Contractility. Journal of Cardiac Failure,* June 2001.

King MK, **Gay DM**, Pan LC, McElmurray JH, Hendrick JW, Pirie C, Morrison AE, Ding C, Mukherjee R, Spinale FG. *Treatment of Growth Hormone Secretagogue in a Model of Developing Heart Failure: Effects on Ventricular and Myocyte Function. Circulation,* January 2001.

Krombach RS, McElmurray JH, **Gay DM**, Clair MJ, Mukherjee R, Goldberg AT, Baicu SC, Spinale FG. *Bradykinin Degradation and Relation to Myocyte Contractility. Journal of Cardiovascular Pharmacology and Therapeutics,* October 2000.

Clair MJ, King MK, Goldberg AT, Hendrick JW, Nisato R, **Gay DM**, Morrison AE, McElmurray JH, Krombach RS, Bond BR, Cazaubon C, Nisato D, Spinale FG. *Selective Vassopressin, Angiotensin II, or Dual Receptor Blockade with Developing Congestive Heart Failure. Pharmacology and Experimental Therapeutics,* June 2000.

Presentations at Peer Reviewed Meeting

Bell S, Coghlan J, **Gay DM**. *Arthroscopic Treatment of Calcific Rotator Cuff Tendonitis: Is Subacromial Decompression Beneficial?* **12th International Congress of Shoulder and Elbow Surgery**. Nagoya, Japan. April 2013.

Schrumpf M, Lyman S, Huong D, Marx R, **Gay DM**, Daluiski A. *Incidence of Post-Traumatic Elbow Contractures*. **Eastern Orthopaedic Association 42nd Annual Meeting**. Williamsburg, Virginia. October 2011.

Gay DM, Daluiski A, Paul S, Hotchkiss RN. *Anconeus Interposition for Proximal Radioulnar Synostosis*. **American Association of Orthopaedic Surgeons 77th Annual Meeting**. San Diego, California. February 2011

Smith CS, Wilson CH, **Gay DM**, Loveless E. *Submuscular Plating of Pediatric Femur Fractures*. **Eastern Orthopaedic Association 41st Annual Meeting**. Naples, Florida. October 2010.

Gay DM, Daluiski A, Paul S, Hotchkiss RN. *Anconeus Interposition for Proximal Radioulnar Synostosis*. **American Orthopaedic Association. 123rd Annual Meeting**. San Diego, California. June 2010.

Gay DM, Lyman S, Huong D, Marx R, Daluiski A. *Indications, Readmission Data, and Reoperation Rates for Total Elbow Arthroplasty*. **American Association of Orthopaedic Surgeons 76th Annual Meeting**. New Orleans, Louisiana. March 2010.

Gay DM, Wilson C, Loveless E. *Locked Plating of Pediatric Femur Fractures*. **American Association of Orthopedics Surgeons 75th Annual Meeting**. San Francisco, California. March 2008.

Gay DM. *Peripheral Nerve Repair with Conduits*. **Florida Orthopaedic Society Annual Meeting**. Orlando, Florida. May 2007.

Gay DM, Riel RU, Keen J, Milek M, Fuhman T, Evans M, Augustine S. *Heart Rate Monitoring as a Determination of Exercise Intensity in Professional Motorcycle Racers*. **Canadian Academy of Sports Medicine Annual Meeting**. Quebec City, Quebec, Canada. March, 2007.

Gay DM, Gladden PB. *Non-Operative Treatment of a Comminuted Femoral Head Fracture*. **Florida Orthopaedic Society Annual Scientific Meeting**, Destin, Florida. May 2006.

-King MK, **Gay DM**, Pan LC, McElmurray JH, Hendrick JW, Pirie C, Morrison AE, Ding CW, Mukherjee R, Spinale FG. *Treatment with a Growth Hormone Releasing Peptide Mimetic Improves LV Function and Myocyte Contractility in Developing CHF*. **73rd Scientific Session of the American Heart Association**, New Orleans, November 2000.

Mukherjee R, New RB, Sampson AC, Krombach RS, Clair MJ, **Gay DM**, McElmurray JH, Walker CA, Morrison AE, Whitbread S, de Gasparo M. *Combined Angiotension II and Endothelin Receptor Blockade with Developing Heart Failure: Effects on Left Ventricular and Myocyte Contractility*. **72nd Scientific Session of the American Heart Association**, Atlanta, November 1999.

Krombach RS, McElmurray JH, Mukherjee R, **Gay DM**, Clair MJ, Goldberg AT, Baicu SC, Tzaferis JA, Hendrick JW, Spinale FG. *Isolated Myocyte Bradykinin Proteolysis: Relation to Contractility and Effects of ACE Inhibition*. **72nd Scientific Session of the American Heart Association**, Atlanta, November 1999.

Professional Memberships

American Academy of Orthopaedic Surgeons Fellow
Florida Medical Association
Florida Orthopaedic Society
Surfers Medical Association

Recreational Interest

Sailing
Surfing
Snow skiing
Triathlons

PLANNING & ZONING BOARD

Authorization:	Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57 Amended 4.14.2003, Ordinance 2003-14.
Number of Members:	Seven (7)
Terms of Office:	Three (3) years Original appointments staggered. No member may be appointed for more than two (2) consecutive full terms.
Appointment:	By City Commission
Reappointment:	Normal terms to expire on September 30 of each year.
Qualifications:	All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two 2 consecutive full terms. Member composition: architect, Florida registered; planner member APA or AICP; real estate broker, with County occupational license; educator, college level; engineer, Florida registered; landscape architect Florida registered; preservation organization officer; environmental or land use organization officer; attorney, Florida Bar; merchant/business person, City occupational license; or contractor, City contractor's license.
Duties:	The Planning & Zoning Board is established as the St. Augustine Local Comprehensive Planning Agency. The board may grant zoning exceptions and variances as provided in the zoning code ordinances; hear appeals of any decision of the Planning and Building Department; recommend to the Commission in the rezoning of land and changes to the Comprehensive Plan.
Attendance:	Absences unexcused by the chairman for two (2) of three (3) consecutive meetings shall constitute a resignation of the position.
Meetings:	First Tuesday of each month, 2 P.M., the Alcazar Room, City Hall.

PLANNING & ZONING BOARD

Meets Monthly, 1st Tuesday - 2:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
J. Carl Blow Commercial Real Estate Property Manager	100 Santa Monica Ave, 32080 829-6985 710-2655 john.carl.blow@gmail.com	12/09/19 fill vacancy 09/27/21 1 st full term	09/30/2021 09/30/2024
Jon DePreter Retired	73 Magnolia Dr., 32080 845-901-9065 jondepreter@gmail.com	08/27/18 fill vacancy 09/28/20 1 st full term	09/30/2020 09/30/2023
Charles Pappas	46 Macaris St., 32084 617-519-3017 charlespappas@icloud.com	09/27/21 1 st full term	09/30/2024
Michael Davis General Contractor	3940 Lewis Speedway, Ste. 2201, 32084 904-824-3533 mikedavis@addavis.com	09/23/19 1 st full term	09/30/2022
Sarah S. Ryan Architect	252 S. Matanzas Blvd, 32080 547-9430 sshipp@gmail.com	11/10/14 fill vacancy 09/26/16 1 st full term 09/23/19 2 nd full term	09/30/2022
Grant Misterly Professional Engineer	3 Alfred Street, 32084 904-501-9345 gmisterly@gmail.com	09/26/16 1 st full term 09/23/19 2 nd full term	09/30/2022
William Masson Attorney	35 Park Avenue, 32084 904-687-8403 wsmasson@outlook.com	09/28/20 1 st full term	09/30/2023

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, October 25, 2021

The City Commission met in formal session Monday, October 25, 2021 at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Meredith Breidenstein, Assistant City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Mark Simpson, Director, Financial Services
Todd Grant, Director, Utilities
Reuben Franklin, Director, Public Works
David Birchim, Director, Planning and Building
Melissa Wissel, Communications Director
Jennifer Michaux, Police Chief
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Billy Amalguer, Awaken City Church, delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

Mayor Upchurch **MOVED** to approve the Regular Agenda. The motion was **SECONDED** by Commissioner Sikes-Kline and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

3.A. Presentation to Ryan Aiple, St. Augustine resident for his involvement in two potentially lifesaving incidents.

Jennifer Michaux, Chief of Police, recognized Ryan Aiple for his heroic actions and humanitarianism on August 3rd and August 16th which potentially saved two members of the community. She acknowledged that years ago Mr. Aiple had also rescued her toddler son from their pool.

Mayor Upchurch thanked Chief Michaux and the St. Augustine Police Department for recognizing Mr. Aiple. He thanked Mr. Aiple for being who he was in the community and noted the City was grateful for his actions.

3.B. Certificate of Recognition 2021-05CR issued to The Limelight Theater in celebration of 30 years as St. Augustine's Community Theatre.

Mayor Upchurch presented the Certificate of Recognition, which was accepted by Chris MacEwan, Limelight Theatre board member.

Mr. MacEwan thanked the Commission and the community, and stated without community support, the theatre would not exist.

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

The Commission heard from the following members of the public:

- Ed Slavin
- Chris Fulmer
- Shawn Morrison
- Doug Russo
- B.J. Kalaidi

Public comment was closed.

5. CONSENT AGENDA

Meredith Breidenstein, Assistant City Manager, read the Consent Agenda:

CONSENT AGENDA – OCTOBER 25, 2021

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON NOVEMBER 8, 2021:

(None)

CA.3. Reminder of Upcoming Meetings:

- November 8, 2021, 5:00pm, Regular City Commission Meeting
- December 13, 2021, 5:00pm, Regular City Commission Meeting

- January 10, 2022, 5:00pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- Regular City Commission Meeting, September 13, 2021
- Special Budget Meeting, September 23, 2021
- Special Workshop Meeting, September 27, 2021

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- Annette Pope - 1009 West 9th Street
- Kimberly Hersey and Matthew Wolhart - 4581 Avenue C

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION / RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

- Approval of request from the organizers of the Lincolnville Festival for Certificates of Recognition. (D. Galambos, City Clerk)

CA.7. NOTIFICATION OF PROCLAMATIONS / CERTIFICATES OF RECOGNITION ISSUED:

(None)

CA.8. Annual status report from the City Attorney's office. (I. Lopez, City Attorney)

CA.9. Approval of invoice in the amount of \$928.00 from Cavendish Partners, P.A. for legal services regarding Marlowe v. City matter and invoice in the amount of \$413.00 for legal services regarding the MASI General Contractor, Inc. v City matter. (I. Lopez, City Attorney)

End of Consent Agenda

5.A. Additions, deletions or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Horvath MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

6. APPEALS

(None)

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

Public Hearing Required - Resolution 2021-41: Application to the Florida Department of Economic Opportunity for a Community Development Block Grant for renovation of St. Francis Housing Crisis Center.

Denise Radovich, Grant Administration Coordinator, reviewed the Resolution and requested its passage so the City could apply for the Grant. She introduced Judith Dembowski, Executive Director of St. Francis House.

Ms. Dembowski thanked the Commission and asked that they pass the Resolution, as

the St. Francis House was seeing more people due to COVID, loss of income, and rental affordability. She stated they were the only full-time emergency shelter between Daytona and Jacksonville, and most of the homeless were unsheltered. She concluded their program promoted housing first and assistance with overcoming obstacles to get housed, and they needed expansion to assist.

Public hearing was opened; however, there was no response.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2021-41. The motion was SECONDED by Mayor Upchurch.

VOTE ON MOTION

AYES: Sikes-Kline, Upchurch, Valdes, Horvath, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2021-24: Amends Section 29-5 of the City Code to provide the City with the ability to increase the Single-Family Unit Stormwater Utility Fee by Resolution.

Mark Simpson, Director, Financial Services, reviewed the Ordinance and noted the additional fee increases for stormwater, water, and sewer rates for the fiscal year 2022 budget would be discussed at the next Commission meeting.

Public hearing was opened, and the Commission heard from the following:

- B.J. Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2021-24 on second reading, read by title only. The motion was SECONDED by Commissioner Valdes.

Isabelle Lopez, City Attorney, read the title as follows:

ORDINANCE NO. 2021-24

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 29-5 OF THE CODE OF THE CITY OF ST. AUGUSTINE PROVIDING FOR STORMWATER UTILITY FEE RATE INCREASES BY ADOPTION OF A RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Sikes-Kline, Valdes, Horvath, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2021-25: Amends the zoning of 36 Granada Street (CL-1) and 8 DeSoto Place (RG-1) to Planned Unit Development (PUD).

David Birchim, Director, Planning and Building, reviewed the Ordinance which included the PUD allowed uses and limitations. He referenced the updated narrative of Commissioners' comments from the September 27th meeting, which did not include native plant use for landscaping, or one curb cut elimination in the design change. He stated a license agreement would be necessary to allow awnings over the sidewalk on DeSoto Place, palm trees in the sidewalk on Granada Street, and

outdoor dining, if requested, which would require separate approval.

Commissioner Sikes-Kline requested further discussion regarding the curb cuts.

Jay McGarvey, applicant with McGarvey Residential Properties, was sworn in by Darlene Galambos, City Clerk.

Mr. McGarvey addressed the following issues:

- Confirmed window heights complied with the Historical Architecture Review Board's (HARB) requests
- Confirmed they would comply with the native plants request
- Questioned the benefit to close one curb cut from the three that existed for numerous years based on the logistics of the sidewalk, oak trees, and parking garage in the surrounding area
- Parking spaces would be lost, which directly affected allowable restaurant seating which affected the restaurants' financial viability

Mayor Upchurch mentioned curb cuts reduced the walkability of sidewalks, the applicant was asked for a parking lot redesign that eliminated one of three curb cuts to increase walkability, and it appeared two parking spots would be lost.

Mr. McGarvey indicated that City staff had confirmed the building was not in the historic district, nor was it historic; therefore, he questioned why it was subject to HARB.

In response to Mayor Upchurch regarding the historic value of the building and any changes over time, Mr. Birchim advised that 36 Granada Street was a historic structure listed on the Florida Master Site File, which was the State of Florida's inventory of historic structures. He continued it was not in a historic district, nor adjacent to a district that would require HARB approval for a Certificate of Appropriateness, HARB

reviewed and approved partial and full demolition of all structures 50 years and older in the City, and HARB reviewed this on October 21st.

Mayor Upchurch stated a significant portion of the structure was historic and would be meshed with the renovated building.

Commissioner Blonder reviewed previous comments she made at the Ordinance's first reading:

- Questioned the specific public benefits: Applicant's narrative stated the project created uses to enhance the sense of community, and providing justification of interior degradation was not a benefit for renovation, since there were no design elements that made the building and surrounding area resilient to flooding
- Updated application only contained minor word changes with clearer parking update requirements; however, it lacked many of her requests and she questioned why this was even a PUD
- Only one native species was provided, along with no sustainability element in the landscape plan, such as raingardens
- Site Plan was absent a seating chart which should be available since parking was finalized in the plan
- Questioned enforcement of an employee Ride Share Program that reduced parking impacts to employees in neighboring area
- Size of historic sign was not specified and could be small enough to negate the intended historic character, and the application noted 'the size and scope may be limited by other architectural features'
- Curb cuts reduced mobility, pedestrian, and bicycling safety whether or not a sidewalk existed; therefore, reducing the enhanced safety
- Revised Site Plan and Landscape Plan conflicted: Site Plan showed three curb cuts on DeSoto, and Landscape Plan

showed a five-foot sidewalk with ingress seen, but no egress

Commissioner Blonder felt the application was incomplete based on the omission of the suggestions provided by herself and other Commissioners during first reading, and discrepancies between the Site and Landscape Plans; therefore, she would vote against it.

Mr. McGarvey responded that he was not in attendance at the first reading to hear the comments, and he stated the following:

- Landscape plan would be redrawn relative to the native plant concept
- 'Feed Store' historic sign placement description would be provided, and elevation shown; however, they tried to avoid pushing the signage back further than necessary to be more visible, and the architects were working on this, and moving a door for visibility
- Unaware a seating chart required for a PUD application or approval, since they stated the seat number would comply relative to allowable parking spaces
- Supported sidewalks and would close one curb cut with suggestion it be the one farthest east

Commissioner Horvath noted that parking would not be lost by closing a curb cut, and she suggested the center one which allowed ample room to make the turn.

Mr. McGarvey stated this was addressed with his engineers, and he would close the curb cut that lost the fewest parking spaces.

Mr. McGarvey advised Commissioner Sikes-Kline there was a bike rack provision which the plans would show. He noted that all their Jacksonville stores had one, and the coffee shop was intended to be a gathering place.

Commissioner Valdes stated he supported the project, it was an improvement and

good use of structure, it would make a fantastic restaurant, it was on a fringe and not in residential area, and Mr. McGarvey constructed quality buildings. He expressed perplexity about the request for native plants since St. Augustine was populated with citrus and plants brought by the Spaniards from Europe, and arguably there were many non-native plants.

Commissioner Blonder indicated native plants were in Florida since the Ice Age and adaptive to conditions, she was speaking to the public benefit of the PUD process, and one benefit was demonstrating to others the ability to landscape with native plants which reduced fertilizer, pesticides, and water use.

Mayor Upchurch expressed support for the project for many of the reasons articulated by Commissioner Valdes; however, there were loose ends that required correction.

Public hearing was opened, and the Commission heard from the following members of the public:

- B.J. Kalaidi
- Ed Slavin

Public hearing was closed.

MOTION

Mayor Upchurch MOVED that Ordinance 2021-25 be tabled until the November 8th meeting to allow the applicant an opportunity to more fully respond to the concerns raised by the Commission. The motion was SECONDED by Commissioner Sikes-Kline.

Commissioner Sikes-Kline requested the following:

- Curb cuts should be seen in Site Plan
- Sign plan element needed to avoid unexpected future issues
- Bike racks needed in the Site Plan and circulation plans were required for

pedestrian, cycling, and automobiles in the PUD ordinance

- Landscape materials should be climax vegetation wherever possible
- Clear public benefit noted in the PUD with deviation (alcohol sales)
- Address the Ride Share Program which reduced emissions and congestion; an important component to resiliency

At the request of Commissioner Horvath, Mr. Birchim stated the second vacant property was a commercial coquina parking lot and the owner submitted civil engineering plans for grading and drainage of the lot.

Commissioner Blonder requested the applicant go above and beyond, and she encouraged a determined effort to demonstrate the public benefit with examples of the Ride Share Program, curb cuts, pervious pavers option, and other sustainable elements.

VOTE ON MOTION

AYES: Upchurch, Sikes-Kline, Valdes, Horvath, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

The Commissioners acknowledged there was no ex parte communication.

8.A.3. Ordinance 2021-27: Changes the City Code to reflect changes to state law increasing small scale future land use map changes from 10 acres to 50 acres and conform definitions to state statute.

Mr. Birchim reviewed the Ordinance which included the updates and modifications to the City's zoning code.

Public hearing was opened; however, there was no response.

MOTION

Mayor Upchurch MOVED that Ordinance 2021-27 be read by title only and passed on second reading. The motion was SECONDED by Commissioner Horvath.

ORDINANCE NO. 2021-27

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28, SECTION 28-2 TO AMEND THE DEFINITIONS OF COMPREHENSIVE PLAN, COMPREHENSIVE PLAN AMENDMENT, LARGE SCALE, COMPREHENSIVE PLAN AMENDMENT, SMALL SCALE; AMENDING CHAPTER 28, SECTION 28-59 NOTICE OF PUBLIC HEARINGS BY PLANNING AND ZONING BOARD; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Upchurch, Horvath, Valdes, Sikes-Kline, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.B. Ordinances – First Reading (only if required by law)

(None)

8.C. Resolutions – Public Hearing (only if required by law)

(None)

9. ORDINANCES AND RESOLUTIONS - NO PUBLIC HEARING REQUIRED

9.A. Ordinances – First Reading

(None)

9.B. Resolutions

(None)

10. STAFF REPORTS AND PRESENTATIONS

(None)

11. ITEMS BY CITY ATTORNEY

(None)

12. ITEMS BY CITY CLERK

12.A. Notification of board terminations and vacancies.

Ms. Galambos updated the Commission on the following:

- Code Enforcement, Adjustment and Appeals Board had one vacancy and two term expirations
- Police Officers' Retirement System had one vacancy
- Firefighters' Pension Trust Fund had two term expirations

13. ITEMS BY CITY MANAGER

Ms. Breidenstein advised the Commission the Saint Augustine Music Festival and the Beaches Fine Arts Series requested use of the City Seal to promote a piano concert on December 11th at Flagler College. She stated the groups asked the City to co-sponsor the event by providing security and shuttle services.

Ms. Breidenstein advised Commissioner Sikes-Kline, per her request, that the City was asked to pay for an off-duty police officer for the event, and she suggested the Commission approve the request, then John Regan, City Manager, would finalize the details, and the mobility department would work with the group's shuttle request.

Commissioner Sikes-Kline proposed approving the request to use the City seal,

but noted they should wait for details on the request for security and shuttle service.

Mayor Upchurch agreed to approve use of the City seal, and to serve as a co-sponsor for the event. He stated that granting use of the City seal did not award permission for the other requests, and Mr. Regan would work through the details with the group.

MOTION

Mayor Upchurch MOVED approval of the City Seal. The motion was SECONDED by Commissioner Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

Ms. Breidenstein stated there were no Commission workshops currently on the calendar, and she asked for feedback on dates and topics. She stated a workshop could be scheduled before the November or December meetings, a date irrespective of those meetings, or they could wait until January 2022. She suggested these topics: cultural center, workforce housing, homelessness, sustainability, and additional resiliency workshops.

Mayor Upchurch was amiable to a January 24th workshop at 3:00 p.m. and he requested discussion of the Cultural Center with the duration left for staff to set.

Commissioner Sikes-Kline was agreeable to discussion of the Cultural Center.

Commissioner Blonder suggested workforce and affordable housing as topics and noted the proposed location of the performing arts center was discussed for use as workforce and affordable housing; therefore, those topics should take place prior to the discussion on the Cultural Center.

Commissioner Valdes stated workforce housing dovetailed into the City's homeless situation, and a workshop on the topic was necessary. He continued the homeless issue was huge and required immediate

action, as merchants, residents, and visitors continuously complained which affected the immediate future. He concluded this was his last year in office and he would push the topic.

Ms. Breidenstein confirmed the next workshop would take place on January 24, 2022, at 3:00 p.m. with discussion of workforce housing and homelessness.

14. ITEMS BY MAYOR AND COMMISSIONERS

Mayor Upchurch told a personal story of his friend's handicapped adult son who used a large-motorized wheelchair for all his mobility and who relayed how handicap accessible the entire downtown St. Augustine area was, and how kind staff was to them. He concluded that much of the success was due to the complete streets that eliminated barriers and curbs.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:23 P.M.¹

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

City Commission Special Meeting Monday, October 25, 2021

The City Commission met in formal session Monday, October 25, 2021 at 3:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Meredith Breidenstein, Assistant City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Mark Simpson, Director, Financial Services
David Birchim, Director, Planning and Building
Reuben Franklin, Director, Public Works
Todd Grant, Director, Utilities
Melissa Wissel, Communications Director
Corey Sakyr, Deputy Director, General Services
Jessica Beach, Chief Resilience Officer
Jennifer Michaux, Police Chief
Laura Morse, Recording Secretary

2. General Public Comments

Public comment was opened, and the Commission heard from the following member of the public:

- Ed Slavin

Public comment was closed.

3. Overview of the City's Resilience Program and Strategy

Jessica Beach, Chief Resilience Officer, recited the definition of resilience: "that capacity to recover / bounce back from shocks and stressors", which for the City were primarily hurricanes, strong nor'easters, and nuisance flooding. She indicated the workshop goals were to engage staff with the Commission for

feedback and guidance which drove project prioritization, planning efforts, and strategy. She stated the Public Works and Utilities quarterly update at the end of her presentation would tie into the discussion, and additional public comment would be permitted if time allowed. She provided a comprehensive review of the City's resilience policy.

The Commission and Ms. Beach discussed:

- Vulnerability assessment completed on nuisance flooding which was dependent on sea level rise that would affect flooding as early as 2030 or 2100
- Assessment was based on National Oceanic and Atmospheric Administration (NOAA) sea level rise scenarios from their 2012 database and the Army Corps of Engineers scenarios

published from Mayport in 2016; therefore, this was occurring more rapidly than anticipated

- Address recommendations in the Comprehensive Plan from recent data to assist with planning projects
- State adopted a 2040 and 2070 planning horizon for new vulnerability assessments and looked at NOAA intermediate low and intermediate high to narrow in on projection curves
- Intergovernmental Panel on Climate Change (IPCC) recent report stated global temperatures would reach 1-1/2 degrees Celsius by 2040, which was 10 years earlier than estimated five years ago, and was based on 14,000 scientific papers

Commissioner Blonder stressed the importance to revisit the Strategic Adaptation Plan based on the recent data and recommended updating the Coastal Vulnerability Assessment.

Commissioner Valdes stated the data was old, climate change was accelerating, and certain areas would be impacted to a non-functional status. He noted concern with placing money into projects that could be better spent retreating, and 'the moving target' was not moving in the City's favor.

Commissioner Horvath believed Commissioner Valdes' concerns were addressed since they looked at areas where they would not necessarily retreat.

Ms. Beach acknowledged that the Stormwater Master Plan looked at scenarios, planning, costs, cost benefit, and the planning horizon.

Ms. Beach reviewed the City's current resilience projects.

There was discussion among Commissioner Sikes-Kline and Ms. Beach regarding recent participation in FEMA's cost-share program:

- Out of 42 interested, 25 participated
- Application required a flood elevation certificate, flood insurance, three quotes from different contractors, and a narrow window to submit
- Next year's plan was to work with local contractors to begin process earlier and allow applicants time to gather materials
- Repetitive flood loss and requirement for flood insurance with required prior claims eliminated many without either
- FEMA program was very defined, and although many applicants flooded, the percentage threshold was not crossed
- Consider cost-share amount with other program supplements
- City should develop own program and criteria to assist residents

Mayor Upchurch requested to postpone discussion of a City assistance program to a later time.

Ms. Beach reviewed the City's resilience planning, and the following was discussed with the Commission:

- Stormwater Master Plan provided a roadmap for capital improvements
- Reviewed City of Miami's Stormwater Master Plan as a guideline
- Coastal and rainfall driven flooding
- State had approximately \$20 million in planning funds available
- Comprehensive Plan recommended engaging the Army Corps of Engineers to perform a "Back Bay" feasibility study and City was approved for participation; however, congressional dollars were needed to begin, funds were very competitive, a cost-share agreement was necessary, and Washington had to be lobbied
- Participation may position City for funding federal dollars to larger infrastructure projects
- Congressman Rutherford got the item into the budget as a line item and it would be monitored through remainder of the legislative session

- After feasibility study completion, a three-year study followed involving heavy community engagement
- Chief Engineer of Corps would sign off on the study, then competition with other cities and counties ensued to get the cost-share dollars
- Other municipalities who went through the process were Charleston, Miami-Dade, Monroe County and Norfolk

Ms. Beach stated she would reach out to the Army Corps to gather further information on their involvement.

Ms. Beach continued review of the planning and study needs list, the seawall ordinance, dealing with bulkheads, and working with private property owners on flood walls.

The Commission and Ms. Beach discussed:

- Adding natural features, such as living shorelines, to bolster the built structure approach
- Compared wall systems and berm systems; berms took more area and made a vertical structure necessary due to limited access, property size at the marsh area, and location challenges
- Improving a seawall was of limited impact unless neighbors chose to do the same
- There was no minimum elevation requirement to construct a seawall on non-bulkheaded property and there should be a cap for bulkheads or barriers with living shoreline or frontage rip rap; however, City was limited in space and building a bulkhead two feet below base was low hanging fruit
- Challenge was a 'weak link fix' with multiple elevations trying to protect from flooding
- General education and outreach were important with some items on the City's website; however, a complete resource list to search and empower citizen decisions was necessary, and would eliminate using staff time for workshops

- Tools and resources available:
 - NOAA Sea Level Rise Floodplain Bureau
 - Online property research
 - Floodfactor.com (assumed an elevation at zero feet above sea level so owners should make sure properties correctly represented)
- A Flood Elevation Certificate was the most accurate at showing the risk and was built into the flood insurance rate

Ms. Beach indicated she would research the seawall and berm systems and return to the Commission with feedback.

Ms. Beach concluded that residents inquired about water quality improvements and dredging Lake Maria Sanchez. She said the issue was examined, minor dredging was necessary to put in infrastructure, and this was a large topic which required review at another date.

4. Review of City's Projects List and Priorities for Commission Input and Discussion

Ms. Beach reviewed the Projects and their stages of progress, noted grant funding was submitted, and that if awarded, infrastructure and upgrades could be done.¹

There was significant discussion among Ms. Beach and the Commission regarding South Davis Shores, with the following highlighted:

- One of the more low-lying vulnerable neighborhoods
- Upgrade storm infrastructure, inlets, and re-grade the coquina ditch, which was affected by the two types of flooding
- Higher surges were inevitable and required review of future sea level rise conditions, which meant pump stations and flood walls were required
- Study sent to neighborhood residents, and interest shown in partnering with the

¹ Included with original Commission packet

City for a flood wall which required review for options and cost, and would be examined in the Master Plan

- A floodwall was the reality for the neighborhood, and could eventually find high ground to tie into the bulkhead
- Pumping stations were the solution and would be dependent on wall height and how quickly the water rose
- Smart valves were located in three tidally influenced areas of the neighborhood: Coquina Ditch, Hermosa, and Old Quarry Road:
 - Traditional inline valves could not be used; smart valves operated by staying open to maintain hydrology, but closed in advance of a high tide
 - Looked at combining drainage improvements with smart valves, but challenge was flood walls, dealing with private property, and needing a pump station to move the water
- Steps taken in right direction; however, concerned with spending two or three million dollars for a solution that would last just a few years; however, a seawall would suffice another 15 or 20 years

Ms. Beach reviewed top priority projects which included the West Augustine Septic to Sewer conversion, King Street Flood Mitigation, Plaza de la Constitucion Flood and Drainage, and Alcazar Room and Llambias House flood proofing. She advised her intent was to include potentially relevant projects from other studies, such as Resilient Heritage Study, and she directed the Commission to the more advanced projects.

Ms. Beach assured Mayor Upchurch the West Augustine septic to sewer conversion and King Street flood mitigation were both well underway.

Commissioner Blonder said she looked forward to successful backflow improvements. She indicated her personal participation in FEMA's cost-share program, it was a major hurdle, and FEMA changed

the rules right before the deadline, requiring a revision to initial flood insurance quotes.

Commissioner Blonder inquired about the groundwater monitoring network and detection of saltwater intrusion, and she suggested developing a threshold to implement an action plan that was serious about monitoring, since fresh water supply came from the aquifer.

Ms. Beach stated this was just one piece which stemmed from the septic tank study and had an impact on road function. She said that groundwater monitoring was on State Resilient Florida's approval list but it was flagged for eligibility, and she submitted applications to further it; however, data rates required collection to determine impact, if they could cost-share it would assist with project ranking, and it was fairly easy to install the data wells to begin data collection. She continued everything was ranked by December 1st, then it went to legislation for funding consideration, then funding took three years, and feasibly they would get contracts by October 1st, then data would require collection.

Commissioner Valdes stated saltwater intrusion was the most important and least expensive topic on the list, and the rate of change was unknown but could provide how seawater impacted the City, which gauged decisions on spending money towards other projects. He continued once projects were approved then completed, they may already be redundant; therefore, he would approve writing a \$150,000 check immediately to get a monitoring system in place, since the sooner they started, the sooner they had data. He requested a conversation with the Commissioners on obtaining the money.

Ms. Beach stated 11 applications for projects were sent before September 1st, the State had 600 applications, there was \$500 million available for infrastructure, and \$2.5 billion in needs for the State; therefore, it would be very competitive. She said the Resilient Florida Program was enormous

and showed the needs of the State, and legislature attention would assist the City to take advantage of the funding sources while available. She reviewed the funding of projects on the higher priority list.

Commissioner Valdes thanked Ms. Beach for her work at submitting the applications.

Ms. Beach recalled the topics for which the Commission requested review; Seawall ordinance, review Stormwater Master Plan update, Back Bay Feasibility Study with Army Corps, and the Flood Mitigation Assistance (FMA) through FEMA.

Mayor Upchurch concurred with Commissioner Valdes' statements and noted wisdom was needed to determine at what level they fought the problem. He acknowledged frustration with the pace of government at State and local levels, and he questioned whether to aim for a larger project, anticipating longer protection, or to exercise a traditional approach.

The Commission and Ms. Beach discussed:

- Getting these projects into the funding program would greatly benefit the City
- Further review was needed and it took time to review alternatives, planning horizon, and cost benefit, and could move forward with 'low hanging fruit'; drainage improvements, more valves, or look long-term at higher level of flood protection and benefits, or run the projects concurrently
- Missing a cost benefit analysis; questioned how to filter the many projects to determine which ones to start immediately and which ones could wait
- Two things drove this topic:
 - Availability of money which took time to obtain, and they should grab everything available
 - How much time was available to react, actual reaction decision, and potential redundancy once in place

- Seven-foot bulkheads at the bayfront were intended, and it made sense Lake Maria Sanchez went two feet higher, versus building another system which was the design elevation that tied back to the Comprehensive Plan
- Should build into the design the ability to elevate at a later date
- List was better than they ever had, and staff was trusted on these issues
- Ordinance revision was suggested, and a study was unnecessary
- Much input was gained from the outreach educational program
- Should not lose the 'personal touch' and work with Real Estate professionals and homeowners
- City's website needed a robust section

Commissioner Sikes-Kline emphasized her focus on a homeowner program which provided direct assistance to those not meeting FEMA requirements, in the form of buy backs, outright grants, or supplements for elevating, and she asked Ms. Beach to place her energy into this topic.

Mayor Upchurch was amiable to hear more about City assistance for homeowners, but hesitant about the cost benefit, and although it might not be the best, a federal resource existed. He stated they could elevate homes; however, if homes were inaccessible due to water in the streets for extended periods, an elevated home did no good for the neighborhood. He concurred with Commissioner Blonder and Commissioner Valdes regarding the stormwater monitoring.

Commissioner Blonder suggested they plan for managed retreat which impacted social and environmental justice issues by displacing communities, and the protection of cultural and historic heritage was paramount.

Commissioner Valdes noted the following:

- Managed retreat topic was on the DOT radar many years ago
- Population shifts came with climate change
- Migration was occurring from downtown to West Augustine
- Lifting houses was great but would not solve the problem since you could not lift the neighborhood
- Look at either triage and retreating or building walls until necessary to retreat
- Better data needed for decisions on spending money
- Everyone on coast would be fighting for federal dollars
- \$150,000 was a drop in the bucket

Mayor Upchurch indicated they all had friends and neighbors who had undertaken their own managed retreat by selling low lying property for higher elevation, and calculations differed for rental property versus your own home. He continued many homes in South Davis Shores were converted to short-term or long-term rentals which became a complicated calculation on return maximization and property value, and although the City was a local government player, they could not choose what people did in their best interests. He concluded that pressure was on West Augustine due to higher demand for properties based on the elevation.

Commissioner Blonder stated resource limitations were not only financial, but limited staffing, and adding a GIS technician and grant writer would not meet grant proposal preparation needs, engineering design, and neighborhood involvement. She recalled that Ms. Beach had suggested partnerships at zero cost and starting a task force to explore opportunities to pool resources. She suggested GTM research reserve which was heavily involved in resilience issues and had funding, and academic institutions could assist with website work.

Ms. Beach advised they partnered with GTM reserve, collaborated with Flagler College, and envisioned a meeting with the City of Jacksonville Resilience officer, which would move the needle on the partnerships. She stated the County had more isolated areas, other priorities, and it was not as widespread an issue for them.

Mayor Upchurch stated that Matthew and Irma flooding was from the intercoastal and not the ocean, the County had many more miles of intercoastal and should have a deep-seated interest, and information should be targeted and specific versus anecdotal conversations regarding the effects of flooding.

Commissioner Blonder indicated the Building Code Task Force (BCTF) process should continue from the Strategic Adaptation Plan recommendation to create stormwater utility fee credits for low-income developments, green infrastructure improvements, impervious surface reductions, and installation of detention basins. She stated homeowners and builders could implement retention by capturing falling water and allowing slower infiltration, and she asked for consideration of a stormwater utility fee credit structure.

Commissioner Valdes reviewed the issues dealt with on flooding; water from the sky, flooding from nor'easters, hurricanes, and tropical storms, ocean rise, and climate change. He said they should prioritize the flooding type importance and be specific on how to use the money due to limited resources and the forthcoming tsunami that would make all their efforts moot.

Commissioner Blonder requested Commission feedback on a stormwater fee credit which would be consistent with the Comprehensive Plan.

Mayor Upchurch was amiable to consider the topic but suggested reviewing at a higher level to ensure it was financially

feasible to the Fund's integrity, and that it provided a benefit to larger developers.

Reuben Franklin, Director, Public Works, explained the current credit process in place, which was only accessible for those with a permitted stormwater management system and application process; however, it did not incentivize best management practices for low impact development but could be reviewed for modification.

Ms. Beach noted the topic surfaced with the BCTF and with the pending lot development grading plan would incentivize better management of rainfall driven property flooding. She stated all comments could be included within the Stormwater Master Plan update and the Comprehensive Plan, to consider the social, economic, and environmental issues. She advised the Commission's feedback was super helpful.

Commissioner Blonder asked if the new data from IPCC's recent report would assist with updating the Strategic Adaptation Plan or the Vulnerability Assessment, or should they just act more quickly and prioritize the next steps.

Ms. Beach advised the intent of the Stormwater Master Plan was to review everything done and update the modeling and projections, because it would look at rainfall changes and sea level rise; however, the issue was with secured funding and timing.

There was Commission consensus to direct Ms. Beach to prepare a memo which summarized what she heard at the meeting, along with any questions from a staff point of view.

Ms. Beach affirmed she would put together a higher-level summary with feedback, priorities, options in moving forward, and additional questions.

Commissioner Blonder thanked Ms. Beach and City staff for everything done to pull this

information together. She noted the City was well positioned to move forward with these projects and address any challenges.

Mayor Upchurch concurred with Commissioner Blonder's comments.

Commissioner Valdes suggested everyone obtain a copy of the pamphlet prepared by Jenny Wolfe, former Historic Planner, which addressed historic structures, was excellent information, and very well done.

Ms. Beach advised that hard copies of the pamphlet would be provided to the Commission and that it was located on the City's website.

5. Utility and Public Works Quarterly Update

Mr. Franklin reviewed the active projects within Public Works and Utilities which corresponded with the presentation provided by Ms. Beach:

- FEMA 13 Lift Stations were being lifted, when possible, to the 100-year flood plain plus two feet, and areas would be flood-proofed where this could not be done
- West Augustine Gravity Sewer Design, including West 3rd Street and Pearl Street design, worked with the schoolboard to take ownership of an existing pumping station at Webster School, enabling buildout of more gravity sewer in the area

Mr. Franklin was unaware if the City owned the pumping station; however, it was approved by the schoolboard and they awaited the return of documents.

Mayor Upchurch noted this was a win-win for all involved, the schoolboard was most likely delighted to get rid of the pumping station, and this allowed the City to expand service. He thanked Mr. Franklin for his work on the project.

Todd Grant, Director, Utilities, raised the topic of the groundwater monitoring network, stated the drinking water supply well field was nine miles from the location, and a network was in place that monitored salinity. He continued the issue was with the drain fields and having a high-water table and wanted to clarify they did not want to invest in a drinking water network. He stated currently there was no salinity intrusion, it was monitored monthly, and the problem was fighting JEA, their well field, and cone of depression.

Mr. Grant advised the Tree Canopy Enhancement Program was a huge success thanks to Commissioner Horvath, and they were conducting site visits to ensure the property was suitable for the tree, suggest alternates, or cancel participation, which should be completed in the next several weeks.

Mr. Grant mentioned the Internal Sustainability Program, and the following was discussed with the Commission:

- Glabra Skipp, Environmental Program Coordinator, brought internal City staff together for different program areas with lots of data monitored
- There were five program areas and several projects initiated to assist with reduction of carbon footprint, or sustainability and consumption
- Upcoming projects including research of purchasing residential compost bins comprised of 100% plastic injection molds
- Recognition program for businesses exercising sustainable practices:
 - Worked with Flagler graphics arts class and picked winner for marketing and branding
 - Worked with a local resident
 - Would farm this out to the Chamber and local business groups for feedback
 - City should partner with the City of St. Augustine Beach who shared

similar visions and had a similar recognition program in the past

- Factor the reduction of carbon emission or congestion management in the awards criteria; however, calculating a carbon footprint production was onerous and some reduction items required a certain tier of carbon reduction benefits
- Water consumption, offering employees enhancements to carpool, using public transit, and asking patrons if they wanted water when seated were suggestions
- Mr. Grant recently met with the City Manager, Public Works Director, and Financial Director of the City of St. Augustine Beach to discuss partnership with projects such as the Tree Enhancement Program and recycling
- Recently hired an inspector for grease trap inspections, which were all inspected once, with larger traps inspected twice a year; however, restaurant schedules made this difficult
- Reduce necessity for business follow up by promoting sustainable business program, recycling, and education during inspection
- Several programs which assisted with environmental all tied together, helped reduce contaminants going into the stormwater system and intercoastal, and kept the sanitary sewer system in good health to avoid overflows and FDEP fines

Mr. Grant briefly reviewed the Capital Improvement Projects (CIP) overall status summary.²

Commissioner Horvath acknowledged the amazing amount of work on the CIP list.

6. Additional General Public Comments Time Permitting

² Included with original Commission packet

Public comment was opened, and the Commission heard from the following member of the public:

- Ed Slavin

Public comment was closed.

7. Adjourn

There being no further business, the meeting was adjourned at 4:42 P.M.³

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

³ Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, November 8, 2021

The City Commission met in formal session Monday, November 8, 2021 at 5:03 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Mark Simpson, Director, Finance
David Birchim, Director, Planning and Building
Todd Grant, Director, Utilities
Melissa Wissel, Communications Manager
Jennifer Michaux, Police Chief
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor LaVoy Newton, Lighthouse Church of God, delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Mr. Regan requested the addition of *Item 13.B.* to brief the Commission regarding the recent nor'easter storm.

MOTION

Mayor Upchurch MOVED to approve the Regular Agenda with understanding the City Manager would present a post action report of the storm under Item 13. The motion was SECONDED by

Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

(None)

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

The Commission heard from the following members of the public:

- Tyrone Bennett
- Ed Slavin
- Eric Schaefer
- John Grapsas
- Debbie Wicker
- Lauren Giber
- Matthew Murphy

- Stanley Paris
- Justin Muller
- C.H. Hooks
- Tyrone Bennett¹
- Mark Eidman
- Taylor Pelchat
- Mark Pelchat
- Rory Jaeger
- Tom Fleming
- B.J. Kalaidi

Public comment was closed.

5. CONSENT AGENDA

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA NOVEMBER 8, 2021

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DECEMBER 13, 2021:

(None)

CA.3. Reminder of Upcoming Meetings:

- December 13, 2021, 5:00pm, Regular City Commission Meeting
- January 10, 2022, 5:00pm, Regular City Commission Meeting
- January 24, 2022, 3:00pm, Special City Commission Meeting (work force housing)
- January 24, 2022, 5:00pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- September 27, 2021, Regular Commission Meeting
- October 11, 2021, Regular Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- Shakia Collier - 900 W. 4th Street

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION / RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

(None)

CA.7. NOTIFICATION OF PROCLAMATIONS / CERTIFICATES OF RECOGNITION ISSUED:

(None)

CA.8. Approval of final subdivision plat for Phase 6 - Pelican Reef. (*D. Birchim, Director Planning and Building*)

CA.9. Approval of grant awarded by the Florida Department of Law Enforcement, Office of Criminal Justice in the amount of \$4,380. (*J. Michaux, Chief, St. Augustine Police Department*)

CA.10. Approval of grant agreement with FDEM regarding South Whitney and West King Streets flood mitigation project. (*R. Franklin, Director Public Works*)

CA.11. Approval of request for carry-forward funds from the 2021 fiscal year. (*M. Simpson, Director Finance*)

End Consent Agenda

5.A. Additions, deletions, or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

¹ Mayor Upchurch allowed Mr. Bennett to speak twice

MOTION

Commissioner Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Valdes.

VOTE ON MOTION

AYES: Sikes-Kline, Valdes, Horvath, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

6. APPEALS

(None)

7. GENERAL PUBLIC PRESENTATIONS, ITEMS OF GREAT PUBLIC IMPORTANCE, AND OTHER ITEMS REQUIRING PUBLIC HEARINGS

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2021-25: Amends the zoning of 36 Granada Street (CL-1) and 8 DeSoto Place (RG-1) to Planned Unit Development (PUD) and approval of License Agreement to accompany PUD.

David Birchim, Director, Planning and Building, reviewed the Ordinance and allowable uses and limitations in the PUD. He noted at the previous second reading of

the Ordinance on October 25th, which was tabled, the Commission asked the applicant to make several changes, which were made. He reviewed the changes, indicated passage of the Ordinance would require a City license agreement for public right-of-way (ROW) use, and the applicant was present for questions.

Mayor Upchurch inquired about the Garden View, Granada Street, and Parking View elevations, the location of the old commercial sign, and maintaining the commercial 1920s theme.

Mr. Birchim confirmed there was no architectural review since the building was not in a historic district, and the applicant went to the Historic Architectural Review Board (HARB) for a Certificate of Partial Demolition with conditions that there would be five feet of clearance before the windows, and glazing placed on the front of the building. He stated the architect confirmed HARB's requirement would be met, and the building would maintain the old feed store form with the front opened to a patio style area.

The Commissioners provided ex parte communication.

Public hearing was opened, and the Commission heard from the following members of the public:

Eric Schaefer supported the Ordinance and stated this was a 'win-win'. He felt the applicant addressed all Commissioner's concerns, and this was an effective use of the building which was better than prior uses.

Ed Slavin did not support the Ordinance. He believed the building should be a replacement movie theatre for public benefit, and PUDs were a sneaky way to circumvent zoning. He expressed concerns with flooding, applicant's responsiveness, the potential for applicant to turn location

into a bar, City noise and trashy-ness, and a potentially unsuccessful PUD.

B.J. Kalaidi did not support the Ordinance and expressed concerns with the addresses listed for the property owners, code violations, traffic law enforcement, and actual public benefit.

Public hearing was closed.

Commissioner Valdes supported the Ordinance and stated this was a reinvention of a building in disrepair, a good use of the structure, the area was not residential, and the Lake Maria Sanchez project would mitigate flooding in that area.

Commissioner Sikes-Kline requested clarification of verbiage with the rideshare program incentivization and the *“enhanced percentage of tips to employees who carpool, restaurant manager transportation of employees who open restaurant in the morning, and additional tips for employees who use Uber/Lyft to get to work”*. She said tips came from customers, not from management and noted where it read Uber / Lyft it should say rideshare.

Darlene Galambos, City Clerk, swore in the applicant, Jay McGarvey.

Mr. McGarvey addressed the financial incentive for taking Uber, Lyft, or a taxi, versus parking, and noted there were additional dollars to be added to tips if the employees used rideshare to work.

Commissioner Sikes-Kline stated the text of the PUD was a legal binding document and clearly articulated the restaurant manager would pick up employees to open the restaurant; however, she requested language modification, since this was mostly unenforceable as written but should be understandable.

Mr. McGarvey stated there may be future incentives to employees and it was impossible to enunciate every type of future

potential incentive in the document, but financial incentives worked best.

Commissioner Sikes-Kline and Mayor Upchurch both expressed concerns with the wording, they were not arguing the concept, and the Commission did not provide language; therefore, this was an open issue.

Commissioner Blonder stated the proposal was much tighter; however, she shared concerns with the language, there were quite a few spelling errors, and she suggested tabling the Ordinance again. She noted positively a bioswale and pervious pavers were added; however, the landscape plan still included non-native species which were requested twice, and above ground irrigation not coherent with the low impact irrigation referenced. She noted her appreciation on the steps in the right direction, but the pieces were still not quite there; therefore, she did not see a compelling reason this was a public benefit that merited a PUD.

Mr. McGarvey indicated the landscape architect disagreed with the native species, and as soon as the plants were established, the irrigation systems would be turned off.

Commissioner Valdes stated there was a small amount of landscaping, he wrestled with idea of using native plants, and recognized the many other plant materials injected into the area that were acceptable.

Mayor Upchurch expressed support for the project, and shared the Commissioner's concerns with loose language, and typographical errors. He appreciated Commissioner Blonder's concerns with use of native plants but would defer to the professional architect as this was not a deal breaker. He saw a public benefit with the project, noted alcohol sales were ancillary to a restaurant operation and not a bar, and the project created more vibrant commercial activity, which at this time and location was acceptable for a small-scale PUD. He asked Isabelle Lopez, City Attorney, if they could

make a motion to approve the Ordinance with the understanding that appropriate language would be included regarding the rideshare program incentive.

Ms. Lopez was amiable to the Commission's will, and suggested they have a brief recess, or address another item on the agenda while she and Mr. McGarvey worked through the language.

Commissioner Horvath asked if they could add a modification to the landscape plan and was informed the architect's redesign could not be addressed during a recess.

There was Commission consensus to clean up the language.

MOTION

Mayor Upchurch MOVED to temporarily table Ordinance 2021-25 to bring it back at the end of the meeting. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

Item 8.A.1. was continued after Item 13.B.

Ms. Lopez reminded the Commission emails were sent to the Commission by several constituents, and during ex parte this was not acknowledged; therefore, she requested concurrence that some of the Commissioners received emails regarding the old 'Pot Bellies' or Granada Street.

Commissioner Horvath, Commissioner Blonder, Commissioner Sikes-Kline, and Commissioner Valdes acknowledged receipt of the emails noted by Ms. Lopez.

Mayor Upchurch stated he did not receive any emails.

Ms. Lopez reviewed the language drafted with the applicant which would substitute the questionable tip language:

'Management of the business or businesses within the PUD shall provide employee incentives to encourage non-vehicular commuting by employees to the site, or ride share options for the employees. This plan for alternative methods of commuting to the site shall be memorialized by each business within the PUD. This plan must be provided to the City upon request for purposes of code enforcement.'

Ms. Lopez noted the applicant requested the addition of *'native landscape species shall be verified by City staff'* to address Commissioner Blonder's concern. She reminded the Commission two votes were required, since adoption of the PUD would then require adoption of the license agreement.

MOTION

Mayor Upchurch MOVED approval of Ordinance 2021-25 with the added language as annunciated by the City Attorney. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021 - 25

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE ZONING FOR APPROXIMATELY .75 ACRES OF PROPERTY LOCATED AT 36 GRANADA STREET (PID# 203240-0000) AND 8 DE SOTO PLACE (PID# 203230-0000), AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF COMMERCIAL LOW ONE (CL-1) AND RESIDENTIAL GENERAL ONE (RG-1) TO THE CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Upchurch, Sikes-Kline, Blonder, Valdes, Horvath

NAYES: None

MOTION APPROVED UNANIMOUSLY

MOTION

Mayor Upchurch MOVED approval of the License Agreement. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION

AYES: Upchurch, Sikes-Kline, Horvath, Blonder, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2021-28: Adopting the Property Rights Element into the City's Comprehensive Plan.

Mr. Birchim reviewed the Ordinance which included language required by the State of Florida and recommended by the Planning and Zoning Board (PZB), and he noted changes to the Comprehensive Plan could not be made until this element was adopted.

Public hearing was opened, and the Commissioner heard from the following member of the public:

- Ed Slavin

Public hearing was closed.

MOTION

Mayor Upchurch MOVED to approve Ordinance 2021-28 on second reading. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE CITY OF ST. AUGUSTINE 2040 COMPREHENSIVE PLAN TO INCORPORATE CHANGES REQUIRED BY HOUSE BILL 59; HOUSE BILL 59 REQUIRES THAT LOCAL GOVERNMENTS ADOPT A PROPERTY RIGHTS ELEMENT INTO THE COMPREHENSIVE PLAN; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Upchurch, Sikes-Kline, Blonder, Horvath, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.B. Ordinances – First Reading (only if required by law)

(None)

8.C. Resolutions – Public Hearing (only if required by law)

8.C.1. Resolution 2021-40: Public Hearing Required: Approves the increase of the Stormwater Utility Fee Rate.

Mark Simpson, Director, Financial Services, reviewed the Resolution which raised the Fee from \$8.00 to \$9.00 per month in accordance with the Revenue Workshop held earlier in the budget year.

Public hearing was opened, and the Commission heard from the following member of the public:

- B.J. Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline **MOVED** to pass Resolution 2021-40. The motion was **SECONDED** by Commissioner Horvath.

VOTE ON MOTION

AYES: Sikes-Kline, Horvath, Valdes, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.C.2. Resolution 2021-42: Public Hearing Required: Approves the increase of the water and sewer rates by the CPI.

Mr. Simpson reviewed the Resolution which increased rates based on a tier of low, middle, and high consumers of water. He noted the higher consumers of water who used 20,000 to 30,000 gallons per month had the rate raised to 7.5%, and the rate for those who used over 30,000 was raised to 10% to encourage water conservation.

Commissioner Blonder was pleased with the tiered system which encouraged water conservation by the heaviest users, and she thanked Mr. Simpson for his efforts.

Mayor Upchurch stated it was important to have this tiered method advertised so consumers had the opportunity to reduce their water bill by consumption. He noted a public comment at an earlier meeting addressed the idea of holding smaller users harmless to minimize the impact.

Public hearing was opened, and the Commission heard from the following member of the public:

- B.J. Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline **MOVED** to pass Resolution 2021-42. The motion was **SECONDED** by Commissioner Valdes.

VOTE ON MOTION

AYES: Sikes-Kline, Valdes, Horvath, Blonder, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

9. ORDINANCES AND RESOLUTIONS - NO PUBLIC HEARING REQUIRED

9.A. Ordinances – First Reading

(None)

9.B. Resolutions

(None)

10. STAFF REPORTS AND PRESENTATIONS

(None)

11. ITEMS BY CITY ATTORNEY

(None)

12. ITEMS BY CITY CLERK

Ms. Galambos reminded the Commission of the second budget ordinance reading and the final millage rate resolution on November 15th at 5:05 p.m. She explained the ad valorem revenue budget was advertised and based on the County's preliminary estimates, but when the final numbers posted, the budget and advertised figures were not adjusted to reflect the final numbers; therefore, the second and final public hearing would take place on that date.

Mayor Upchurch confirmed with Ms. Galambos that only one meeting was

necessary without the need to go through the entire process again.

13. ITEMS BY CITY MANAGER

13.A. Discussion regarding the donation of property at 110 Carver Street and the lease agreement for same.

Mr. Regan reviewed the topic which required Commission discussion and a decision on whether to further vet the project. He noted the following information:

- Topic was presented and discussed at length during the October 14, 2019 Commission meeting
- Topic was off public radar for a while and had been delayed due to the monument relocation, then COVID, which forced only essential business to come before the Commission
- Significant neighborhood outreach would be necessary
- Stanley Paris' donation of the property intended to bring sailing education to the forefront, with the idea to move youth to the residential property
- Key item was an agreement to a deed condition, and language was specific which called it a sailing center in the first draft, but the primary purpose was instructional sailing
- Genesis of project came from neighborhood complaints about compression, stability, and the neighborhood had current government uses ranging from the boat ramp, government owned property, tennis courts, recreational facilities, elementary schools, skate park, and the lighthouse
- A gift should be made without strings attached; however, it was not uncommon for government to accept a gift with additional use conditions, and the deed was specific
- Yacht Club would have one year to bring sailing instruction to fruition, operated continuously, and if they failed

the property would revert to use as a passive park

- Extremely difficult for government to acquire this type of property and future generations would benefit from a sailing instruction center or a passive park
- Lease agreement conditions in the draft agreement were explicit and protected things such as no obstruction to Carver ROW, and no activities permitted as special events that took away from use as a sailing instruction center
- Yacht Club was responsible for the property with operation hours 8:00 a.m. to 6:30 p.m. and summer hours may go longer, not to exceed 10:00 p.m.
- Rebuilding the dock was necessary and the lease stated a new dock could only go into the existing footprint of an old dock which required appropriate review

Commissioner Sikes-Kline believed the discussion was unbalanced with those who publicly spoke earlier in meeting, and she looked forward to more neighborhood participation and public input. She stated the youth sailing center was the premise which got her support since it was a safe location for students and children, and the boat ramp was dangerous. She noted appreciation of the archeological protection of the parking lot at the original lighthouse.

Commissioner Valdes concurred this project was about kids and youth learning to sail, and if the property fell into private sector hands, a dock and building would be constructed under the current zoning; therefore, they were doing a service to the community, this was a wonderful gift to the youth, and it saved the property from over-development. He stated the project had low impact use, the County's growth boat ramps were overrun, and there was certainty with the Yacht Club taking this with prohibitions placed onto the development.

Commissioner Blonder inquired about the existing building and whether it would be demolished and reconstructed, and she was

advised by Mr. Regan that parts would be demolished, and others would remain indoor classroom space, but overnight accommodations were off the table. She said that much of the disagreement she heard was the result of significant changeover of Yacht Club leadership which contributed to the delay, and in the changeover process the neighbors did not have certainty. She stated if they moved this forward, the language should be tightened up with transparent communication and the neighbors' deep involvement. She also indicated boating traffic was out of control in recent years, and she worried about sailboats and waterway safety issues which should be handled before someone got hurt.

Mr. Regan advised that both parties were committed to the requests, and much of the iteration was the Yacht Club trying to rework terms of the original lease agreement.

Mayor Upchurch thanked Mr. Regan for his leadership, the Commissioners for their comments, and the Parises for their generosity. He remained committed to the project, suggested they go slow and address concerns that came forward, as well as remember that Lighthouse Park was a neighborhood association before there were words for neighborhood association, which the Commission should respect. He concluded a positive situation could be created for all parties, and he mentioned the pressure encountered at the proposed roundabout in the Anastasia Boulevard area, which was drastically impacted by the Lighthouse Park traffic solution. He asked Mr. Regan to recommend the next steps.

Mr. Regan stated if it was the will of the Commission to move forward, the next step would be contacting Debbie Wicker, President, Lighthouse Park Neighborhood Association, to schedule an initial neighborhood meeting with a public outreach goal on finding solutions that addressed concerns.

There was Commission consensus to move forward, but not rush, with the next step reaching out to the neighborhood association.

There was Commission consensus that alcohol sales and consumption were prohibited at the sailing center, unless there was a compelling reason.

13.B. Update on recent nor-easter storm

Item administratively added.

Mr. Regan reviewed the events of the weekend nor'easter and noted the following:

- Wind gusts reached 60 mph
- 10 vessels broke free from anchorage, none were on City mooring balls, and all but one boat had people or pets on board, so these were life-saving rescues
- 12 houses had some type of flooding, 10 were in South Davis Shores, 1 was in North City, with no reports from Lincolnville as of the meeting
- Of the 12 houses that flooded, only 4 were engaged with the City's current grant cycle and/or next year's cycle
- Worked with 42 people and 25 applicants 'surviving' the federal grant process
- Should work with those with flooding to provide available resources
- Tree fell on the west side with significant damage to one home, and minor damage to another
- There were no sewage spills, a first in his 23-1/2 years with a nor'easter of this magnitude, which was attributed to the significant work put into the resilience of the wastewater system
- Key issues were flooding, sea level rise, and connecting people to available resources
- All resources for this storm type were exhausted from personnel, materials, equipment, and barricades

Mr. Regan advised an 'After Action' meeting would occur with staff the following day to collect information and view actions that could have been done better, and he requested feedback from the Commission.

Commissioner Blonder noted the following concerns:

- Driving down flooded streets after the storm exacerbated the flooding, and this required a more proactive approach with personnel, signage, and barriers
- Suggested better preparation, keeping drivers off roads they did not need to access, and urgent continuance on resiliency workshops

Mayor Upchurch stated the following:

- Other City events were planned with barricades and signage; therefore, there should be preparation with appropriate signage tailored for problem flood areas
- Questioned the cause of flooding where Flagler, Oglethorpe, and St. Augustine Boulevard intersected, and noted the importance for City leadership to understand which storm drains were under City control, and those under FDOT
- Concerned about flooding at the intersection of Douglas Avenue and Macaris Street

Commissioner Valdes stated the following:

- Nor'easter pushed a six-foot North American Vertical Datum (NAVD) and Lake Maria Sanchez was benchmarked at seven; therefore, if the Lake Maria Sanchez project was in place there would not have been flooding
- Advised Martin Luther King Avenue was high and did not flood, many cars were stuck on Riberia Street, Marine Street was good ingress to the City, and Charlotte Street was good egress
- Should prepare a map showing roads less likely to flood during a storm

- Big trucks ignored flooding signs because they had no risk, and City could handle with education, barricades, writing tickets, or police boats
- Bulkheads were topped in Davis Shores; should establish a base elevation for new bulkheads or refurbishing which should be at eight or nine feet NAVD
- Questioned efforts regarding the park and backflow preventers prior to the bulkheads being topped, and the answer was higher bulkheads and bigger pumps, or elevate buildings

Mr. Regan stated they worked one on one with property owners to elevate berms and bringing up seawalls to a defined elevation was great idea. He exclaimed "you are only as strong as your weakest link", and once water went over the bulkheads, it was game over. He cited the elevation difference needed between the road and the bay, which could not drain with all the rainfall, it was an FDOT system, and they had discussed a pumping operation to speed up the recovery. He said bulkheads worked for sunny day flooding, and elevation was the key answer which was the reason the Hazard Mitigation Grant Program (HMGP) was so important. He stated the Lake Maria Sanchez project would solve the type of flooding problem occurring today.

Commissioner Horvath noted her firsthand experience with flooding at South Street and Washington, and suggested placement of a webcam to capture license plates of those causing wakes on flooded streets. She commended the great job accomplished with social media and asked about City website information for those not accessing social media.

Mr. Regan advised the communication channels included all social media platforms, specific targeted information on Nextdoor, Nixle phone alert service, working with the media, and knocking on doors. He noted a report was sent advising the community to expect at least one to two feet

above the roads in low-lying areas, and as much as they pushed the message across so many platforms, many people still asked why they did not hear about the flooding. He stated many closed road signs were up and people still drove around them, more resources and workforce were needed to provide more interlocks and blockages on these flooded roads. He concluded nor'easters came with higher tides so the problem would only get worse, and he suggested issuing tickets.

Ms. Lopez advised that the City Manager and Police Chief had the authority, based on the City Charter, to close streets and handle emergencies, and violations of signage or instruction would be a ticketable offense.

Commissioner Horvath inquired about County assistance with boating during the nor'easter, and Mr. Regan replied that marine rescue was highly coordinated with other agencies, but answers on specifics would need to be addressed by Carlos Aviles, Fire Chief, who was resting after the long weekend and not present.

Commissioner Sikes-Kline indicated she was pleased Mr. Regan was putting a plan together, working through the issues, and reeling to people who had flooded. She stated it was important to note why some people did not participate in the federal grant program, and the HMGP should be discussed since there were areas which consistently flooded. She commended the first responders and public works and thanked everyone for their efforts during the flooding, which she noted was intense for a very long time.

Mr. Regan advised approximately one-third of the City workforce was in dangerous operations, two-thirds supported them, and a lot of heroism occurred within the police and fire departments with their success attributed to a team effort.

Mr. Regan mentioned the 'After Action' meeting would publish a public document which showed how they had evolved.

Mayor Upchurch stated we were a small City that had tremendous needs with the County, State government, and Congress as other players. He reminded the Commission an infrastructure bill recently passed with \$42 billion in climate resiliency and neither of the local congressman supported the bill; however, they should be part of the conversation since they all had a role to play.

Item 8.A.1. reviewed.

14. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Sikes-Kline acknowledged her attendance at the Florida Advocacy meeting which provided notes and expectations for legislative bills in January 2022. She stated Senator Hudson's SB 280 / HB 403 required any ordinance passed by a municipality to provide a business impact statement prepared by experts, and she would bring resolutions concerning these bills. She noted there were bills on tree trimming which she hoped would clarify the horrible 2019 bills.

Commissioner Sikes-Kline advised the Florida League of Cities proposed bills on regulation of smoking in public places, which gave local municipalities the ability to ban smoking in public places. She said they wanted to involve as many voices as possible with their campaign called Local Voices United, a grass roots advocacy group, and she encouraged the Commission to access their website 'Advocacy' toolbox. She commended Ms. Lopez for forwarding things to the Commission and was happy everyone was tightening up and rising to the challenge on the increasing onerous bills that removed local powers.

Mayor Upchurch thanked Commissioner Sikes-Kline for her willingness to engage in those issues at such a deep level.

Commissioner Valdes mentioned the plight of the City's homeless and the impact on residents and businesses. He stated as a Commission they should press until a solution was found to the problem, or at least mitigate it in some way, and they should 'put their money where their mouths were or their mouths where the money was'. He concluded they could not do much for ocean rise and climate change, but they could do something about the homeless.

Mayor Upchurch suggested they schedule the topic as a workshop at the first opportunity in the new year.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:39 P.M.²

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

City Commission Special Meeting Monday, November 15, 2021

The City Commission met in formal session Monday, November 15, 2021 at 5:05 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Absent: Nancy Sikes-Kline, Vice Mayor/City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Mark Simpson, Director, Financial Services
Jennifer Michaux, Chief of Police
Laura Morse, Recording Secretary

Mayor Upchurch acknowledged the recent passing of former Mayor Eddy Mussallem, who served the City from 1975 to 1979 and received The Order of La Florida, the highest honor issued by the City. He noted City flags would be lowered at half-mast on Friday, November 19th.

2. General Public Comments

Public comment was opened; however, there was no comment.

Public comment was closed.

3. Public Hearing – Consideration of Resolution 2021-36, establishing the final millage rate for the Fiscal Year 2021-2022 Budget

Mark Simpson, Director, Financial Services, reviewed the Resolution which had an initial miscalculation of 95% of ad valorem budget; therefore, it was necessary to reconvene the Commission.

He stated the required budget of 95% of the anticipated ad valorem proceeds was based on the June 1st St. Johns County Property Appraiser initial estimate, and not the July 1st DR420 Form true estimate, which resulted in a shortage of \$132,872.00 that was noticed by the State of Florida Department of Revenue. He advised the millage Resolution and budget Ordinance were re-advertised and revised with the ad valorem tax change.¹ He concluded the corrected funds were placed in the General Fund Transportation Budget and would be used to replace an archaic street paving machine shown on the City's American Rescue Plan list.

Public hearing was opened, and the Commission heard from the following member of the public:

- B.J. Kalaidi

¹ Included with original minutes

Public hearing was closed.

MOTION

Mayor Upchurch MOVED to pass Resolution 2021-36. The motion was SECONDED by Commissioner Horvath.

Isabelle Lopez, City Attorney, read the Resolution.

RESOLUTION 2021-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA ADOPTING THE FINAL LEVY OF AD VALOREM TAXES FOR FISCAL YEAR 2021-2022

WHEREAS, the City Commission of the City of St. Augustine, Florida has conducted a public hearing on its final millage rate of 7.500 mills and has determined its rolled back rate is 7.2269 mills as required by Florida Statute 200.065;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Augustine, Florida that:

The Fiscal Year 2021-2022 final millage rate of the City of St. Augustine, Florida is 7.500 mills which represents an increase in the rolled-back rate of 7.2269 mills of 3.78 percent.

ADOPTED at a special meeting of the City Commission of the City of St. Augustine, Florida commenced at 5:05 p.m. this 15th day of November 2021.

VOTE ON MOTION:

AYES: Upchurch, Horvath, Valdes, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

4. Public Hearing, Second Reading – Consideration of Ordinance 2021-23,

establishing the proposed budget for Fiscal Year 2021-2022.

Mr. Simpson reviewed the Ordinance under Item 3.

Public hearing was opened; however, there was no response.

Public hearing was closed.

MOTION

Mayor Upchurch MOVED to approve Ordinance 2021-23. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the Ordinance.

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, RATIFYING, APPROVING AND ADOPTING THE ANNUAL BUDGET OR BUDGET ESTIMATES OF REVENUES AND EXPENDITURES FOR THE CITY OF ST. AUGUSTINE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA AS FOLLOWS:

Section 1. The annual budget estimates of revenues and expenditures of the City of St. Augustine, Florida for the Fiscal Year 2021-2022, as prepared, amended and submitted to the City Commission of the City of St. Augustine, Florida by the City Manager, as considered and acted upon by said City Commission, under and by authority of the Charter of said City and the Laws of Florida, are hereby ratified, approved and adopted by

the City Commission of said City, and the amounts of money set forth therein are hereby appropriated.

Section 2. The said budget of revenues and expenditures adopted for the ensuing Fiscal Year 2021-2022 shall be spread in full upon the minutes of the City Commission.

Section 3. The appropriations within an activity or sub-activity for Fiscal Year 2020-2021 and Fiscal Year 2021-2022 may be transferred within by the City Manager for the purpose of equalization, when necessary.

Section 4. All funds for the current Fiscal Year 2020-2021 and budgeted Fiscal Year 2021-2022 may over-expend adopted budgets to the extent that actual revenues exceed the adopted budget.

Section 5. All unencumbered appropriations, except for special projects or commitments, be and are canceled as of September 30, 2021, and the City Director of Finance is directed to transfer all appropriation credit balances to unappropriated surplus and place to the credit of all appropriation accounts which show a debit balance for the Fiscal Year 2020-2021 an amount from unappropriated surplus to balance same and to close all such accounts for the Fiscal Year 2020-2021.

Section 6. If any provisions of this Ordinance, or the application thereof to any person or circumstances, are held invalid, such invalidity shall not affect other provisions or applications of the Ordinances which can be given effect without this invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. This ordinance shall become effective upon passage.

PASSED by the City Commission of the City of St. Augustine, Florida, in special session, at 5:05 p.m., this 15th day of November 2021.

VOTE ON MOTION:

AYES: Upchurch, Horvath, Valdes, Blonder

NAYES: None

MOTION APPROVED UNANIMOUSLY

5. Adjournment

There being no further business, the meeting was adjourned at 5:17 P.M.²

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Laura Morse

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

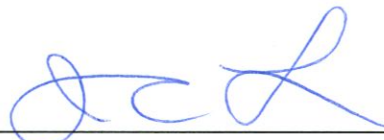
DATE: December 1, 2021

RE: **SATISFACTION AND RELEASE OF UTILITY MORTGAGE – 482 POMONT AVENUE**

Enclosed is a Satisfaction and Release of Mortgage for 482 Pomont Avenue, regarding the Unit Connection Fee Mortgage and Promissory Note executed between the City of St. Augustine and Monica Thurston. The mortgage was recorded in the Public Records of St. Johns County on July 6, 2017. Copies of the Unit Connection Fee Mortgage and Promissory Note are enclosed as well for reference.

Please place this Release and Satisfaction of Mortgage on the consent agenda for consideration and execution at the December 13, 2021 City Commission meeting.

Please contact me if you have any questions or comments. Thank you.

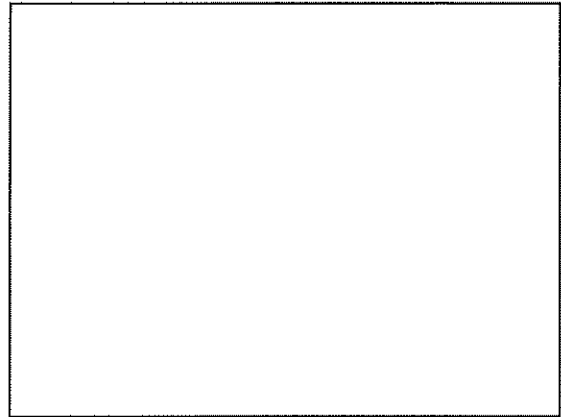


Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Darlene Galambos, City Clerk (with original)

This instrument was prepared under the supervision and direction of Isabelle C. Lopez, City Attorney, P.O. Box 210, St. Augustine, Florida 32085



**SATISFACTION AND
RELEASE OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF ST. AUGUSTINE, a municipal corporation organized and existing under the laws of the State of Florida, whose mailing address is P.O. Box 210, St. Augustine, Florida, 32085-0210 (hereinafter referred to as "Mortgagee"), in consideration of the covenants and agreements set forth hereinafter, hereby releases **MONICA THURSTON**, whose address is 482 Pomont Avenue, St. Augustine, Florida 32084, her heirs, assigns or successors in title (hereinafter referred to as "Mortgagor"), from the Mortgage entitled, "Unit Connection Fee Mortgage," executed between the parties and dated June 16, 2017, recorded at Official Records Book 4400, Page 641, of the Public Records of St. Johns County, Florida, and relating to that certain lot, parcel or piece of land situated in the City of St. Augustine, St. Johns County, Florida, described in **Exhibit "A"** attached hereto and incorporated herein.

Mortgagee hereby releases said Mortgagor from any obligations created by or existing by virtue of said Mortgage and the Promissory Note relating thereto recorded at Official Record Book 4400, Page 641, of the Public Records of St. Johns County, Florida, and such obligations related to said documents have been fully performed and are therefore satisfied.

IN WITNESS WHEREOF, this Satisfaction and Release of Mortgage has been duly signed and executed by the Mortgagee, this _____ day of _____, 2021.

ATTEST:

CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation

Darlene Galambos, City Clerk
(S E A L)

By: _____
Tracy Upchurch, Mayor-Commissioner

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, by means of ☐ physical presence or ☐ online notarization, **Tracy Upchurch**, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2021.

Notary Public, State of Florida

(S E A L)

EXHIBIT "A"

LEGAL DESCRIPTION: 3-72 PONCE DE LEON HGTS RESUB OF 5 POMAR PLAT W29.01FT OF LOT 23 ALL LOT 24 & E13.66 FT OF LOT 25 BLK R OR733/1612 & 1631/1152(P/R).

PARCEL ID NUMBER: 090010-0230

LOCATION ADDRESS: 482 POMONT AVENUE, ST. AUGUSTINE, FLORIDA 32084

**UNIT CONNECTION FEE
MORTGAGE**

THIS MORTGAGE, by and between **Monica Thurston**, whose address is 482 Pomont Ave. St. Augustine, FL 32084 (hereinafter called "Mortgagor") and **CITY OF ST. AUGUSTINE, FLORIDA**, a municipal corporation organized under the laws of the State of Florida, whose address is P.O. Box 210, Attention Financial Services Dept., St. Augustine, Florida, 32085 (hereinafter called "Mortgagee").

WITNESSETH that for good and valuable consideration, and also in consideration of the Mortgagee's deferment of certain water and/or sewer unit connection fees owed by the Mortgagor to the Mortgagee as evidenced by the Unit Connection Fee Promissory Note hereinafter described, the said Mortgagor does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the said Mortgagee all that certain piece, parcel or tract of land of which the said Mortgagor is now seized and possessed and in actual possession, situate in the county of St. Johns and state of Florida, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Together with all structures and improvements now and hereafter on said land, and the fixtures attached thereto.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all the estate, right, title, interest, homestead, separate estate, possession, claim and demand whatsoever, as well in law as in equity, of the said Mortgagor in and to the same, and every part thereof, unto the said Mortgagee, in fee simple.

And the Mortgagor hereby covenants with the Mortgagee that it is indefeasibly seized of said land in fee simple; that it has full power and lawful right to convey the same in fee simple as aforesaid; and that said Mortgagor will make such further assurances to prove the fee simple title to said land to said Mortgagee as may be reasonably required.

Provided always, and these presents are executed and delivered upon the following conditions, to-wit:

The Mortgagor agrees to timely pay the Mortgagee, or order, the payments described in the copy of the Unit Connection Fee Promissory Note attached hereto as Exhibit "B" in the manner and at the times described therein.

And shall duly, promptly and fully perform, discharge, execute, effect, complete and comply with and abide by each and every of the stipulations, agreements, conditions, and covenants of said Promissory Note and of this mortgage, then this mortgage and the estate hereby created shall cease and be null and void.

And the Mortgagor further covenants as follows:

1. That it will pay all and singular the costs, charges and expenses, including reasonable attorney's fees, and costs of abstracts of title, incurred or paid at any time by the Mortgagee because of the failure on the part of the Mortgagor promptly and fully to perform the agreements and covenants of said Promissory Note and this mortgage, and said costs, charges and expenses shall be immediately due and payable and shall be secured by the lien of this mortgage.

2. That (a) in the event of any breach of this mortgage or any mortgage superior or junior hereto or default on the part of the Mortgagor under this or any other mortgage encumbering the property mortgaged hereby, or (b) in the event that any of said sums of money herein referred to be not promptly and fully paid without demand or notice, or (c) in the event that each and every of the stipulations, agreements, conditions and covenants of said note and this mortgage are not promptly and fully performed, then in either or any such event, the said aggregate sum mentioned in said note then remaining unpaid, with interest accrued to that time, and all moneys secured hereby, shall become due and payable forthwith, or thereafter, at the option of said Mortgagee, as fully and completely as if all of the said sums of money were originally stipulated to be paid on such day, anything in said note or in this mortgage to the contrary notwithstanding; and thereupon or thereafter, at the option of said Mortgagee, without notice or demand, suit at law or in equity May be prosecuted as if all moneys secured hereby had matured prior to its institution. The Mortgagee May foreclose this mortgage, as to the amount so declared due and payable, and the said premises shall be sold to satisfy and pay the same, together with costs, expenses and allowances.

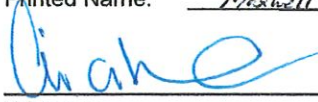
3. That the Mortgagee will make monthly payments in the amount of \$45.28 for 120 months, with the first payment due July 15, 2017

IN WITNESS WHEREOF, the Mortgagor has hereunto set its hand and seal, this 16th day of June, 2017.

Signed, sealed and delivered in the presence of:



Witness
Printed Name: Maxwell J. Thurston



Witness
Printed Name: Cori a Niles

BY: 

(Printed Name) Monica Thurston
(Address) 482 Pomont Ave
(Telephone) 904-669-1649

* * * NOTARY CERTIFICATION APPEARS ON THE FOLLOWING PAGE * * *

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Monica Thurston**, who is personally known to me or who has produced Florida Driver's License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 16th day of June, 2017.



Notary Public, State of Florida

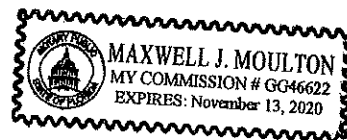


Exhibit "A"

LEGAL DESCRIPTION

**3-72 PONCE DE LEON HGTS RESUB OF LOT 5 POMAR PLAT W29.01FT OF LOT 23 ALL
LOT 24 & E13.66 FT OF LOT 25 BLK R OR733/1612 &1631/1152(P/R)**

Strap: 0900100230

**UNIT CONNECTION FEE
PROMISSORY NOTE**

APPLICANT(S) NAME: Monica Thurston
ADDRESS: 482 Pomont Ave
St. Augustine, FL 32084

\$4,451.60

St. Augustine, Florida

FOR VALUE RECEIVED, and as payment for certain unit connection fees on premises located at **482 Pomont Ave St. Augustine, FL 32084**, the undersigned, jointly and severally, promises to pay to the order of **CITY OF ST. AUGUSTINE, P.O. Box 210, St. Augustine, Florida, 32085**, or elsewhere as the holder hereof may from time to time require, the principal sum of **4,451.60 Dollars**, together with interest on so much of said principal sum as remains from time to time outstanding and unpaid, at the rate of **4.10 percent** per annum from the date hereof until paid. Said principal and interest shall be paid in equal consecutive monthly installments of **45.28 Dollars**, commencing on July 15, 2017 and continuing on the same date each and every month thereafter until paid in full, said installments to be applied first to interest and the balance to principal.

The maker(s) hereof waives presentment for payment and demand. Time is of the essence hereof. It is expressly agreed that if this Note or any part or installment thereof be not paid within ten (10) days after the same becomes due and payable, anything herein to the contrary notwithstanding, the maker(s) hereof understands that all unpaid sums shall immediately be due and payable at once, without notice or demand, together with all costs of collection, including reasonable attorney's fees, whether suit be filed or not.

The maker(s) hereof may prepay any part of the principal sum hereof in any amount at any time, but any such prepayment shall not relieve the maker(s) hereof from making payment of the installment then due nor any subsequent installment provided hereby, unless at the time of such prepayment the maker(s) hereof pays all sums hereon.

Any waiver of the right to exercise any option by the holder hereof shall not constitute a waiver of the right to exercise said option at any future time.

All notices, demand, presentment, dishonor and requirements under any law of Florida are hereby expressly waived.

Note: Fl. Stat. 159.17 – Lien of services charges – any municipality issuing revenue bonds hereunder shall have a lien on all lands or premises served by any water system, sewer system or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such municipality in the manner provided by the laws of Florida for the foreclosure of mortgages on real property.

Exhibit "B"

This Note is secured by and subject to the terms of a mortgage (or a letter of credit) of even date herewith.

Signed, sealed and delivered **dated as of June 16, 2017**, in the presence of:

Maxwell J. Moulton
Witness

Printed Name: Maxwell J. Moulton

Corina Niles

Witness

Printed Name: Corina Niles

BY:

Monica Thurston

(Printed Name) Monica Thurston

(Address) 482 Pomont Ave

(Telephone) 904-669-1649

FOR AN INDIVIDUAL ACTING IN HIS OR HER OWN RIGHT:

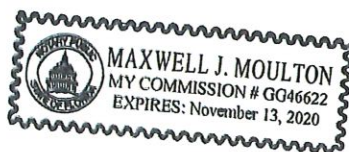
STATE OF Florida

COUNTY OF St. Johns

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **Monica Thurston**, who is personally known to me or who has produced Florida Driver's License as identification and is the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this 16th day of June, 2017.

Maxwell J. Moulton
Notary Public, State of Florida



CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 22, 2021

RE: **ORDER RELEASING CODE ENFORCEMENT LIEN: 330 OGLETHORPE BOULEVARD**

Please find enclosed an Order Releasing Lien for 330 Oglethorpe Boulevard, owned by Neal and Loretta Allen. This release reflects the previously outstanding Code Enforcement lien levied against this property. The outstanding balance of \$350.00 has been paid in full.

Please place the Order Releasing Lien on the consent agenda for consideration and execution at the December 13, 2021 City Commission meeting.

Should you have any questions or comments, please do not hesitate to contact me.
Thank you.



Isabelle C. Lopez
City Attorney

/s/
Attachment

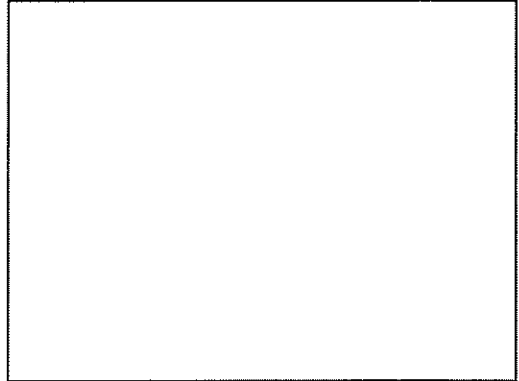
xc: Meredith Breidenstein, Assistant City Manager
David Birchim, Planning & Building Director
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Order releasing the Code Enforcement lien levied against 330 Oglethorpe Boulevard as paid in full.

BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS & APPEALS BOARD
OF THE CITY OF ST. AUGUSTINE, FLORIDA

ORDER RELEASING LIEN
CEAAB CASE NO. 2019-0027



IN THE MATTER OF: NEAL ALLEN
 LORETTA ALLEN
 330 OGLETHORPE BOULEVARD
 ST. AUGUSTINE, FLORIDA 32080

VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:
 CITY CODE, CHAPTER 8, SECTION 8-101
 FLORIDA BUILDING CODE, SECTION 115.3

LIEN FILED AGAINST: NEAL ALLEN
 LORETTA ALLEN

VIOLATION SITE: 330 OGLETHORPE BLVD., ST. AUGUSTINE, FLORIDA 32080

LEGAL DESCRIPTION: 3-98 DAVIS SHORES LOT 33 BLK 15 OR4647/678

PARCEL NUMBER: 216420-0000

.....
ORDER

THIS MATTER having come to be heard before the Code Enforcement, Adjustments and Appeals Board of the City of St. Augustine on March 12, 2019 and April 9, 2019, and this Board having entered the following Order:

- **ORDER FINDING VIOLATION AND IMPOSING A FINE**
- Dated April 9, 2019
 - Recorded in O.R. Book 4785, Page 1105 on August 27, 2019

And the Board, being fully advised in the premises, hereby finds:

- **THE ABOVE REFERENCED LIEN HAS BEEN PAID IN FULL.**

THEREFORE, it is hereby ordered that the lien against the property, as established in the Orders referenced herein, is hereby released.

* * * *SIGNATURES APPEAR ON THE FOLLOWING PAGE* * * *

IN WITNESS WHEREOF, this Order Releasing Lien has been duly signed and executed by the Lienor, this _____ day of _____, 2021.

**CITY OF ST. AUGUSTINE, FLORIDA,
a municipal corporation**

ATTEST:

By: _____
Tracy Upchurch, Mayor-Commissioner

Darlene Galambos, City Clerk
(S E A L)

.....

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, **TRACY UPCHURCH**, by means of [] physical presence or [] online notarization, who is personally known to me, who is the person who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 2021.

Notary Public, State of Florida
(S E A L)

Bill Information

Year/bill ☒ Multi-Bill Transfer Detail

Cat/type PAYMENT

Receipt ☒ Multi Rcpt Transaction

Amount

Batch

Deposit no.

Source

Effective date

Entry date/time

Clerk

Department Plannin

Misc department Plannin

Source

Customer/Property

Customer no. *UNKNOWN*

Prop ID

Journal Information

Post date

Year/period/journal ☒

Cash account

Misc desc

Tender

Paid by CID ☒

Paid by reference

Payment method ☒ CHECK

Check #

Status

Batch status ☒ Unreleased ☐ Posted ☐ Reversed

Reason

Charge Allocation Installment Allocation GL Allocation

#	Chg Cd	Desc	Interest	Principal	Adjusted
1	CODENF	CODE ENFORCEME	0.00	350.00	0.00



City of St. Augustine



St. Augustine, Florida
Nation's Oldest City

Planning/Building

OFFICIAL NOTICE OF CONFIRMATION OF ACTION

April 9, 2019

Neal and Loretta Allen
68 Westwood Drive
Sturbridge, MA 01566

RE: **330 Oglethorpe Boulevard**
 Continuance of work after the posting of a Stop Work Order.
 City Code, Chapter 8, Section 8-101
 Florida Building Code, Section 115.3
 CEAAB Case No. 2019-0027

Dear Mr. and Mrs. Allen:

The purpose of this letter is to notify you of the action taken by the Code Enforcement, Adjustments and Appeals Board (CEAAB) on April 9, 2019, relative to your case.

The CEAAB found the case **"In Violation"** and issued an **"Order Finding Violation and Imposing a Fine"**. The **"Order"** stipulated a fine of **\$250.00 for the window, and \$100.00 for the house wrap**. A copy of the **"Order Finding Violation and Imposing a Fine"** is attached. The CEAAB hearing was conducted in accordance with F.S. 162.07 and as a part of the hearing this "Official Notice" is being sent to you as required by State Law.

Please contact me at 825-1065 if you have any questions concerning this correspondence.

Sincerely,

Richard Schauland
Building Official & Code Enforcement Manager

Attachment

cc: John P. Regan, City Manager
John Cary, Assistant City Attorney
CEAAB File

BEFORE THE
CODE ENFORCEMENT,
ADJUSTMENTS AND APPEALS BOARD
CITY OF ST. AUGUSTINE, FLORIDA

**ORDER FINDING VIOLATION
AND IMPOSING A FINE**
CEAAB CASE NUMBER: 2019-0027

Public Records of St. Johns County, FL
Clerk number: 2019063526
BK: 4785 PG: 1105
8/27/2019 11:32 AM
Recording \$27.00

IN THE MATTER OF:

Neal and Loretta Allen
330 Oglethorpe Boulevard
St. Augustine, FL 32080-0000
(Hereinafter referred to as Respondent)

RE: VIOLATION OF SECTION(S): Code of Law and Ordinances of St. Augustine, Florida:

City Code, Chapter 8, Sections 8-101
Florida Building Code, Section 115.3

VIOLATION SITE: **330 OGLETHORPE BOULEVARD**

LEGAL DESCRIPTION: **3-98 DAVIS SHORES LOT 33 BLK 15 OR4647/678**

PARCEL NUMBER: **216420-0000**

THE CODE ENFORCEMENT, ADJUSTMENTS AND APPEALS BOARD HEARD TESTIMONY AND EXAMINED EVIDENCE AT A HEARING(S) HELD ON **MARCH 12, 2019 AND APRIL 9, 2019**, AND, BASED ON THE EVIDENCE, HAS ADJUDGED AS FOLLOWS:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is the legal owner and/or occupant of the subject property and was duly notified of the hearing held on April 9, 2019, in accordance with Chapter 162, F.S.

The respondent was present and testified under oath.

2. The City of St. Augustine conducted an inspections and/or review of City records regarding the subject property on January 22, 2019, which revealed the following violations:

- **Continuing work after the posting of a "Stop Work Order".**

3. The above described is a violation of the following Section(s) of the City Code of St. Augustine:

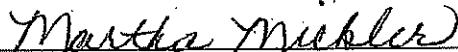
Chapter 8, Sections 8-101
Florida Building Code, Section 115.3

4. On January 28, 2019, the Planning and Building Department sent an **"Official Notice of Violation"**, via certified mail, to formally advise the respondent of the violation, via certified mail. The notice gave the respondent zero (0) days from the receipt of the letter to correct the violation, or stipulated that the board may impose a maximum fine of \$250 for each day the violation continued.

5. On January 30, 2019, the Planning and Building Department sent the respondent, via certified mail, an **"Official Notice of Hearing"** for March 12, 2019. AND a Posting Affidavit was placed at the property and with the City Clerk's office on March 5, 2019 for the CEAAB Hearing for March 12, 2019.
6. On March 12, 2019, the Code Enforcement, Adjustments and Appeals Board heard testimony and **continued** the case to April 9, 2019.
7. On April 9, 2019, the Code Enforcement, Adjustments and Appeals Board found the case in violation and issued an **"Order Finding Violation and Imposing a Fine"** in the amount of **\$250.00** for the installation of the window, and **\$100.00** for the installation of house wrap.
8. In the event of a repeat violation of this **"Order Finding Violation and Imposing a Fine,"** Respondent shall again be notified of a compliance hearing, at which time the Board will review the evidence and impose a maximum fine of \$500 per day if said violation is determined to have again occurred.

THIS ORDER MAY BE RECORDED IN THE OFFICIAL RECORD BOOKS OF ST. JOHNS COUNTY FORTHWITH AND SHALL CONSTITUTE A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY, AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR, PURSUANT TO CHAPTER 162.08 AND 162.09 OF THE FLORIDA STATUTES. YOUR CONTINUED NONCOMPLIANCE CAN RESULT IN FORECLOSURE, JUDICIAL SALE, AND LOSS OF YOUR PROPERTY.

DONE AND ORDERED THIS 9TH DAY OF APRIL, 2019 in open session at the Alcazar Room, 75 King Street, St. Augustine, Florida.

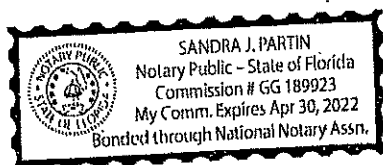


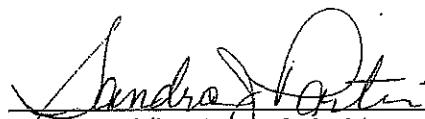
MARTHA MICKLER, CHAIRMAN
CODE ENFORCEMENT, ADJUSTMENTS & APPEALS BOARD

STATE OF FLORIDA
COUNTY OF ST. JOHNS

I HEREBY CERTIFY that on this day, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Martha Mickler, who is personally known to me who is the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same for the purposes therein expressed.

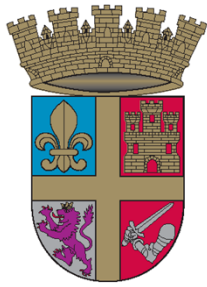
Witness my hand and official seal, this 9th day of April, A.D., 2019.





Notary Public, State of Florida

You have 30 days in which to appeal this order to the Circuit Court of St. Johns County. The Code Enforcement, Adjustments and Appeals Board, upon notification by the Code Enforcement Inspector that a previous order of the Board has not been complied with by the set time, may order the violator to pay a maximum fine of \$250 for each day the violation continues past the date set for compliance. A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists, or upon any other real or personal property owned by the violator; and it may be enforced in the same manner as a court judgment by the Sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for the enforcement purposes. After three (3) months from filing of any such liens which remain unpaid, the Code Enforcement, Adjustments and Appeals Board may authorize the local governing body attorney to foreclose on the lien.



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

***WHEREAS**, human trafficking is the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of forced labor or sexual servitude; and*

***WHEREAS**, victims of human trafficking are lured by false promises of employment, educational opportunities, false job promises, or even loving romantic relationships. The victims can be of any age, race, gender, sexual orientation, ethnicity, socioeconomic background, U.S. Citizens, permanent residents, and foreign nationals; and*

***WHEREAS**, in 2019, Florida had the third highest number of human trafficking cases in the United States and, in November of 2020, nearly 200 people were arrested in a Florida human trafficking investigation on criminal charges which ranged from solicitation of prostitution to human trafficking of a minor; and*

***WHEREAS**, aggressively identifying and prosecuting the buyers and sellers of trafficking victims is an effective strategy to end the commission of human trafficking; and*

***WHEREAS**, assisting victims of human trafficking requires a coordinated community response among community groups, social services, schools, and law enforcement, and more awareness and education is crucial to eradicating human trafficking in our communities, state, and nation.*

***NOW THEREFORE**, the City Commission of the City of St. Augustine does hereby declare **January 2022**, as **Human Trafficking Awareness Month**, and urges all citizens to recognize our vital roles in ending all forms of modern slavery and to observe this month with appropriate programs and activities aimed at ending and preventing all forms of human trafficking.*

***IN WITNESS WHEREOF**, I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 10th day of January in the year of our Lord two thousand twenty-two and the four hundred and fifty sixth year of the founding of St. Augustine, the Nation's Oldest City.*

2022-01

Tracy Upchurch, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

City of St. Augustine
City Commission

Certificate of Recognition

In Acknowledgement of and



Presented In Honor to

Luiza Nemeth

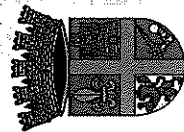
In celebration of

Your One Hundredth Fifth Birthday!

Congratulations on attaining this important milestone in your life!

You have over ten decades of great memories constituting a life well lived.

On this special day, the City of St. Augustine wishes you an abundance of happiness and health.



Tracy Upchurch, Mayor

CITY OF ST. AUGUSTINE

CITY COMMISSION MEETING & HOLIDAY SCHEDULE – 2022

JANUARY

NEW YEAR'S EVE – FRIDAY, DECEMBER 31, 2022

City Commission Meeting – January 10, 2022

MARTIN LUTHER KING, JR. DAY – MONDAY, JANUARY 17, 2022

City Commission Meeting – January 24, 2022

FEBRUARY

City Commission Meeting – February 14, 2022

PRESIDENT'S DAY – MONDAY, FEBRUARY 21, 2022

City Commission Meeting – February 28, 2022

MARCH

Daylight Savings Time BEGINS – Sunday, March 13, 2022

City Commission Meeting – March 14, 2022

City Commission Meeting – March 28, 2022

APRIL

City Commission Meeting – April 11, 2022

GOOD FRIDAY – FRIDAY, APRIL 15, 2022/EASTER SUNDAY APRIL 17, 2022

City Commission Meeting – April 25, 2022

MAY

City Commission Meeting – May 9, 2022

City Commission Meeting – May 23, 2022

MEMORIAL DAY – MONDAY, MAY 30, 2022

JUNE

City Commission Meeting – June 13, 2022

JUNETEENTH – MONDAY, JUNE 20, 2022

City Commission Meeting – June 27, 2022

JULY

INDEPENDENCE DAY – MONDAY, JULY 4, 2022

City Commission Meeting – July 11, 2022

City Commission Meeting – July 25, 2022

AUGUST

City Commission Meeting – August 8, 2022

City Commission Meeting – August 22, 2022

City Commission Budget Workshop Meetings TBD

SEPTEMBER

LABOR DAY – MONDAY, SEPTEMBER 5, 2022

City Commission Special Budget Meeting 5:05pm – September 8, 2022

City Commission Meeting – September 12, 2022

City Commission Special Budget Meeting 5:05pm – September 22, 2022

City Commission Meeting – September 26, 2022

OCTOBER

City Commission Meeting – October 10, 2022

City Commission Meeting – October 24, 2022

NOVEMBER

Daylight Savings Time ENDS – Sunday, November 6, 2022

VETERAN'S DAY – FRIDAY, NOVEMBER 11, 2022

City Commission Meeting - November 14, 2022

THANKSGIVING HOLIDAYS – THURSDAY & FRIDAY, NOVEMBER 24-25, 2022

★City Commission Meeting – November 28, 2022 (Cancelled)

DECEMBER

City Commission Special Meeting 7:30pm – December 5, 2022

City Commission Meeting – December 12, 2022

CHRISTMAS HOLIDAYS – FRIDAY & MONDAY, DECEMBER 23-26, 2022

★City Commission Meeting – December 26, 2022 (Cancelled)

NEW YEAR'S EVE HOLIDAY – MONDAY, JANUARY 2, 2023

CITY OF ST. AUGUSTINE

HOLIDAY SCHEDULE – 2022

	<u>DATE OBSERVED</u>
NEW YEARS EVE/DAY	DECEMBER 31, 2021
MARTIN LUTHER KING DAY	JANUARY 17, 2022
PRESIDENT’S DAY	FEBRUARY 21, 2022
GOOD FRIDAY	APRIL 15, 2022
MEMORIAL DAY	MAY 30, 2022
JUNETEENTH	JUNE 20, 2022
INDEPENDENCE DAY	JULY 4, 2022
LABOR DAY	SEPTEMBER 5, 2022
VETERAN’S DAY	NOVEMBER 11, 2022
THANKSGIVING HOLIDAYS	NOVEMBER 24-25, 2022
CHRISTMAS HOLIDAYS	DECEMBER 23 & 26, 2022
NEW YEARS EVE/DAY	JANUARY 2, 2023

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: December 13, 2021

RE: Proposed meeting date cancellations and approval of the 2022 schedule

Attached is the proposed 2022 City Commission meeting and holiday schedule. Due to holiday conflicts, staff is recommending the cancellation of two regular meetings as follows:

- Thanksgiving Holiday – November 28, 2022
- Christmas Holiday – December 26, 2022



Darlene Galambos
City Clerk

Xc: John Regan, City Manager

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: November 12, 2021

RE: 2021 deAviles Award

It is my pleasure to carry the nomination of Robert and Maria Alvarez forward for the 2021 de Aviles Award for their dedicated and honorable public service to our community. They were a driving force behind the recent successful July 10, 2021 - 200th Anniversary Commemoration and have, over many years, provided support and leadership in many of the city's important living history activities including the September Pedro Menendez de Aviles Landing Day, the Drake and Searles Raids, the School of the 16th and 17th Century as well as the periodic downtown history "Saunters". Having known them and worked with them both over a long period, and I firmly believe that they have earned the honor of the de Aviles Award.

Please consider this as my written request for inclusion in the record as per the city's "de Aviles Award" procedures and guidelines for selecting recipients.

Thank you,

Nancy R. Sikes-Kline
Vice Mayor/Commissioner
City of St. Augustine, Florida
(904) 806-6203



City of St. Augustine
Resilience Workshop – 10-25-2021
Summary of Commission Input

- The Chief Resilience Officer (CRO) provided a program outline for the City’s Resilience Program and Strategy.
- The first portion of the workshop included an overview of current relevant policies and planning efforts. The second portion of the workshop was focused on a list of project and planning needs, how some of these projects may be funded and moving forward.
- The objective of the workshop was to obtain feedback and input from the Commission on the extensive planning and project needs for the City in the area of Resilience. The City has limited resources to allocate for such planning and projects, therefore, staff wanted input and guidance from the Commission to better guide and prioritize these needs moving forward.
- Below is the program outline, summary of comments obtained from each Commissioner, items for action and/or follow-up and any outstanding questions or guidance that staff is seeking from the Commission.

Resilience Workshop – Program Outline



Resilience Workshop – Key Summary Points

Items with General Consensus

- Support for/look into developing a seawall ordinance with consideration to:
 - Option for natural/nature-based solutions to support the built environment
 - Option for an earthen berm in lieu of a vertical wall if site conditions allow
 - Establishing minimum cap elevations
- Update Coastal Vulnerability Assessment (CVA) and Strategic Adaptation Plan (SAP) with the latest data (i.e. IPCC, NOAA). We need to have a better understanding of how much time we have and the associated impacts to better make informed decisions.
- Careful and comprehensive consideration given to cost and benefits of projects in certain areas that are currently at risk and will continue to be at risk.
- Continue with the tide check valve retrofit program
- Enhanced website/resources/tools
 - We need to have more robust content/material/resources on our website dedicated to resiliency (expand on what is currently available)
 - This can serve as a “clearing house” and empower individuals to educate themselves and make their own individual decisions
 - Targeted information provided, not too much that becomes ineffective
 - Need to consider our non-website/computer users as well
- Continue with outreach and education efforts
 - Individual outreach
 - Workshops and/or neighborhood meetings as needed
- Support for groundwater monitoring network
 - Better determine sea level rise rates of change and how that may impact our community
 - Use this to make better decisions on these larger projects
 - Better determine rates of change in water levels that can better predict our planning and implementation horizons

Items of Additional Interest and/or Support

- The current FEMA FMA program does not meet/address the needs of the community, there is a greater need that is not being met. How can the City support that greater need?
- Topic of managed retreat, reality is that we cannot save everything, developing a threshold and look at managed retreat and timeline
 - Consider impacts of managed retreat and as we move to higher ground, what impact does that have on communities that may be disadvantaged socially, economically etc. (example of Miami) and the social and environmental justice considerations
 - How to protect our cultural and historical heritage as well
- USACOE Back Bay Feasibility Study –
 - These have large lead times to get the funding much less to do the study, and then implement and/or study more
 - As an alternative, we can learn from other entities on lessons learned who have participated
- Stormwater Utility Fee Credit –
 - The City currently has a credit process (30% reduction) but for commercial properties that have a permitted stormwater system, but it doesn’t incentivize LID
 - Look to revisit this, determine costs/benefits, impacts to the current stormwater utility fund and how to incentivize LID or similar best management practices

Resilience Workshop – Follow Up Items

- Staff will work to develop a seawall ordinance with consideration to:
 - Option for natural/nature-based solutions to support the built environment
 - Option for an earthen berm in lieu of a vertical wall if site conditions allow
 - Establishing minimum cap elevations
- Staff would suggest that the Stormwater Resilience Master Plan can potentially address many of the comments and input received during the workshop. Such as, but not limited to:
 - Update the Coastal Vulnerability Assessment and Strategic Adaptation Plan using the latest data, studies (that the City has completed) and SLR projections. This would be taken into consideration through the modeling that would need to be done to evaluate rainfall, surge and compound flooding conditions;
 - Careful consideration given to cost and benefits of projects in certain areas that are currently at risk and will continue to be at risk;
 - Identify tipping points for levels of service that could indicate where we need to consider managed retreat and/or other options;
 - Consideration needs to be given to the social, economic and environmental impacts potentially involved with managed retreat and/or other options;
 - The existing Stormwater Utility Fee Credit, can be revisited to determine options for encouraging and/or incentivizing low impact development, green infrastructure, reduction in impervious etc. What are the financial implications to the existing stormwater utility fee etc.
- Staff will work to enhance/improve the existing “Resiliency” section of the website to include additional resources and information.
- Staff will continue with the individual flood mitigation site visits, neighborhood meetings, workshops or similar as needed to address general outreach and education needs. Consideration will also be given to the “non-computer” user and/or other individuals with special needs or accommodations.
- The commission had a general consensus/interest in implementing a groundwater monitoring network –
 - Staff can get a better defined scope of work and cost proposal for this to determine costs.
 - This project was submitted to the State. The State is in the process of ranking projects to go before the next Legislative Session. We will likely know in the late Spring if this project will potentially get funded.
- General input from the Commission that the current FEMA FMA program does not meet/address the needs of the community, there is a greater need that is not being met. How can the City support that greater need?
 - Staff can look into options for other programs or funding mechanisms to determine if this is possible.
 - Staff can schedule a future workshop to review these options with the Commission.
- Does the Commission have any additional input or thoughts regarding the Army Corp of Engineers’ Back Bay Feasibility Study?
 - Staff could schedule a follow-up workshop to cover this more in-depth topic– this could include an overview of the process, what’s involved and lessons learned from other municipalities that have participated in it. There are pros and cons to participating in this study. If funding is allocated through Congress, we will need to make a decision about whether or not to participate in the study.
 - The alternative is for staff to review the current/similar studies that have been completed for this program and to provide an overview/summary of that information for Commission input. This would be focused on results and/or recommendations from similar studies that the City could consider as options. This could be handled as a memo format if a workshop is not desired.
- Does the Commission have any additional input on the list of planning and/or projects needs previously presented? A copy of the previous lists have been included in this packet.

Attachment 1 – Summary Comments from each Commissioner and Additional Workshop Comments

Attachment 2 - Resilience Planning & Study Needs List Presented at the 10-25-2021 Special Workshop

Attachment 3 – Resilience Projects Needs List Presented at the 10-25-2021 Special Workshop

See the following pages for the referenced attachments

Attachment 1 - Resilience Workshop – Summary Comments from each Commissioner

Mayor Upchurch

- Request for clarification on the maps shown in the presentation: existing conditions for nuisance flooding map (left hand side) compared to projected flooding conditions for nuisance flooding with 1.5 feet of Sea Level Rise (SLR)
 - The maps shown were from the 2016 Coastal Vulnerability Assessment (CVA), the definitions and comments below are also referenced in the CVA,
 - Existing conditions for nuisance flooding = minor flood event that occurs monthly, often resulting in the flooding of roads, the City's existing conditions for nuisance flooding can occur 12-17 times each year
 - Projected flooding with 1.5 feet of Sea Level Rise (SLR) = present day areas subject to nuisance flooding are expected to be flooded almost daily by tides with 1.5 feet of SLR, which could occur as early as the 2040's or after 2100
 - Of the three flood types evaluated, nuisance flooding has the largest potential to impact St. Augustine in the near term. An additional 500 acres of land are vulnerable to nuisance flooding with 1 foot of SLR. This scenario could occur as early as the 2030's or as late as 2100, depending on the degree of SLR acceleration
- FMA program and idea proposed by Vice Mayor Sikes – Kline – larger topic and need for further consideration, discussion and/or comment of the City looking into starting a similar type of program to supplement the FEMA FMA program to help with the greater need in the community
- USACOE Back Bay Feasibility Study – these have large lead times to get the funding much less to do the study, and then implement and/or study more
- Support for a seawall ordinance
- This topic has everyone's attention, requires a great deal of wisdom to try to determine at what level do we attempt to fight this problem
 - Government moves slowly, comment from Commissioner Valdes, do we go with a bigger project now that will protect us longer as opposed to more traditional approach
- Have a robust section of our website that provides info/tools etc., can be primary emphasis but will need to do neighborhoods/continue that as well
- Interested in learning more about a program to potentially help homeowners that don't qualify under FEMA FMA, but hesitancy, we can elevate but if not able to access homes (i.e. the Keys) how good is that, look at the cost benefit to the entire community, particularly when there is a federal program already in place
- Groundwater monitoring seems to be important for data that can help with planning
- We know individuals have started managed retreat, sold lower lying property and begun to move to higher ground, different calculation when what's at risk is your rental property and not your home, we have these long and short term rentals, property no longer owner occupied and the calculation is different for those properties, what is the return on investment before it impacts its value
- Local gov't – we are a player but individuals make their own decisions
- Increased pressure on West Augustine and continue the conversation
- St Johns County – County residents in many portions of the County may also have a deep seated interest in these issues
- Information – we need to be targeted and specific and helpful, not overload with information that doesn't help
- Stormwater Utility Fee Credit – look at it from a high level, is it financially feasible, what are the benefits, how does it impact the current fund etc.
- Memo to the Commission – summarize what has been discussed, identify additional questions staff may have, individual commissioners can address with the City Manager

Attachment 1 – Continued – Commissioner Comments

Vice Mayor Sikes-Kline

- Flood Mitigation Assistance Program (FMA) – had to have flood insurance and made claims, lots of folks that did not have flood insurance or did not make claims, the need is greater than what the applications reflect
 - Comment/thought proposed - There is nothing stopping the City from starting our own program with our own criteria to help out with this need
- Rely on staff on these issues, there is a lot of information to digest
- Support for a seawall ordinance, work with Commissioner Valdes as needed
- Take a look at a program that could provide direct assistance for those not meeting the FMA requirements
- Focus on homeowners
 - Look into program for direct assistance with homeowners that don't meet FEMA requirements (grants/buyouts/elevating)
 - Continue with the individual/personalized help and support to the community, workshops as needed
- Continue with outreach/education, support for more robust website and tools/tool box, but not all use the internet/computers

Commissioner Horvath

- Continue to consider future conditions in our current designs
- Interest in/support of seawall ordinance, can we consider a berm or earthen system in lieu of a vertical wall?
 - Site conditions would dictate because it will depend on space available to install/construct and interface with the marsh but we can look into it further
 - We've been discussing the issues for a while, target elevation for 7.0 feet, started with the Bayfront projects, Maria Sanchez Lake possibly going higher versus another system, step wise approach
- Request for hard copies of the Historic Structures guidebook

Commissioner Valdes

- We are working on older data and rate of climate change is accelerating, at what point in time do we accept that certain areas will be impacted to the point that they cannot continue to function and when do we consider managed retreat as an option, looking at costs for projects and should the money be spent to look at those future conditions, it's a moving target that is not moving in our favor.
- Support for a seawall ordinance,
 - We currently have no requirements/criteria for seawall construction
 - At least a minimum cap elevation for new construction
 - Can include/add living shoreline component
 - Limited access to construct from the lot/upland forced to construct from the marsh side which can affect permitting
- The reality for South Davis Shores is a floodwall with pump station or look at "buy back" options
- We're taking steps in the right direction but concern for putting \$5-6 million dollars into a project or system that may only be viable for 5-6 years, maybe take that money and build a wall now with a pump station and then with the stormwater upgrades, similar concept to the Lake Maria Sanchez project
- Support for a groundwater monitoring network –
 - least expensive on the list and can be beneficial
 - could help in determining the rate of change of sea level rise for our area and get local projection on how SLR is impacting us
 - without a good handle on the impact and rate of change, we cannot make some of these decisions without knowing better our time horizon and how that may impact and affect projects/design etc.

Attachment 1 – Continued – Commissioner Comments

Commissioner Valdes - continued

- Future conversation about finding the \$ now so we don't have to wait for the funding decisions
- Continue seeking low hanging fruit for funding and better determination of how much time do we have
- Lifting houses is good up to a point, but you can't lift yourself out of the problem, you can't lift an entire neighborhood (cost prohibitive, disruptive), look at low walls, retreat etc.
- We need better data to be able to make these decisions and determine where it is best to spend the limited funding as more coastal communities compete for the funding
- Analyze the different types of flooding and how important is it. We have rainfall flooding, nuisance flooding, hurricanes/tropical storms and climate change SLR. Three of those can come and go but the 4th stays and has different impacts. So looking at the types of flooding holistically can help to determine priorities of what we need to address now versus later. Our resources are limited to address such a huge problem, what is the priority.
- Historic structures – guidebook recently published, excellent example and product recently completed by the City

Commissioner Blonder

- CVA (2016) was based on NOAA SLR curves from the 2012 database and USACE for Mayport (same 2012 data), concern for data being outdated
- Revisit data being used – refer to Intergovernmental Panel on Climate Change (IPCC) recently released a report, projections and warming temperatures are happening faster than initially projected, as such, recommend that we update our CVA and revisit our Strategic Adaptation Plan (SAP) given this most recent data
- In support of seawall ordinance and incorporate an option for natural and/or nature-based solutions, such as living shorelines that could bolster the built environment
- Support for a groundwater monitoring network
- We need a robust section on our website, can act as a “clearing house” that houses this information and can help with limited staff time/resources that can empower residents to education themselves and make their own decisions
- City wide back flow prevention improvements – continue with that effort
- FEMA FMA program – cost share can be a major hurdle and getting the 3 quotes from contractors
- Groundwater monitoring network –
 - Suggest a threshold that we determine/implement because our freshwater could be impacted
 - Monitor for saltwater intrusion and have a plan in place
- Cost benefit analysis that is comprehensive and systematic to help better prioritize these needs, how do we filter through that selection of projects that need to start today and can wait
- Resource limitations – staff and funding, but doesn't meet the demand
 - Partnerships may be an option, sharing resources in a strategic way to more efficiently utilize the resources we have
 - Putting together a task force to pool our resources
 - Examples – GTMNERR, COSAB, NEFRC, academic institutions (students doing the work as interns)
- Stormwater Utility Fee Credit - creating SWU fee credit for green infrastructure and LID improvements as well as reduction of impervious surface and installation of detention basins (i.e. rain gardens), capturing the water and letting it infiltrate more slowly

Attachment 1 – Continued – Additional Comments

Public Comment

- Mr. Slavin:
 - Suggested regular meetings with the City, County and Beach on this topic with opportunity for public comment and input
 - This is the Nation's oldest city, need a national park and seashore, with that designation we can get the funding for the projects
 - Mangroves – natural shorelines, provide as an option for tree/arbor day, armour our coastlines with mangroves in lieu of the infrastructure/capital intensive projects that the Army Corps is notorious for, take a look at “Cadillac Desert”, he is not impressed with them
 - Maria Sanchez Lake – in favor of the dredging but need an environmental survey and baseline data about what is in the sediment in the bottom of the lake. He believed that when the St. Augustine Record was publishing from its original building that they had heavy metals contributed to the lake if the heavy metals are still there, we have a deep pocket who owns the Record, join one or more lawsuits or create our own with big oil companies and Florida East Coast railway for the environmental damages that they've done, look back at the flooding, traces back to Henry Flagler's efforts, look at litigation

Staff Comments

- Reuben Franklin – there currently is a stormwater utility fee credit program in place for a 30% credit reduction but it is specific for properties that also have installed/obtained permits from the State for stormwater management systems (typically applies to commercial properties). We could revisit this existing program to determine if it can include an option for residential properties and incentivize the low impact development/green infrastructure/or similar best management practices.
- Todd Grant - Clarification point – there is a groundwater monitoring network already in place to monitor for saltwater intrusion, we currently have no saltwater intrusion, monitored monthly and tied to drinking water supply which is 8-9 miles inland

Attachment 2 – Resilience Planning & Study Needs List Presented at the 10-25-2021 Special Workshop

Resilience Planning & Study Needs Presented to the City Commission		
Project Name	Project Description	Estimated Project Costs
Stormwater Resilience Master Plan	Update Stormwater Master Plan to incorporate Resilience citywide; phase 1 - expand upon South Davis Shores efforts then scale up to city wide	\$ 2,150,000
USACOE Backbay Feasibility Study	3 year study to evaluate flood mitigation options for the City, projects identified in the study would be eligible for Federal \$	\$ 3,000,000
Oyster Creek Resilience Plan Development -	Evaluate Oyster Creek Drainage Basin, multiple benefits/opportunities to address drainage/flooding, water quality issues, and incorporate mobility	\$ 150,000
Citywide Seawall Ordinance	Evaluate the feasibility of establishing a seawall ordinance to address the locations vulnerable to storm surge	\$ 50,000
Educate Prospective Home Buyers & Real Estate Professionals About Floodplains & Base Floor Elevations	Set up a program and/or workshop to educate targeted audience	\$ 50,000
Feasibility Study for Lake Maria Sanchez Dredging and Water Quality Improvements	Feasibility study to determine options for Lake	\$ 75,000
Planning Needs Subtotal		\$ 5,475,000

Attachment 3 – Resilience Projects Needs List Presented at the 10-25-2021 Special Workshop

Resilience Projects Needs Presented to the City Commission			
Project Name	Project Description	Project Status	Estimated Project Costs
Flood Mitigation Improvements to St. Augustine Santuary Sewer Pumping Stations - FEMA 13	Elevate, flood proof 13 lift stations	Started construction FEMA PA Funded	\$ 13,800,000
Lake Maria Sanchez (S0001) - FEMA HMGP	FEMA funded project for flood mitigation and drainage improvements	Design (60%) FEMA HMGP Funded Seeking Add'l Grants	\$ 30,000,000
South Whitney/West King Improvements (SWWK) - FEMA HMGP	FEMA funded project for flood mitigation and drainage improvements	Design Complete FEMA HMGP Funded Seeking Add'l Grants	\$ 2,020,000
Aven Men SeaWall - Flood Barrier (HMGP)	Complete elevation gap of existing wall, HMGP awarded for Phase 1 Design	Design (90%) FEMA HMGP Funded Seeking Add'l Grants	\$ 1,087,000
City Wide - Backflow Prevention Improvements (TIDE)	Retrofit existing storm pipes with tide check valves (remaining City outfalls)	In Progress Seeking Add'l Grants	\$ 2,640,000
Elevation of repetitive flood loss property through FEMA FMA Program	Elevate properties that have repetively flooded and/or damaged	In Progress FEMA FMA Funded	\$ -
South Davis Shores - Mitigation Alternative #1	Identified in SDS Resiliency Master Plan - Pilot Area - strategies required to meet a 5-year LOS - storm infrastructure improvements (increase capacity), re-grading Coquina Ditch, upsize Coquina Ditch culverts + check valves	Concept Analysis Seeking Add'l Grants	\$ 700,000
South Davis Shores - Mitigation Alternative #2	Identified in SDS Resiliency Master Plan - Pilot Area - strategies required to meet a 100-year LOS - Alt #1, plus expanded infrastructure improvements (increase capacity), expanding Coquina Ditch (depth + width)	Concept Analysis Seeking Add'l Grants	\$ 1,610,000
South Davis Shores - Additional Mitigation Strategies - Smart Valves	Identified in SDS Resiliency Master Plan - alternative to the permanent inline check valves in the culverts to maintain tidal flow, except during certain storms/events (Coquina, Hermosa, Old Quarry)	Concept Analysis Seeking Add'l Grants	\$ 600,000
South Davis Shores - Additional Mitigation Strategies - Pump Station	Identified in SDS Resiliency Master Plan - strategies required in addition to Alt Mit #1 and #2, to meet higher surge conditions and SLR, will require pumping	Concept Analysis Seeking Add'l Grants	\$ 2,400,000

Attachment 3 – Continued - Resilience Projects Needs List Presented at the 10-25-2021 Special Workshop

Project Name	Project Description	Project Status	Estimated Project Costs
South Davis Shores - Additional Mitigation Strategies - Seawalls	Identified in SDS Resiliency Master Plan - strategies required in addition to Alt Mit #1 and #2, to meet higher surge conditions and SLR, approximately 9,050 LF of shoreline, install flood barrier to elevation 7.0 NAVD88	Concept Analysis Seeking Add'l Grants	\$ 18,500,000
South Davis Shores - Additional Mitigation Strategies -Design	Design, survey, geotech and permitting estimated costs for Additional Mitigation Strategies. Design costs for Mit Alt #1 and #2 were included in those costs.	Concept Analysis Seeking Add'l Grants	\$ 6,450,000
Conversion of Septic to Sewer	Convert existing septic systems to sanitary sewer, program currently in place to plan and construct	On-going State Legislative Funding	\$ 1,500,000
Flood Mitigation on King St (a.k.a. King Street Drainage-KSDI)	FDOT King Street project to upgrade old/undersized storm system and COSA Cost Share (utility)	Design (90%)	\$ 258,000
Flood Mitigation and Drainage Improvements of the Plaza de la Constitucion	Project identified in Resilient Heritage Study - flood mitigation and drainage improvements for the Plaza	Concept Analysis Seeking Add'l Grants	\$ 4,645,000
South Dixie Highway Improvements (SDHI)	SDH roadway and drainage improvements, incorporate mobility	Conceptual Design (10%) Seeking Add'l Grants	\$ 10,000,000
Lincolnvile Drainage 3 (CDBG1)	Duero and Cerro Streets (utility + storm)	Design (60%)	\$ 1,500,000
Drainage Improvements and Flood Mitigation for the Ct. Theophelia/Edna Neighborhood (COURT)	Neighborhood utility and drainage improvements, could be further evaluated with SWMPU	Conceptual Design (10%) Seeking Add'l Grants	\$ 2,850,000
Flood Mitigation and Resiliency Improvements at Inlet Drive (a.k.a. Inlet Drive Shoreline Restoration)	Restore and/or elevate a portion of Inlet Dr shoreline	Conceptual Design (10%) Seeking Add'l Grants	\$ 534,800
Groundwater Monitoring Network for Rates of Change to Sea Level Rise	Establish groundwater monitoring network to determine rates of change due to SLR, would factor into design for other infrastructure projects	Concept Analysis Seeking Add'l Grants	\$ 150,000
Alcazar Hotel Floodproofing (flood wrap and flood gates) and landscaping (cisterns)	Project identified in Resilient Heritage Study - Install flood proofing and mitigation measures to protect historic building; will also benefit from Lake Maria project	Concept Analysis Seeking Add'l Grants	\$ 2,040,000
Llambias House Flood Mitigation and Resiliency	Project identified in Resilient Heritage Study - Install flood proofing and mitigation measures to protect historic building; will also benefit from Lake Maria project	Concept Analysis Seeking Add'l Grants	\$ 135,000
Project Needs Subtotal			\$ 103,419,800.00

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 1, 2021

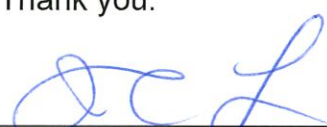
RE: **MASCI v. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 10-2021-02-2027 dated October 31, 2021 from Cavendish Partners, P.A. for legal services rendered in October 2021 regarding the MASCI General Contractor, Inc. v. City of St. Augustine matter.

The amount currently due is **\$885.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the December 13, 2021 City Commission meeting.

*{ WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$26,584.11. }*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Richard K. Thibault, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

**CAVENDISH
PARTNERS**
P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 10/31/2021

Invoice #: 10-2021-02-2027

Matter: Masci Appellate Litigation

File #: 2027

INVOICE TOTAL AND BALANCE DUE \$885.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210

St Augustine, FL 32085

Due Date: 11/30/2021

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 10/31/2021 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: November 1, 2021

RE: **MARLOWE V. CITY OF ST. AUGUSTINE – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 10-2021-01-3020 dated October 31, 2021 from Cavendish Partners, P.A. for legal services rendered in October 2021 regarding the Marlowe v. City of St. Augustine matter.

The amount currently due is **\$2,340.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the December 13, 2021 City Commission meeting.

*{ WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$89,046.85. }*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Richard K. Thibault, Assistant City Attorney
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 10/31/2021
Invoice #: 10-2021-01-3020
Matter: Marlowe Appeal
File #: 3020

INVOICE TOTAL AND BALANCE DUE \$2,340.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085

Due Date: 11/30/2021

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 10/31/2021 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**