



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, MARCH 13, 2023 - 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. Proclamation 2023-06:** Proclaiming March 20-24, 2023, as GOVERNMENT FINANCE PROFESSIONALS WEEK. *(N. Sikes-Kline, Mayor)*
- 3.B. Proclamation 2023-10:** Proclaiming the month of March 2023 as ARCHAEOLOGY MONTH *(N. Sikes-Kline, 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.B.1.** Presentation by Michael L. Mohler, PE, Senior Project Manager Florida Department of Transportation regarding State Road 5A (King Street) Bridge Replacement Detour Plan (*R. Franklin, Director, Public Works*)

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

- 8.A.1. Ordinance 2023-08:** Amendment to regulation and posting of idle speed-no wake zones (*I. Lopez, City Attorney*)

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.B. Resolutions

10. STAFF REPORTS AND PRESENTATIONS

11. ITEMS BY CITY ATTORNEY

- 11.A.** Legislative update. (For Information Purposes-no presentation) (*I. Lopez, City Attorney*)

12. ITEMS BY CITY CLERK

- 12.A.** Request for Two (2) appointments for the Corridor Review Committee (CRC) (*D. Galambos, City Clerk*)
- 12.B.** Request for One (1) appointment for the Historic Architectural Review Board (HARB) (*D. Galambos, City Clerk*)

13. ITEMS BY CITY MANAGER

- 13.A.** Discussion regarding a multi-day Event on Francis Field in September 2023 for the Sing Out Loud Festival. (*J. Regan, 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 - MARCH 13, 2023

- CA.1.** Preview of upcoming Commission meetings.
- CA.2.** **THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON MARCH 27, 2023: NONE.**
- CA.3. Reminder of Upcoming Meetings:**
- March 27, 2023 5:00p.m., Regular City Commission Meeting
 - April 10, 2023 5:00p.m., Regular City Commission Meeting
 - April 24, 2023 5:00p.m., Regular City Commission Meeting
- CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:**
- February 13, 2023, Regular City Commission Meeting
- CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S): NONE.**
- CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION AND OR RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING):**
- **Proclamation 2023-15:** Proclaiming April 2, 2023 as EDUCATION & SHARING DAY, ST. AUGUSTINE, FL. *(N. Sikes-Kline, Mayor)*
- CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:**
- **Proclamation 2023-14:** Declaring April 2023 designated as PARKINSON'S AWARENESS MONTH. *(N. Sikes-Kline, Mayor)*
- CA.8.** Request for Use of the City Seal - Society for Advancement of Management. *(D. Galambos, City Clerk)*
- CA.9.** Nomination of Dr. Leslee Keys for the 2023 Adelaide Sanchez award. *(B. Blonder, Commissioner)*
- CA.10.** Invoice in the amount of \$2,760.00 from Cavendish Partners, P.A. for legal services in the Smith v. City matter. *(I. Lopez, City Attorney)*
- End Consent Agenda*



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

***WHEREAS,** The City of St. Augustine's Financial Services Department serves the community of St. Augustine by safeguarding the City's assets, maximizing the use of City revenue, and efficiently providing accurate and timely information to the City Commission, City Manager, and the general public; and*

***WHEREAS,** The City of St. Augustine's Financial Services Department provides customer service to all customers of its three utilities; water, sewer, and solid waste. In addition to assisting the public with business tax receipts, licensing, parking, and vendor permits; and*

***WHEREAS,** The Florida Government Finance Officers Association is a professional association founded in 1937 and serves more than 3,300 professionals from state, county and city governments, school districts, colleges and universities, special districts and private firms; and*

***WHEREAS,** this Government Finance Professionals Week, sponsored by the FGFOA and all of its governmental organization members, is a weeklong series of activities aimed at recognizing government finance professionals and the vital services that they provide to our state and our community; and*

***WHEREAS,** the City of St. Augustine acknowledges the hard work, dedication, and leadership of its finance staff, and extends appreciation to all government finance professionals in the state of Florida.*

***NOW, THEREFORE,** the City Commission of the City of St. Augustine, does hereby proclaim **March 20-24, 2023,** as **Government Finance Professionals Week** and urges citizens to recognize government finance professionals and the vital services they provide to our community.*

***IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 13th day of March in the year of our Lord two thousand and twenty-three and the four hundred and fifty-seventh year of the founding of St. Augustine, the Nation's Oldest City.*

Nancy Sikes-Kline, Mayor

1700



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, the month of March has been designated Florida Archaeology Month by the State of Florida in recognition of archaeology's importance in understanding and preserving the State's cultural resources, as well as promoting public awareness of those resources; and

WHEREAS, people of diverse races and ethnicities have made Florida their home for thousands of years and left behind archaeological evidence of their presence; and

WHEREAS, the City of St. Augustine has recognized the significance of its archaeological heritage and has endeavored to document the remains of both the prehistoric and historical past by establishing an archaeological ordinance and program; thereby, underscoring the national and international significance of that heritage; and

WHEREAS, 2023 marks the 36th anniversary of the City's Archaeological Preservation Ordinance, one of the first enacted in the country; and through its implementation, has gained immeasurable knowledge about our community's past and of those missing or underrepresented in the historical record; and

WHEREAS, the St. Augustine Archaeological Association, formed in part to support community archaeology and the passage of the archaeological ordinance, recently celebrated their 36th anniversary, and many of its members have donated their time in support of the City's Archaeology Program.

*NOW, THEREFORE, the City Commission of the City of St. Augustine does hereby proclaim the month of **March 2023**, as **ARCHAEOLOGY MONTH** in St. Augustine; and encourages citizens to recognize the importance of preserving the past before it is lost and support archaeological efforts to preserve St. Augustine's unique cultural heritage.*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 13th day of March in the year of our Lord two thousand and twenty-three and the four hundred and fifty-seventh year of the founding of St. Augustine, the Nation's Oldest City.

Nancy Sikes-Kline, Mayor

CITY OF ST. AUGUSTINE

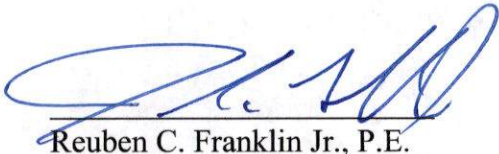
MEMORANDUM

TO: John Regan, P.E.
City Manager

DATE: March 1, 2023

RE: Staff Report Item for March 13, 2023 Commission Meeting:
SR-5A (King Street) Bridge Replacement Detour Plan

Please add the attached item to the Staff Report agenda. FDOT will present the SR-5A (King Street) Bridge Replacement project including detour plan to the Commission. If you have any questions, do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'R. Franklin Jr.', is written over a horizontal line.

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

cc: City Attorney & Department Heads

Attachments:
SR-5A (King Street) Bridge Replacement Presentation

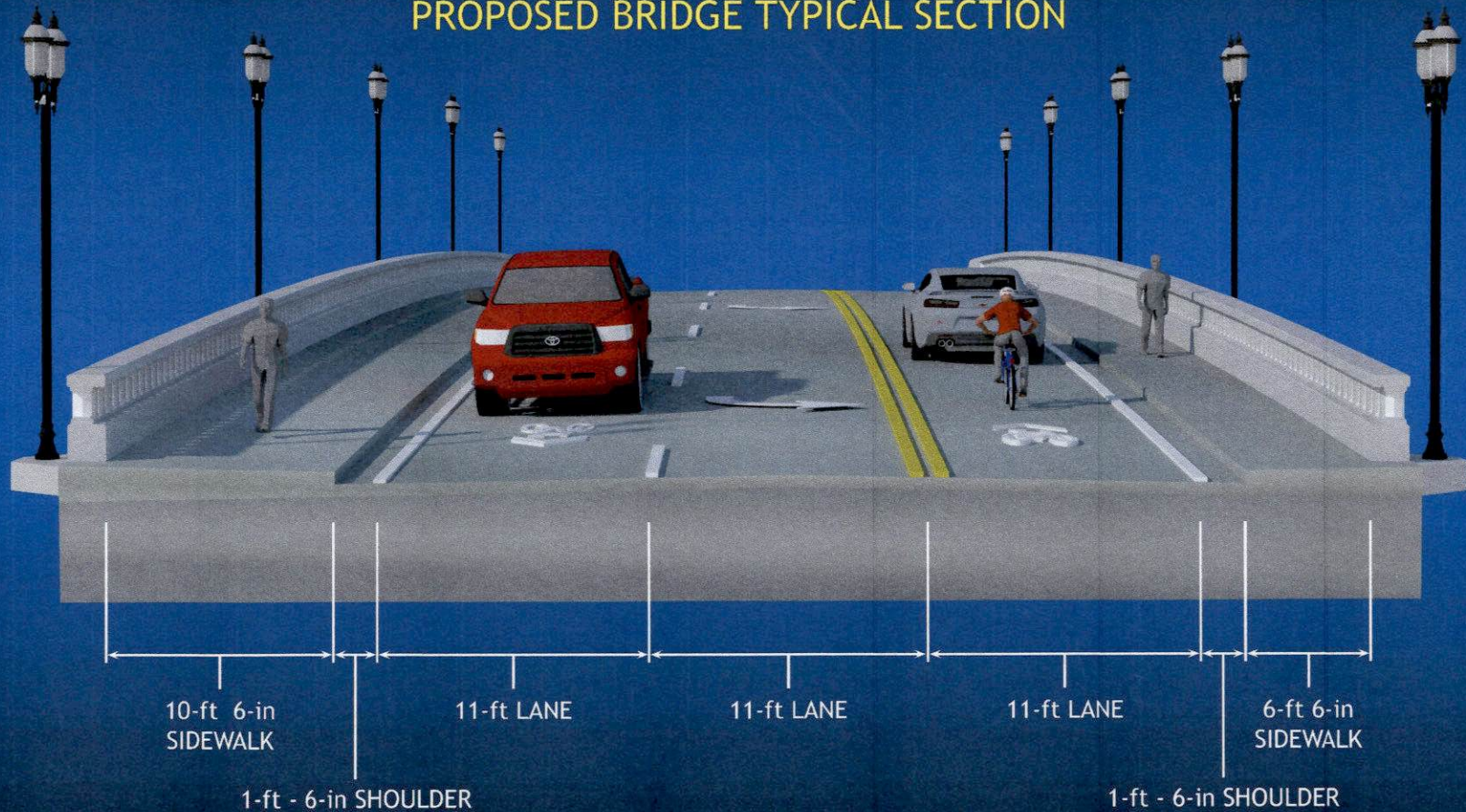


SR-5A (King Street) Bridge Replacement

SR-5A (King Street) Bridge Replacement over the San Sebastian River



PROPOSED BRIDGE TYPICAL SECTION

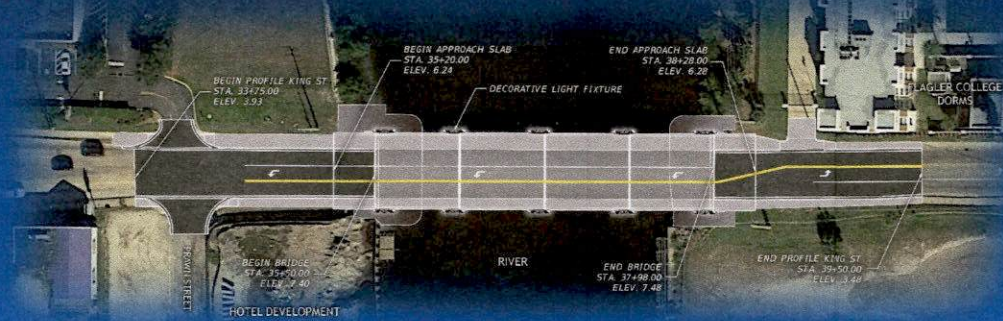




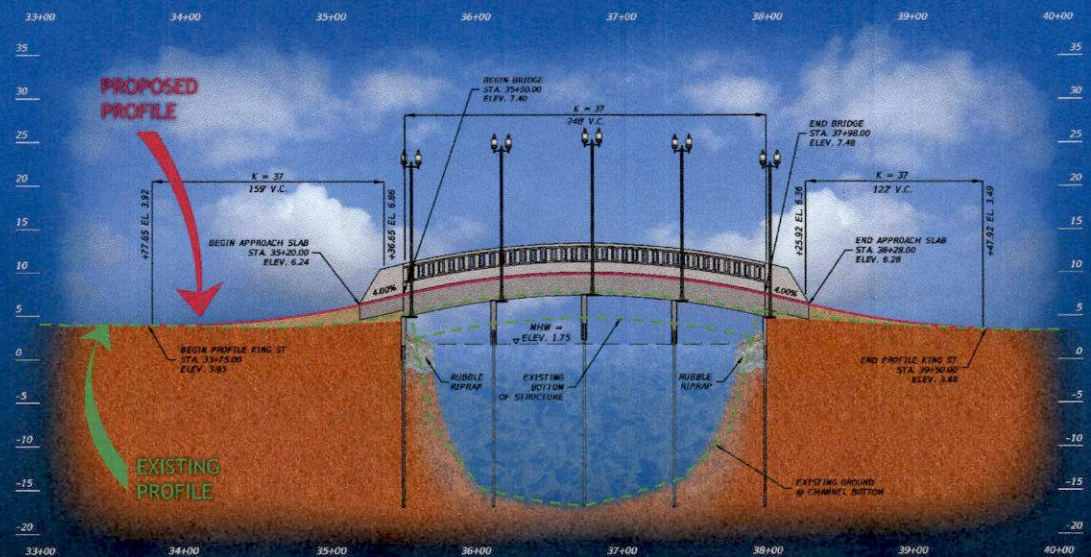
SR-5A (King Street) Bridge Replacement over the San Sebastian River



AERIAL OF PROPOSED PLAN



PROFILE OF PROPOSED PLAN



SR-5A (King Street) Bridge Replacement over the San Sebastian River PROPOSED DETOUR



TEMPORARY
POLE AND
SIGNALS

TEMPORARY
MEDIAN CLOSED

NEW SIDEWALK
CONNECTION FROM
US-1 TO MALAGA

BRIDGE RECONSTRUCTION
ZONE



**For Additional Information Regarding the Bridge
Replacement Project Contact:**

Orlando Cordero, PE, Project Manager

1109 S. Marion Avenue, MS 2002

Lake City, FL 32025

Phone: (386) 961-7449

Email: Orlando.Cordero@dot.state.fl.us

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 1, 2023

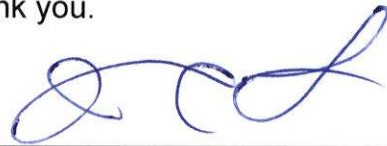
RE: **ORDINANCE 2023-08: AMENDING IDLE SPEEDS-NO WAKE ZONES**

Ordinance 2023-08 amends the previously adopted regulation and posting of idle speed-no wake zones as the Florida Fish and Wildlife Conservation Commission ("FWC") informed staff that the City's Ordinance 2022-23, adopted on August 22, 2022, met the criteria for blind curves, with some modification, but did not provide sufficient evidence to support the adjacent low speed zone for Bird Island (a/k/a/ Julia's Island).

Procedurally, upon adoption this ordinance with its exhibits will be transmitted to the FWC for their review. The FWC, by statute, will determine if there is substantial competent evidence of dangerous conditions warranting the boating restriction.

Please place Ordinance 2023-08 on the regular City Commission agenda for second reading on March 13, 2023.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Darlene Galambos, City Clerk (*with original*)

Agenda Title:

Ord 2023-08: Amendment to regulation and posting of idle speed-no wake zones.

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 7-4 OF THE CODE OF THE CITY OF ST. AUGUSTINE REGULATING AND POSTING IDLE SPEED-NO WAKE ZONES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City passed Ordinance 2022-23 on August 22, 2022 creating Section 7-4 of the City code that would establish "idle speed-no wake zones" at the entrance bends of Hospital Creek and through the northern and southern entrances to the Intercoastal Waterway channel adjacent to Bird Island (a/k/a Julia's Island) following approval by the Florida Fish and Wildlife Conservation Commission ("FWC") pursuant to Section 166.041(4), Florida Statutes; and

WHEREAS, on December 12, 2022, City staff met with Thomas Arrington, a Florida Certified Contact Manager with FWC who informed staff that the City's ordinance met the criteria for blind curves, with some modification, but did not provide sufficient evidence to support the adjacent low speed zone for Bird Island (a/k/a/ Julia's Island); and

WHEREAS, Mr. Arrington informed staff that a vessel traffic study would be necessary for the area adjacent to Bird Island (a/k/a Julia's Island) to justify a low speed zone for that area; and

WHEREAS, the City Commission of the City of St. Augustine respectfully requests that the Florida Fish and Wildlife Conservation Commission review and approve this ordinance pursuant to Section 166.041(4), Florida Statutes.

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

Section 1. Amending Chapter 7, Article I, Section 7-4. Chapter 7, Article I, Section 7-4 of the Code of the City of St. Augustine is hereby amended as follows:

Section 7-4. - Idle Speeds-No Wake Zone.

The City of St. Augustine limits the boating speed in certain regulated waters within the city limits, with review and approval of the Florida Fish and Wildlife Conservation Commission pursuant to Section 166.041(4), Florida Statutes.

~~An "Idle Speed-No Wake Zone" is hereby designated at the entrance bends of Hospital Creek and through the northern and southern entrances to the Intercoastal Waterway channel adjacent to Bird Island (a/k/a Julia's Island).~~

Vessels operating within boating-restricted areas posted "Idle Speed-No Wake Zone" must proceed at a speed no greater than necessary to maintain steerageway.

~~An "Idle Speed-No Wake Zone" is hereby designated at The-the~~ following locations and will be posted "Idle Speed-No Wake Zone" by their Global Positioning System (GPS) points as follows:

(a) West of Bird Island Zone (North signs): 29° 54' 12.61" N, 81° 18' 35.29" W and 29° 54' 10.97" N, 81° 18' 33.74" W

(b) West of Bird Island Zone (South signs): 29° 54' 7.07" N, 81° 18' 36.82" W and 29° 54' 6.95" N, 81° 18' 34.88" W

(c) Hospital Creek (North signs): 29° 54' 11.01" N, 81° 18' 44.95" W and 29° 54' 11.16" N, 81° 18' 44.26" W

(d) Unnamed Creek (South sign): 29° 54' 6.12" N, 81° 18' 42.99" W

~~(a) North of Bird Island (East sign): 29° 54.480' N, 81° 18.228' W~~

~~(b) North of Bird Island (West sign): 29° 54.518' N, 81° 18.265' W~~

~~(c) South of Bird Island (East sign): 29° 54.114' N, 81° 18.579' W~~

~~(d) South of Bird Island (West sign): 29° 54.113' N, 81° 18.615' W~~

~~(e) Hospital Creek (East sign): 29° 54.210' N, 81° 18.742' W~~

~~(f) Hospital Creek (West sign): 29° 54.202' N, 81° 18.767' W~~

~~(g) Unnamed creek: 29° 54.110' N, 81° 18.721' W~~

1. It is unlawful for any person to operate a vessel in a prohibited manner or to carry on any prohibited activity within a boating-restricted area which has been clearly marked by regulatory markers as authorized under Chapter 327.46, Florida Statutes.
2. Restrictions in a boating-restricted area established pursuant to this section shall not apply in the case of an emergency or to a law enforcement, firefighting, or rescue vessel owned or operated by a governmental entity.
3. Enforcement. Provisions of this section shall be enforced by the division of law enforcement of the Fish and Wildlife Conservation Commission (FWCC), the Sheriff of St. Johns County and his or her deputies, or the chief of Police

of the City of St. Augustine and his or her officers. Each agency so listed has authority to issue citations for violations.

4. Any violation of this section is deemed to be a non-criminal infraction punishable under Section 7-93 of the Code of the City of St. Augustine as follow

- (a) For a first offense, \$100.00
- (b) For a second offense: \$250.00
- (c) For a third or subsequent offense: \$500.00

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or relettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

Section 5. Effective Date. This ordinance shall become effective after passage, pursuant to Section 166.041(4), Florida Statutes, and upon review and approval by the Florida Fish and Wildlife Conservation Commission.

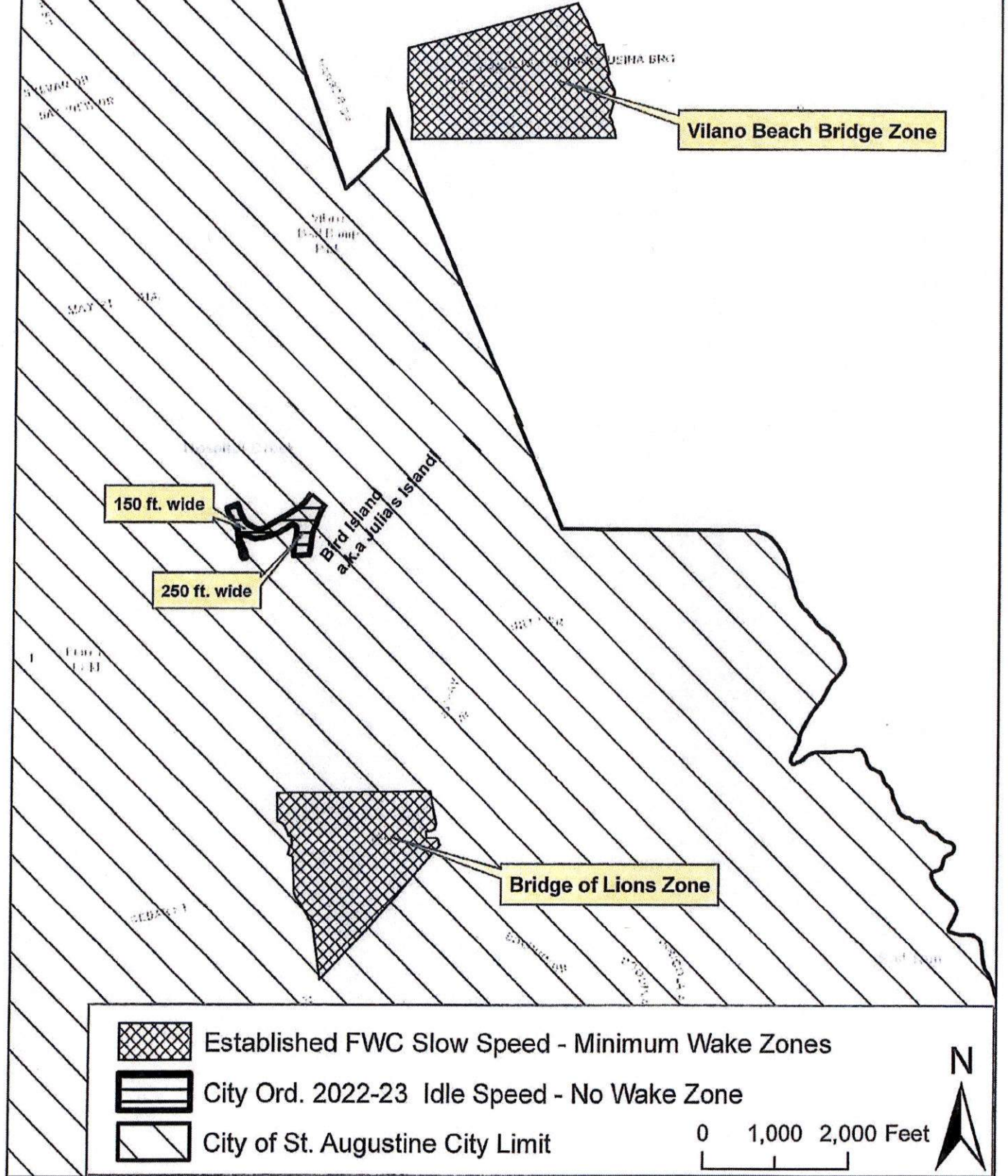
PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

City of St. Augustine Idle Speed - No Wake Zone



AFFIDAVIT OF WILLIAM "J.B." MILLER

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me appeared the undersigned affiant, **William "J.B." Miller**, who after being duly sworn, stated:

1. I am over the age of 18 and qualified to make this affidavit.
2. I am the Land Management Coordinator for the City of St. Augustine.
3. I am familiar with the area and have coordinated with the Florida Fish and Wildlife Conservation Commission on the conservation efforts at Bird Island a/k/a Julia's Island.
4. I travel the area year-round by boat and I took the attached photos that accurately reflect the blind corners described in the ordinance.
5. I prepared the attached map that accurately reflect the conditions of the blind corners described in the ordinance and identified on said map.

FURTHER AFFIANT SAYETH NAUGHT.



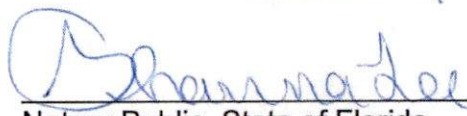
William "J.B." Miller
Land Management Coordinator

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, **William "J.B." Miller**, who is personally known to me, who is the person described in and 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 20th day of January, 2023.

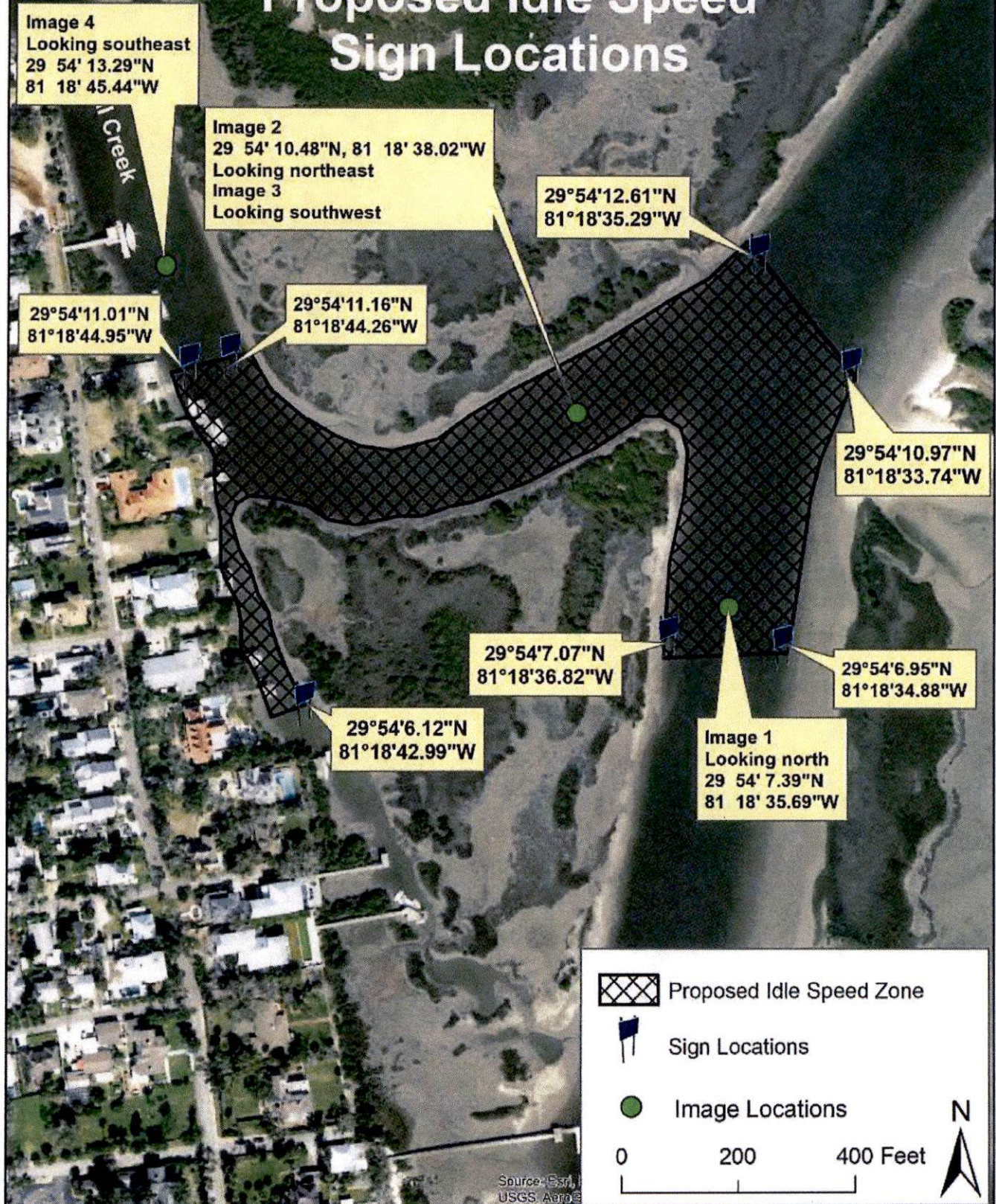


SHANNALEE
Commission # GG 329333
Expires June 6, 2023
Bonded Thru Budget Notary Services



Notary Public, State of Florida

City of St. Augustine Proposed Idle Speed Sign Locations



City of St. Augustine Boating-restricted Area Information

St. Johns County
Vilano Boat Ramp

Julia's Island
a.k.a Bird Island

City of St. Augustine
North Mooring Field

- Established FWC Boating Safety Zone
- Proposed Boating-restricted Area
- ICW

0 1,000 2,000 Feet



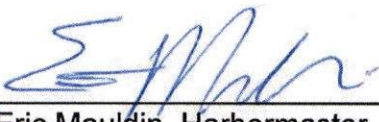
AFFIDAVIT OF ERIC MAULDIN

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me appeared the undersigned affiant, **Eric Mauldin**, who after being duly sworn, stated:

1. I am over the age of 18 and qualified to make this affidavit.
2. I am the Harbormaster for the City of St. Augustine.
3. I am familiar with the area described in the ordinance, and I took the attached photos of the specific GPS coordinates of the blind corners listed in the ordinance.

FURTHER AFFIANT SAYETH NAUGHT.



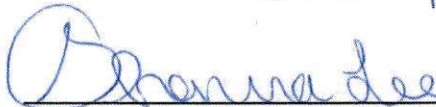
Eric Mauldin, Harbormaster

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, **Eric Mauldin**, who is personally known to me, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

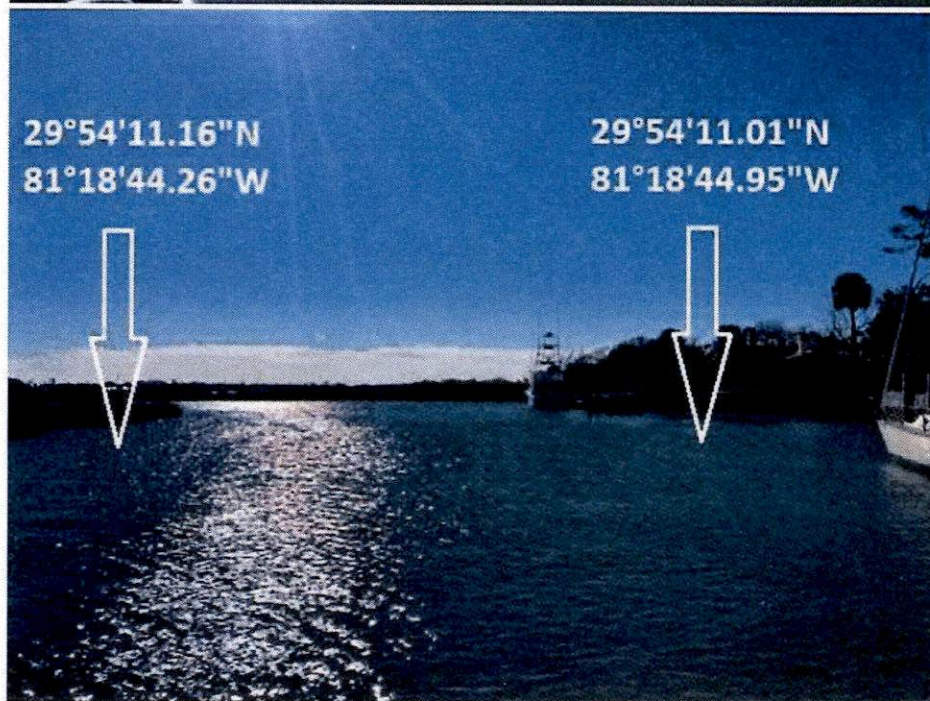
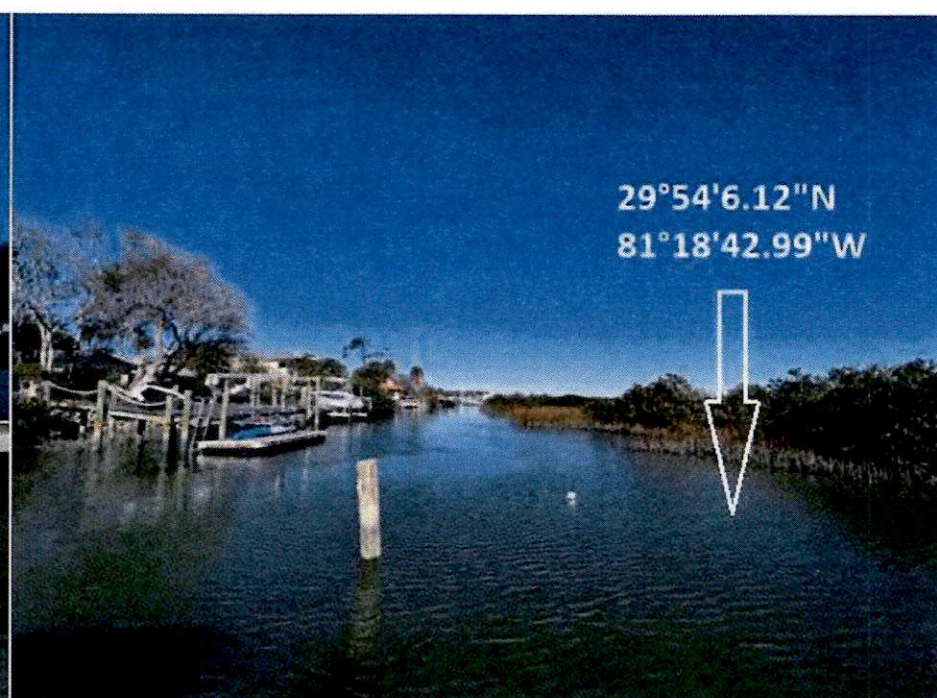
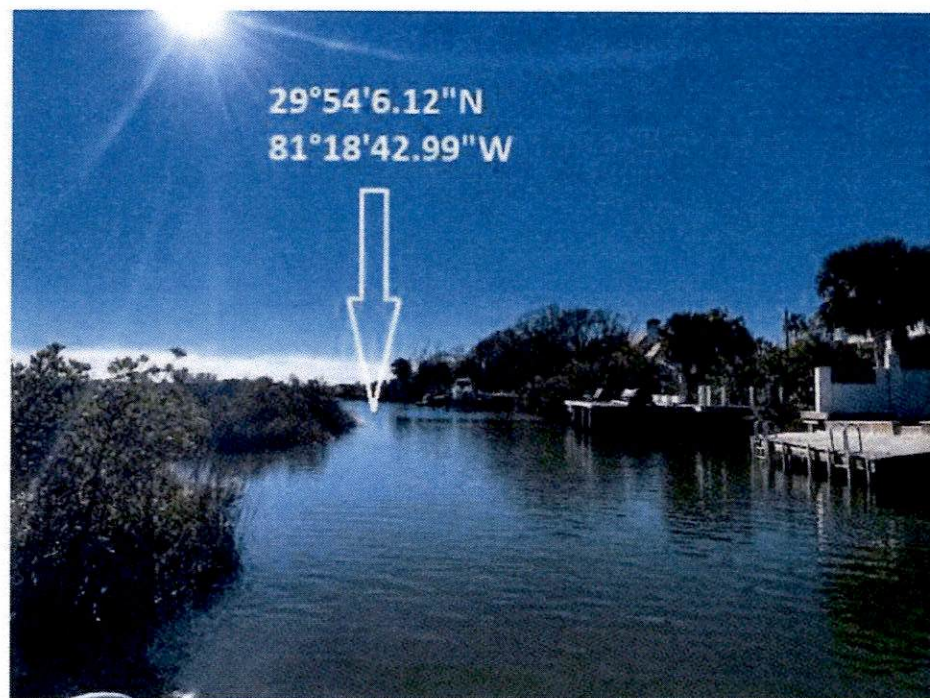
Witness my hand and official seal, this 30th day of January, 2023.

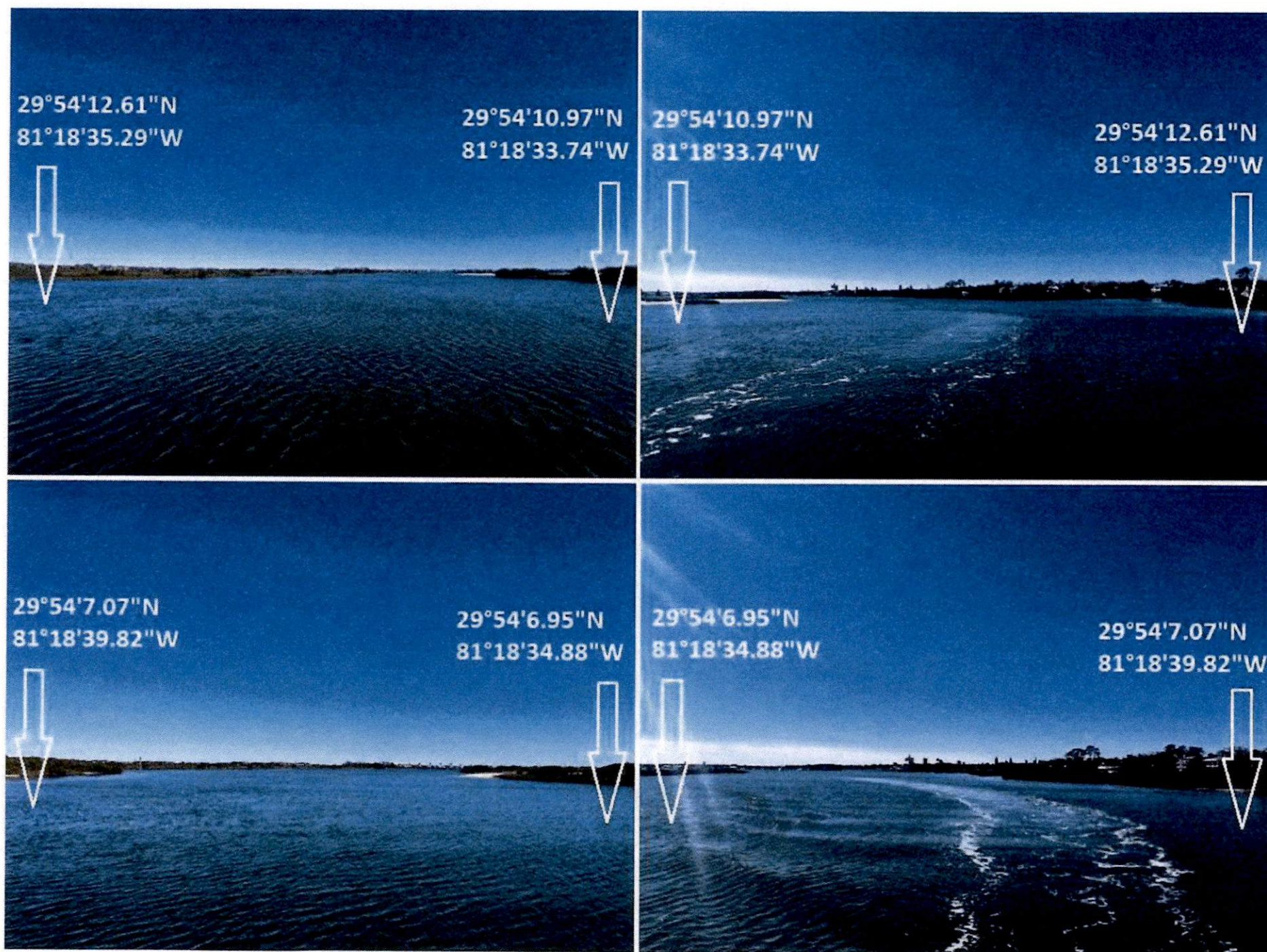


SHANNALEE
Commission # GG 329333
Expires June 6, 2023
Bonded Thru Budget Notary Services



Notary Public, State of Florida







Est. 1565

City of St. Augustine

Nation's Oldest City

City Attorney

November 17, 2022

Florida Fish and Wildlife Conservation Commission
Division of Law Enforcement | Boating and Waterways Section
Farris Bryant Building | 620 S. Meridian Street
Tallahassee, Florida 32399

RE: REVISED APPLICATION FOR APPROVAL OF AN ORDINANCE ESTABLISHING A BOATING-RESTRICTED AREA

Pursuant to Section 327.46(1)(b), F.S. and correspondence from Thomas Arrington on September 20, 2022, the City of St. Augustine files this revised application to request approval of an ordinance establishing a boating-restricted area. Per the instructions of Chapter 68D-21.001, F.A.C., the City submits the following:

68D-21.001(3):

- ☒ (a) Name of Applicant: City of St. Augustine, Florida
Isabelle C. Lopez, City Attorney
P.O. Box 210
St. Augustine, Florida 32085
(904) 825-1052
ilopez@citystaug.com
- ☒ (b) Primary Contact & Attorney: St. Augustine, Florida 32085
(904) 825-1052
ilopez@citystaug.com
- ☒ (c) Certified Copy of Ordinance: ORD 2022-23 (*enclosed*)
- ☒ (d) Section 327.46(1)(c)(1), F.S.: An ordinance establishing an idle speed, no wake boating-restricted area, if the area is within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.
- ☒ (e) 1-7: Scaled Drawings: *Enclosed*
- Ordinance transmitted by email to the Chair of the Florida Inland Navigation District, Mr. Carl Blow, on July 14, 2022. Further discussed with City Attorney on July 18th, and Mr. Blow offered his support for the ordinance and concurred with the need for speed regulations at the proposed zone, and noted that this was a public safety request not a request by waterfront property owners.
 - Ordinance transmitted by email to the members of the St. Augustine Port and Waterway Authority on July 18, 2022, and City staff member Jim Piggott attended their July 19, 2022 meeting to answer any questions. Port and Waterway Authority supports the ordinance.
 - Ordinance transmitted to USCG at Miami on July 18, 2022.
 - Ordinance transmitted to Army Corps at Jacksonville on July 18, 2022.
- ☒ (f) Documentation that the ordinance was developed, prior to presenting language for adoption with the governing body of every other county or municipality sharing jurisdiction over the area, the U.S. Coast Guard, and the Army Corps of Engineers:

- Ordinance transmitted to the St. Johns County Attorney on July 18, 2022, no opposition received.

☒ (g) Summary of facts and circumstances that justify the establishment of the restriction on speed or operation:

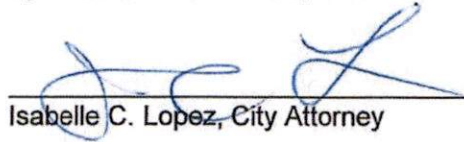
The facts, circumstances, and evidence are as established in Ordinance 2022-23 and its supporting affidavits, as well as in the City Commission meeting minutes. The geographic area covered in the ordinance is exclusively in the City limits.

☒ (h) Appendix containing all evidence listed in paragraph (g):

- Ordinance 2022-23 (*enclosed*)
- Supporting Affidavits (*enclosed*)
- Letter of Support from Chief Michaux of the St. Augustine Police Department (*enclosed*)
- Letter of Support from the St. Augustine Port, Waterway & Beach District (*enclosed*)
- City Commission Meeting Minutes (*enclosed*)
- Proof of Ownership of Island and Submerged Lands
- Map and Log of FWC Law Enforcement Actions
- Photos and Supporting Affidavits of blind curves and hazardous conditions.

☒ (i) Proof of Publication as provided by Sections 50.011-.031, F.S.:

Enclosed


Isabelle C. Lopez, City Attorney

11/17/2022
Date



Local Ordinances Review Checklist 68D-21, Florida Administrative Code Consult 327.46(1)(c), F.S.

Checklist should be used in conjunction with 68D-21.001 FAC

Directions:

The Local Ordinance Review Checklist is a guide provided by the FWC Waterway Management Unit to aid applicants in the review of drafted local ordinances.

Please complete the form and attach the necessary documents as specified in each section. As the form is fillable, it is encouraged that the applicant utilizes the text boxes to submit the Identifying Statement (section II), and the Facts/Circumstances Summary (section V). The Ordinance (section II), the Scale Drawings (section III), and the Proof of Published Ordinance (section VI) should be submitted along with this checklist.

If you have any questions, or need any clarification, please do not hesitate to contact the FWC Waterway Management Unit via phone, (850) 488-5600, or email, Waterway.Management@MyFWC.com.

TABLE OF CONTENTS		*Attached
I.	Contact Information	
II.	Ordinance/Identifying Statement	☒ A
III.	Scale drawings	☒ A
IV.	USCG and USCOE Consultation/Coordination	☒ A
V.	Proof of Published Ordinance	☒ A
VI.	Facts/Circumstances Summary	

**To be completed by FWC Staff*

Completed by FWC Staff

Date Received:

FWC Reviewer: Thomas Arrington

Reviewer Phone: (850) 617-9530

Reviewer Email: Thomas.Arrington@MyFWC.com

Completed by Applicant

Applicant Name: City of St. Augustine, Florida

Phone: (904) 825-1052

Email: ilopez@citystaug.com

Name of Waterway: A portion of the Intracoastal Waterway and Hospital Creek

City: St. Augustine

County: St. Johns County



**Local Ordinances Review Checklist
68D-21, Florida Administrative Code
Consult 327.46(1)(c), F.S.**

Checklist should be used in conjunction with 68D-21.001 FAC

I. Contact Information

The name municipality and/or county:

City of St. Augustine, Florida

Primary contact person

Name: Isabelle C. Lopez

Organization: City of St. Augustine, Florida

Mailing address:

P.O. Box 210, St. Augustine, Florida 32085

Telephone number: (904) 825-1052

Facsimile number: (904) 825-1096

Email address: ilopez@citystaug.com

Applicant's attorney or qualified representative

Name: Isabelle C. Lopez

Organization: City of St. Augustine, Florida

Mailing address:

P.O. Box 210, St. Augustine, Florida 32085

Telephone number: (904) 825-1052

Facsimile number: (904) 825-1096

Email address: ilopez@citystaug.com



Local Ordinances Review Checklist
68D-21, Florida Administrative Code
Consult 327.46(1)(c), F.S.

Checklist should be used in conjunction with 68D-21.001 FAC

II. Ordinance/Identifying Statement

☒ Certified copy or draft of the ordinance. (Attached)

Ordinance No.: 2022-23

Adoption Date: August 22, 2022

Statement identifying the provision within Section 327.46(1)(c), F.S., authorizing regulation of vessel speed or operation by the ordinance:

An ordinance establishing an idle speed, no wake boating-restricted area, if the area is within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

FWC Comments:



Local Ordinances Review Checklist 68D-21, Florida Administrative Code Consult 327.46(1)(c), F.S.

Checklist should be used in conjunction with 68D-21.001 FAC

III. Scale drawings

☒ No larger than 8 1/2 inches by 11 inches, reproducible in black and white on standard office photocopying equipment which clearly show all the following, where applicable. (Required sections are denoted with *.) (Attached)

- *The jurisdictional boundaries of the municipality or county enacting the ordinance, and, for county ordinances, the jurisdictional boundaries of any municipality in which a boating-restricted area is located.
- *The exact boundaries of each boating-restricted area established by the ordinance and the restrictions on vessel operation imposed within each boating-restricted area.
- Any other known boating-restricted area (federal, state, county, other municipality, etc.) located within 2,500 feet of any boating-restricted area established by the ordinance.
- The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area, identified with a label or legend as to whether or not it is available for use by the general public:
 - Any boat ramp, hoist, marine railway, or other launching or landing facility
 - Any fuel pump or dispenser at any marine fueling facility or licensed terminal facility
 - Any lock structure
 - Any designated public bathing beach or swim area
- The location of any of the following within a proposed boating-restricted area or used as a basis for establishing boating restricted area:
 - Any bridge, including any bridge fender system, if present
 - Any dam, spillway, or flood control structure
 - Any confluence of water bodies presenting a blind corner
 - Any bend or other intervening obstruction to visibility
 - Any specific hazards to navigation (with a label or legend describing the hazard)
- Shoreline-to-shoreline width of the body of water and if the water body is a lake or pond, total surface area in acres.
- If relied upon as a basis for establishing the boating-restricted area, location and description:
 - Any specific area subject to unsafe levels of vessel traffic congestion
 - Any specific area subject to hazardous water levels or currents
 - Any reported boating accident
 - Any issuance of a Uniform Boating Citation

FWC Comments:

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Local Ordinances Review Checklist 68D-21, Florida Administrative Code Consult 327.46(1)(c), F.S.

Checklist should be used in conjunction with 68D-21.001 FAC

IV. USCG and USCOE Consultation/Coordination

☒ (Attached) Documentation that the ordinance was developed, prior to presenting language for adoption, in consultation and coordination with:

- The governing body of every other county or municipality sharing jurisdiction over the area in which the boating-restricted area is located.
- The United States Coast Guard (USCG) if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. § 2.36(a) (2009), which is adopted by reference and is available at <http://www.gpo.gov/>.
- The United States Army Corps of Engineers (USCOE) if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. § 329.4 (2009), which is adopted by reference and is available at <http://www.gpo.gov/>.

V. Proof of Published Ordinance

☒ Proof that the applicant has at its own cost published once a week for 2 consecutive weeks, prior notice of the public hearing on the ordinance in a newspaper of general circulation in the area(s) affected by the ordinance. (Attached)

FWC Comments:



Local Ordinances Review Checklist 68D-21, Florida Administrative Code Consult 327.46(1)(c), F.S.

Checklist should be used in conjunction with 68D-21.001 FAC

VI. Facts/Circumstances Summary

A summary of the facts and circumstances the applicant contends justifies the establishment of the restriction on speed or operation and a list of the evidence in support of that contention the applicant desires for the agency to review.

An appendix containing all evidence, listed below:

- Photographs and maps depicting the blind corners and hazardous conditions at Bird Island a/k/a Julia's Island.
- Affidavits attesting to the blind corner conditions.
- Correspondence from Hailey Garcia, Regional Shorebird Biologist for FWC, confirming staff experiencing dangerous navigational hazards on multiple occasions while kayaking around the island to monitor imperiled beach nesting birds.
- Map and log of FWC Law Enforcement actions at Bird Island a/k/a/ Julia's Island.

NOTE: Not to be included in appendix:

Copies of Boating Accident Reports or Boating Accident Investigation Reports, if those reports are identified by law enforcement agency case number and provided in a list. If the Boating and Waterways Section does not have a copy on file of one or more such reports, it will request that the applicant supplement the application appendix with copies of those reports.

Copies of Florida Uniform Boating Citations if identified by citation number in a list. If one or more citations are not already entered into the ArrestNet Database maintained by the Field Services Section, the Boating and Waterways Section will request the applicant to supplement the application appendix with copies of those citations.

FWC Comments:

PHOTOGRAPHS OF GPS COORDINATE LOCATIONS

AFFIDAVIT OF ERIC MAULDIN

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me appeared the undersigned affiant, **Eric Mauldin**, who after being duly sworn, stated:

1. I am over the age of 18 and qualified to make this affidavit.
2. I am the Harbormaster for the City of St. Augustine.
3. I am familiar with the area at Bird Island a/k/a Julia's Island, and I took the attached photos of the specific GPS coordinates listed in the ordinance for the idle speed-no wake zone.

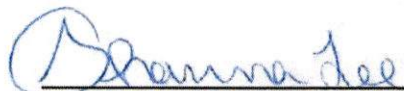
FURTHER AFFIANT SAYETH NAUGHT.



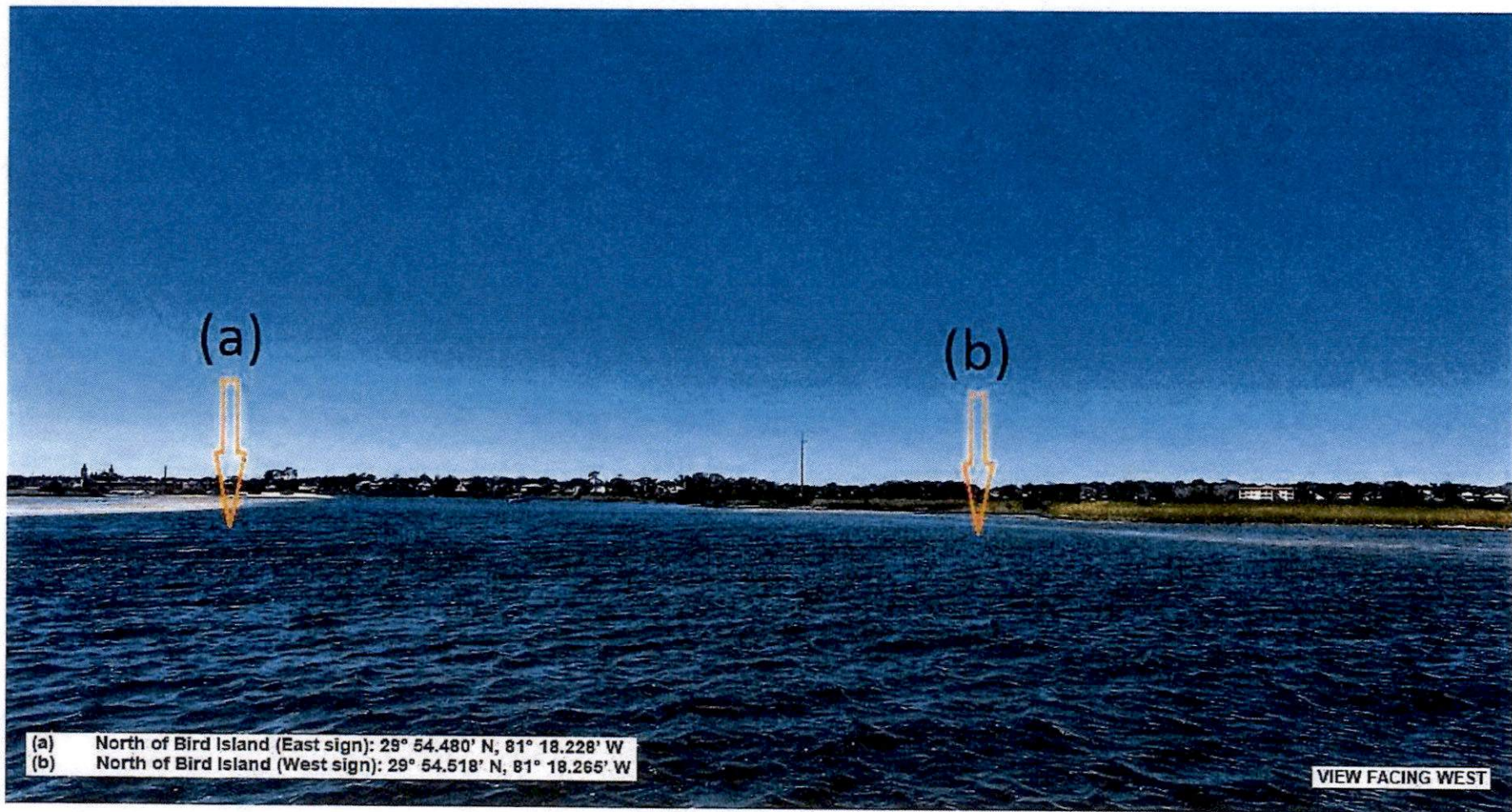
Eric Mauldin, Harbormaster

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, **Eric Mauldin**, who is personally known to me, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

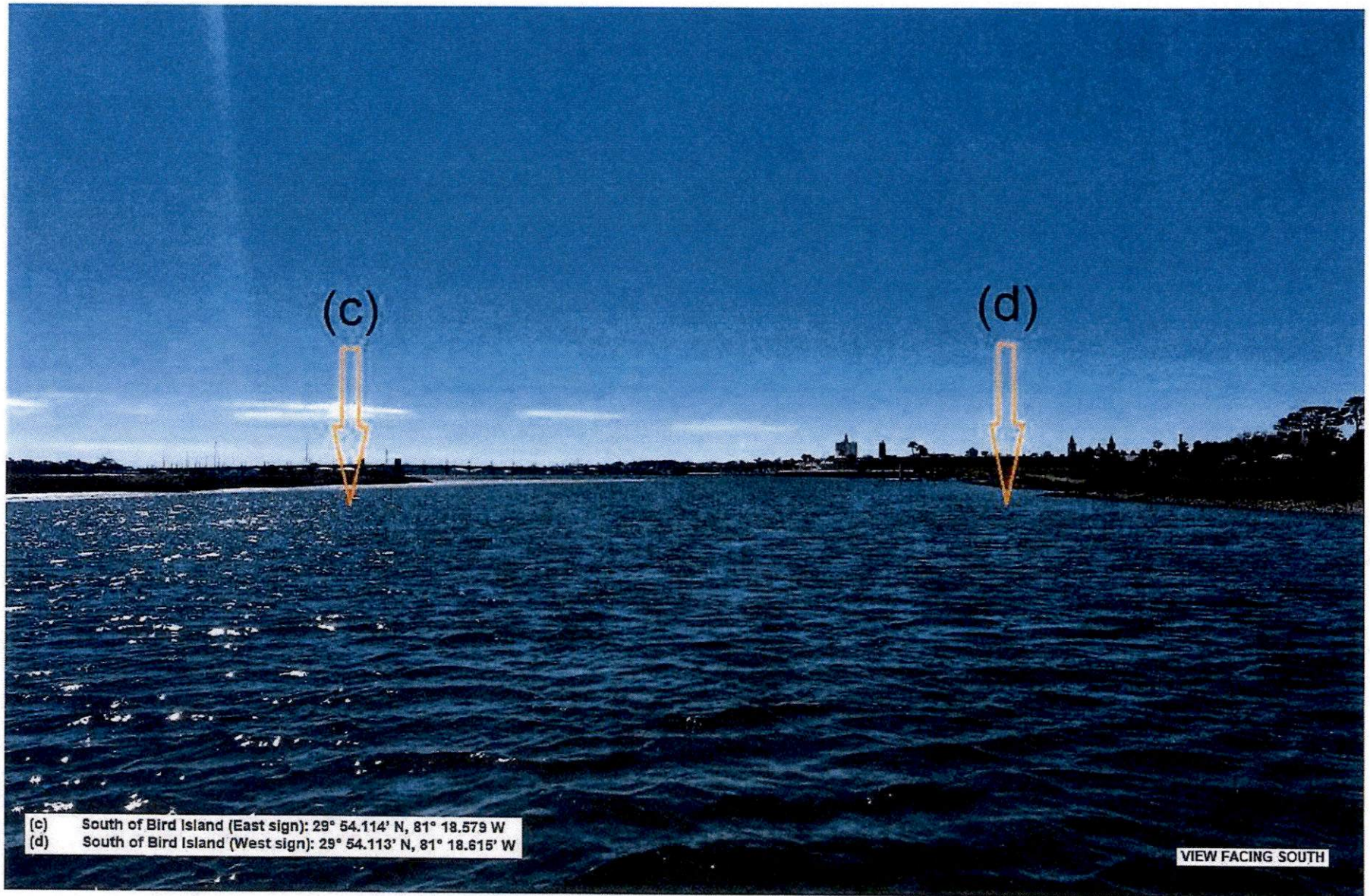
Witness my hand and official seal, this 10th day of November, 2022.



Notary Public, State of Florida





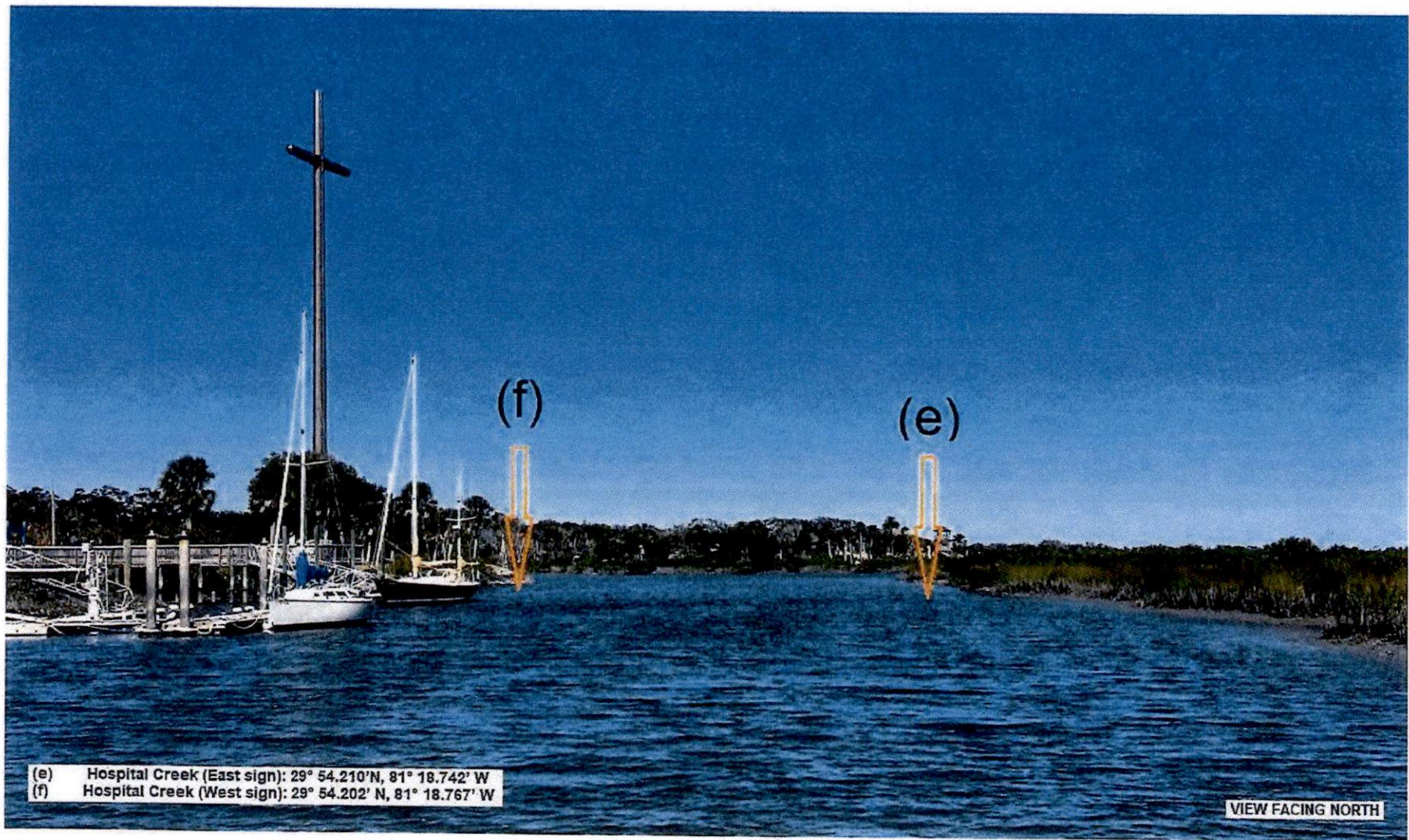


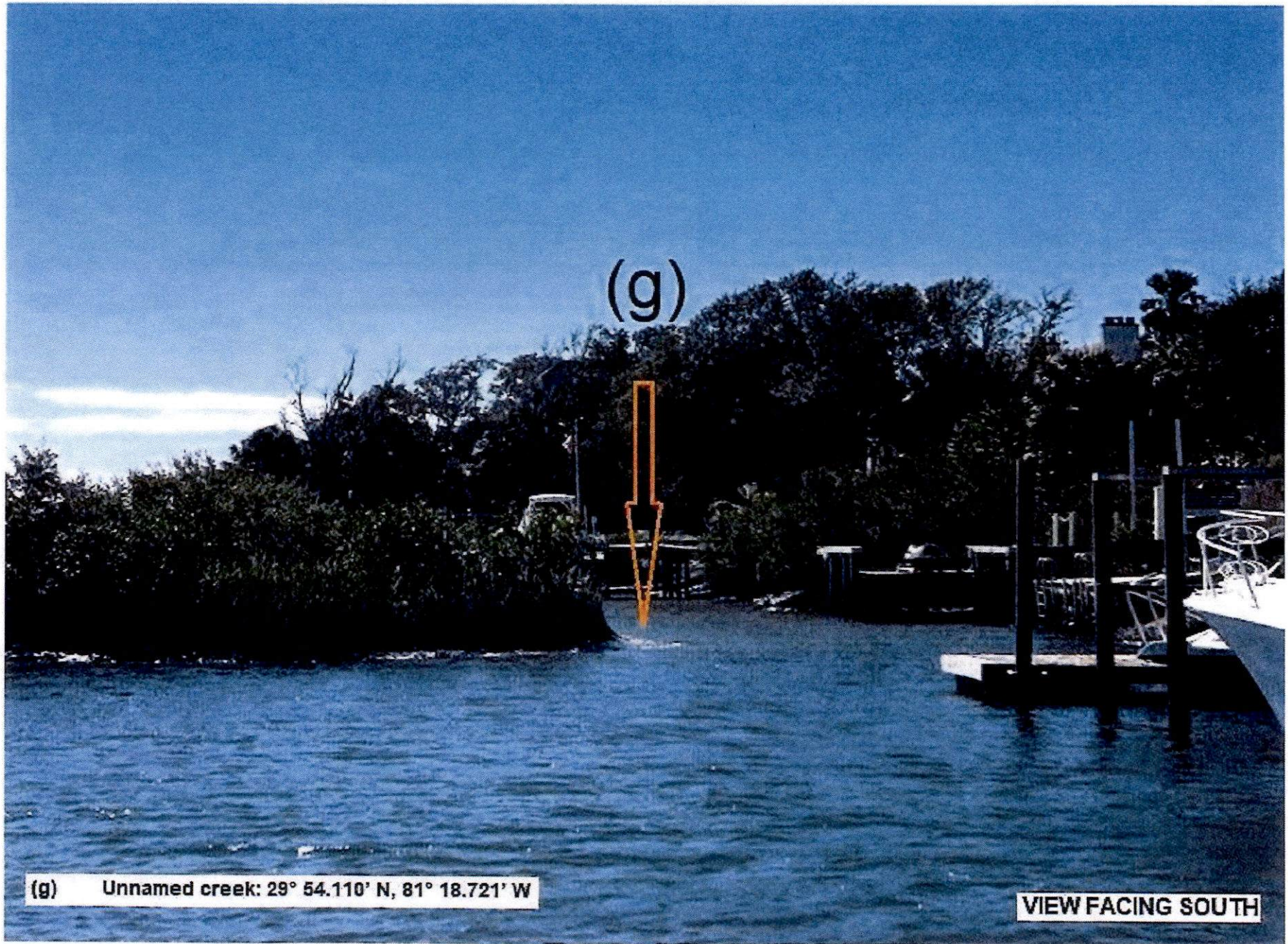




(e) Hospital Creek (East sign): 29° 54.210' N, 81° 18.742' W
(f) Hospital Creek (West sign): 29° 54.202' N, 81° 18.767' W

VIEW FACING SOUTH





(g)

(g) Unnamed creek: 29° 54.110' N, 81° 18.721' W

VIEW FACING SOUTH

PHOTOGRAPHS AND MAPS OF BLIND CURVE LOCATIONS AND CONDITIONS

AFFIDAVIT OF WILLIAM "J.B." MILLER

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me appeared the undersigned affiant, **William "J.B." Miller**, who after being duly sworn, stated:

1. I am over the age of 18 and qualified to make this affidavit.
2. I am the Land Management Coordinator for the City of St. Augustine.
3. I am familiar with the area and have coordinated with the Florida Fish and Wildlife Conservation Commission on the conservation efforts at Bird Island a/k/a Julia's Island.
4. I travel the area year-round by boat and I took the attached photos that accurately reflect the blind corners around the area at Bird Island a/k/a Julia's Island.
5. I prepared the attached map that accurately reflect the conditions of the blind corners described in the ordinance and identified on said map.
5. I prepared the attached map depicting the location of the proposed idle-speed/no wake zone, the Vilano boat ramp, and the Intracoastal Waterway depicting how boats coming from the Vilano boat ramp and heading south in the Intracoastal Waterway do not have to travel much farther than those "cutting the angle" and using the waterway behind Bird Island a/k/a Julia's Island.

FURTHER AFFIANT SAYETH NAUGHT.



William "J.B." Miller
Land Management Coordinator

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, **William "J.B." Miller**, who is personally known to me, who is the person described in and 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 15th day of November, 2022.



SHANNALEE
Commission # GG 329333
Expires June 6, 2023
Bonded Thru Budget Notary Service



Notary Public, State of Florida

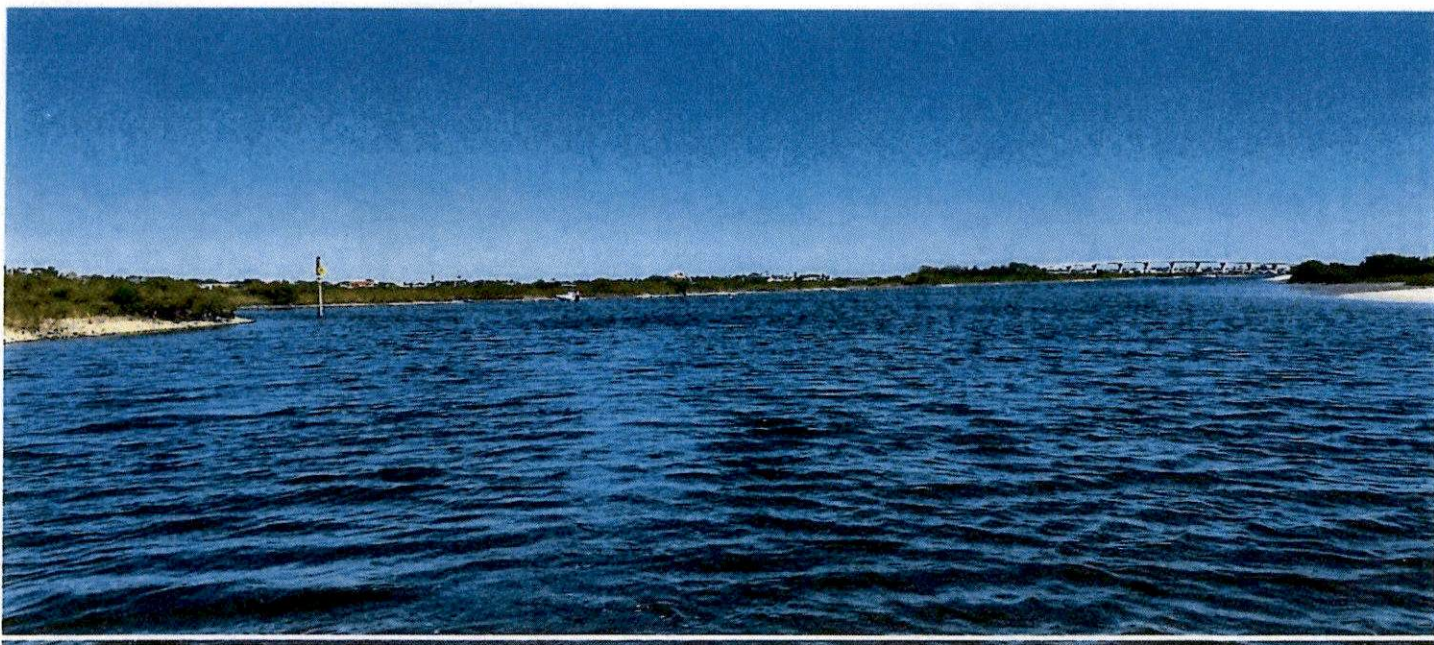


Image 1 – Looking north with eastern blind curve ahead on left



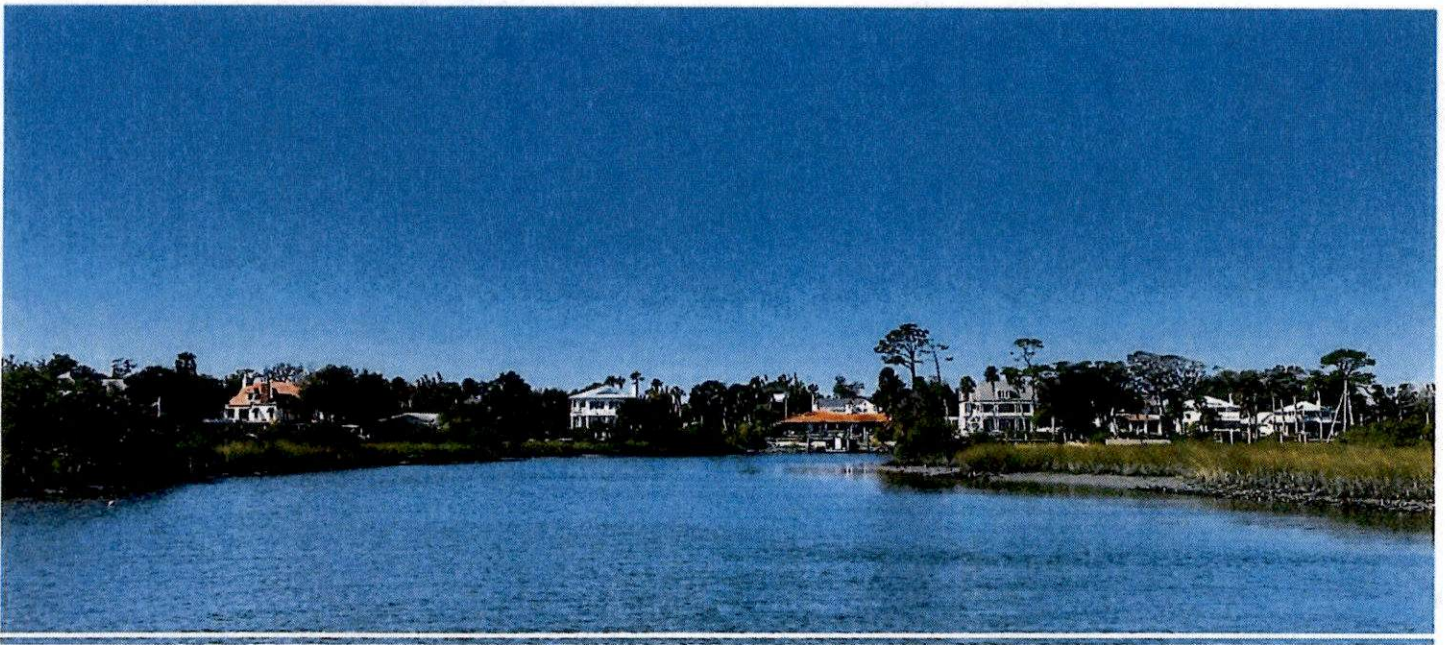


Image 2 – Looking southwest with western blind curve ahead on right



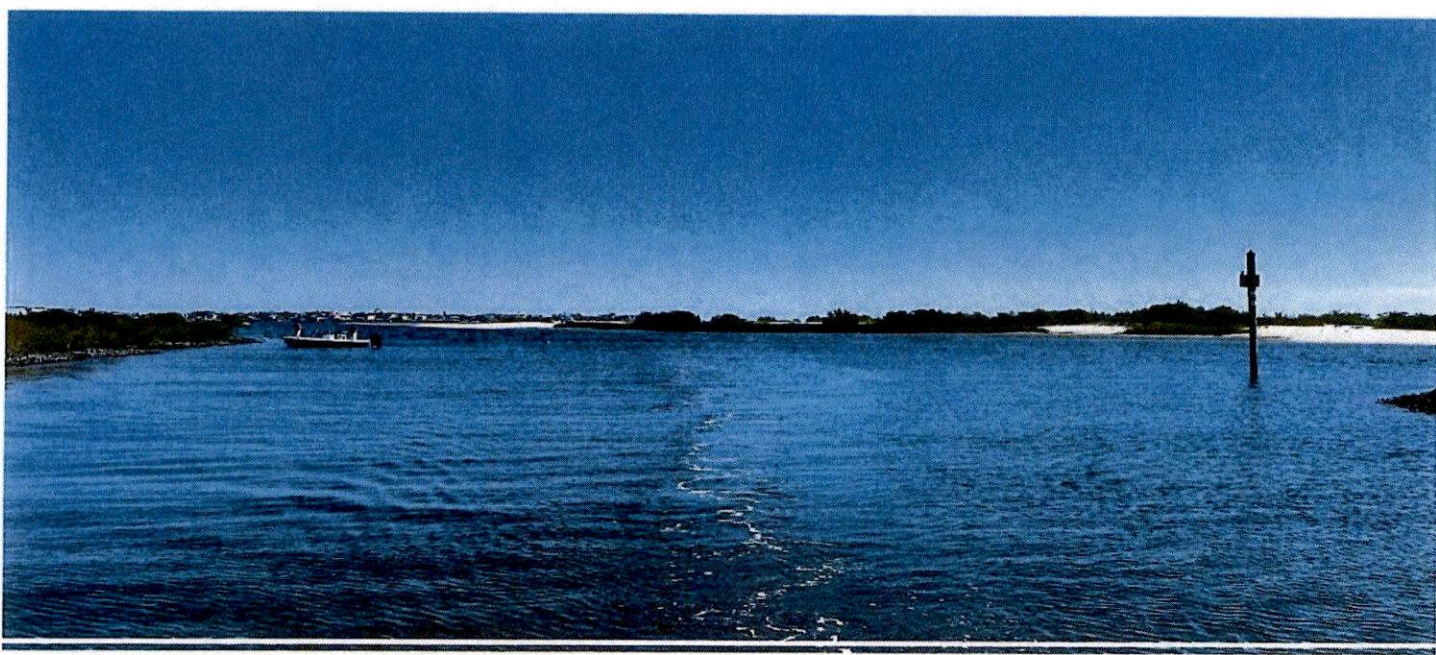


Image 3 – Looking northeast with eastern blind curve on right



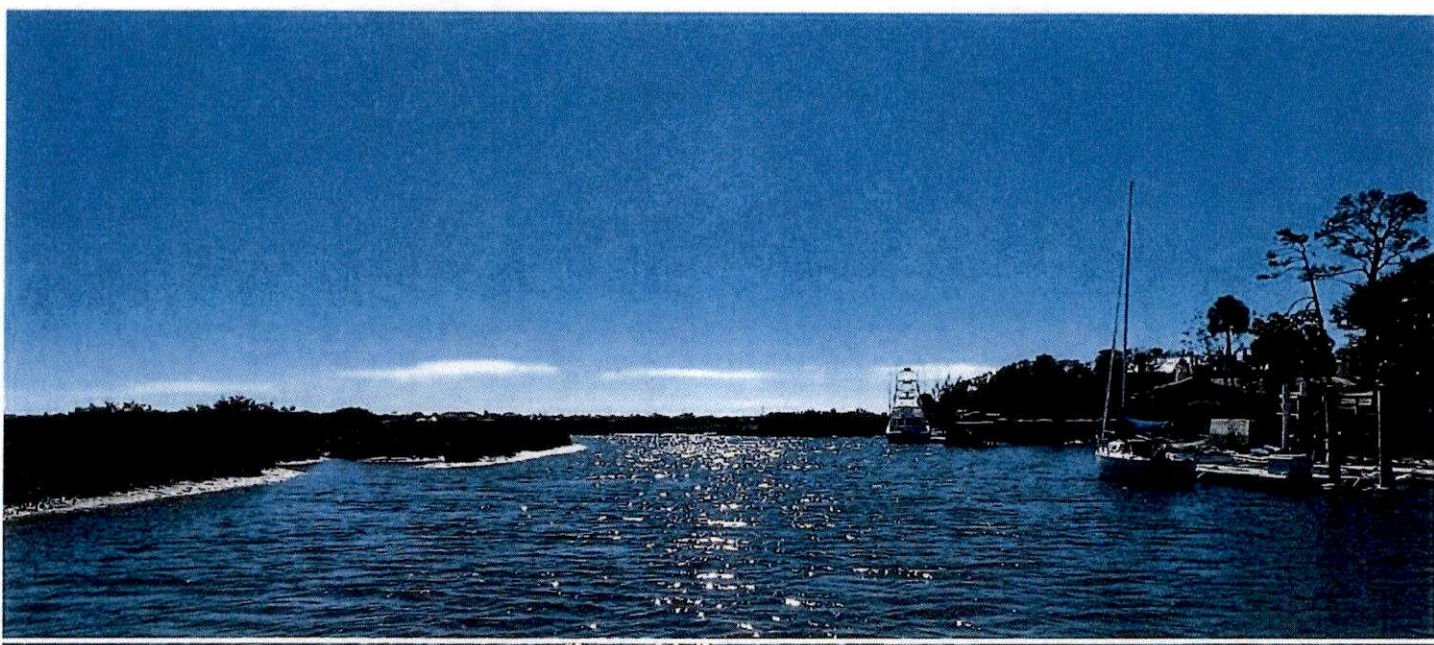


Image 4 – Looking southeast with western blind curve ahead on left



City of St. Augustine Boating-restricted Area Information

Image 4
Looking southeast

Image 2
Looking northeast
Image 3
Looking southwest

Eastern blind curve
130 degree angle

100 ft. wide

10 ft. + high
black mangroves
obscuring the
line of sight

Western blind curve
90 degree angle

Image 1
Looking north

 Proposed Boating Safety Zone

0 200 400 Feet



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

City of St. Augustine Boating-restricted Area Information

St. Johns County
Vilano Boat Ramp

Julia's Island
a.k.a Bird Island

City of St. Augustine
North Mooring Field

- Established FWC Boating Safety Zone
- Proposed Boating-restricted Area
- ICW

0 1,000 2,000 Feet



Source: USGS, A

FWC LAW ENFORCEMENT ACTIONS

From: William J. Miller <wmiller@citystaug.com>

Sent: Wednesday, November 2, 2022 1:37 PM

To: Isabelle Lopez <ilopez@citystaug.com>; Reuben Franklin <rfranklin@citystaug.com>

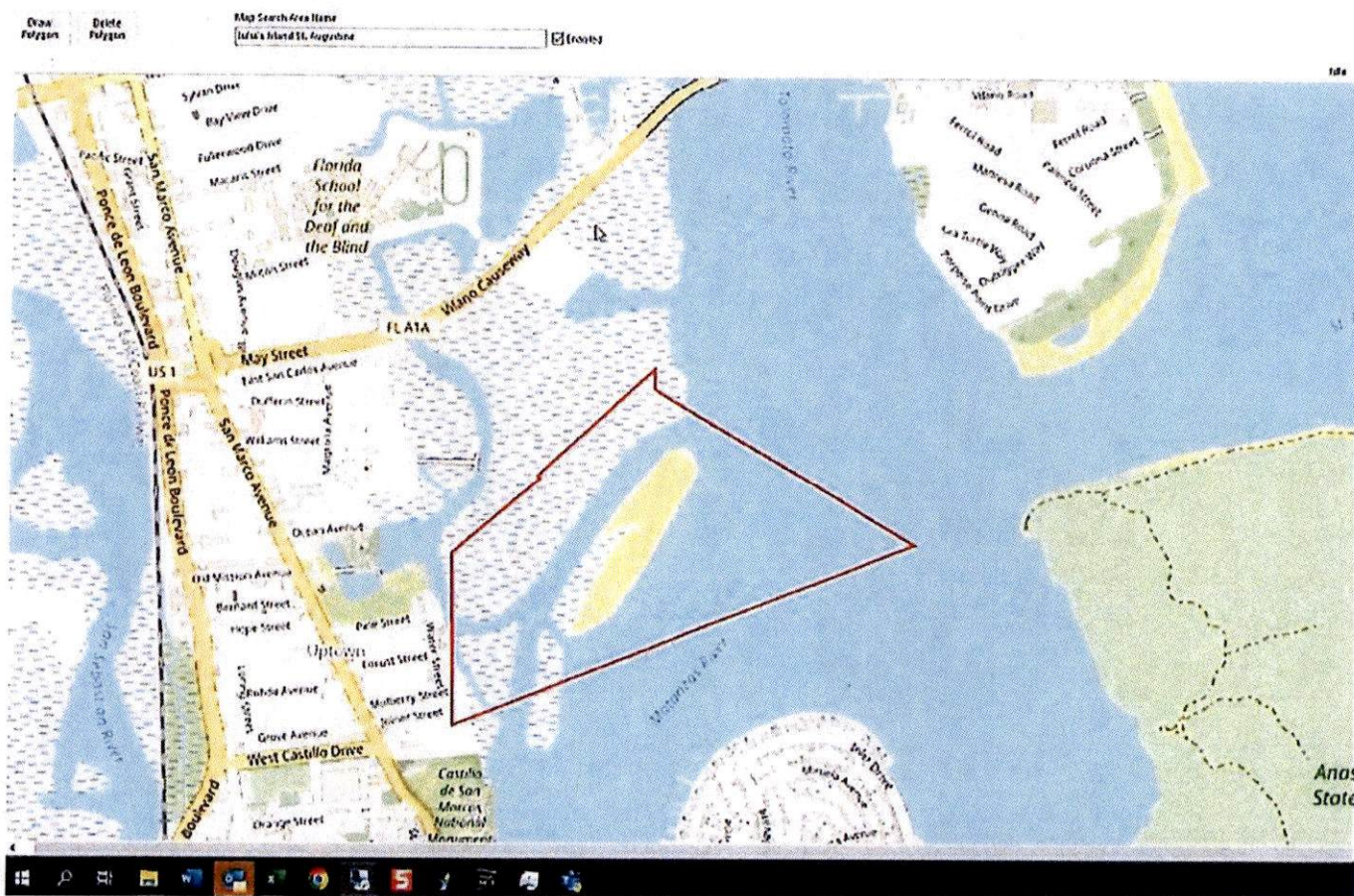
Subject: FW: Idle Speed Zone/CAD data request Julia's Island

Isabelle, here is a list of FWC law enforcement "actions" in and around Julia's Island from October 2018 – October 2022. Please see the polygon from which the data was derived. FWC calls it CAD data (computer aided dispatch system).

3 – Uniform Boating Citations

21 – Boating Safety / Resource Warnings

28 – CAD Calls (Calls for Service, BOLOs, etc.)



JB

FWC STAFF VERIFICATION OF DANGEROUS CONDITIONS

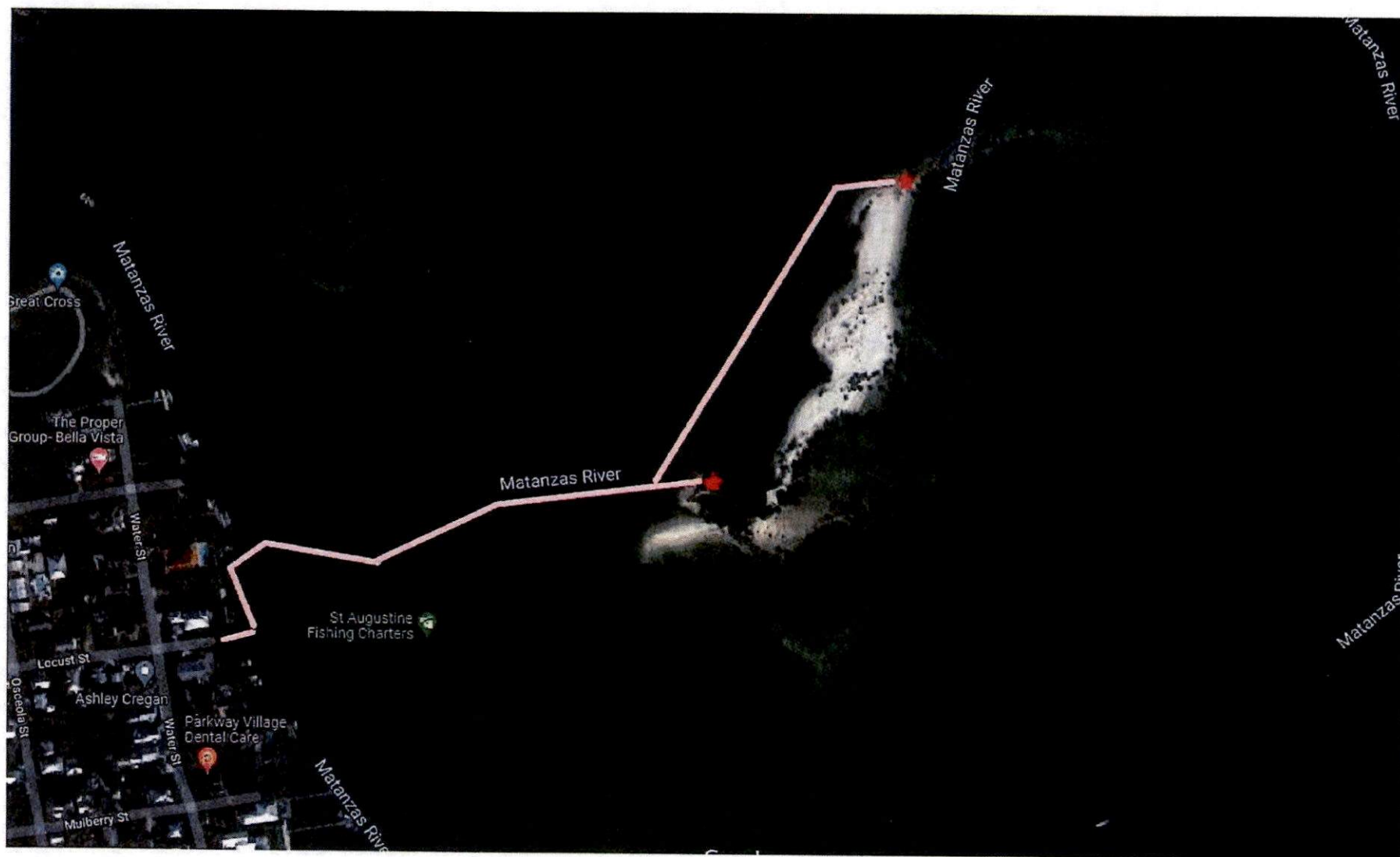
From: Garcia, Hailey <Hailey.Garcia@MyFWC.com>
Sent: Monday, November 7, 2022 9:26 AM
To: William J. Miller <wmiller@citystaug.com>
Cc: Kropp, Alexander <Alexander.Kropp@MyFWC.com>
Subject: Safety Concerns Kayaking to Julia's Island

Hi JB,

Attached is the route taken when FWC staff kayak to Julia's Island. Staff often need to kayak to the island at least 4 times a week to monitor imperiled beach nesting birds, and this includes weekends and holidays. I can't recall specific events, but staff have experienced dangerous navigational hazards from vessels and jet ski's on multiple occasions per week traveling at high speeds along the Matanzas river and Hospital creek.

Thank you, Hailey

Hailey Garcia
NE/NC Regional Shorebird Biologist
[Florida Fish and Wildlife Conservation Commission](#)
9741 Ocean Shore Blvd.
St. Augustine, FL 32080
Cell: [352-644-3539](tel:352-644-3539)



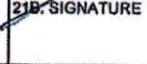
PROOF OF OWNERSHIP

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0335. The time required to complete this information collection is estimated to average .083 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OMB Approved
0579-0335
EXP. XX/XXXX

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
WILDLIFE SERVICES

WORK INITIATION DOCUMENT FOR
WILDLIFE DAMAGE MANAGEMENT

SECTION 1	1. WORK INITIATION DOCUMENT NUMBER				2. STATUS ☒ NEW ☐ RENEWAL			
	3A. TYPE OF WORK INITIATION DOCUMENT (mark all that apply) ☐ PRIVATE PROPERTY ☒ NON-PRIVATE PROPERTY ☐ TEMPORARY/CIVIL ☐ ADJACENT LANDOWNER ☐ AMENDMENT TO AN EXISTING WORK INITIATION DOCUMENT						3B. ASSIGN TO THESE SPECIAL GROUPS	
							(1) _____ (2) _____ (3) _____ (4) _____	
SECTION 2	4. COOPERATOR NAME (last, first, MI) Franklin, Reuben							
	5. COOPERATOR MAILING ADDRESS P.O. Box 210 St. Augustine, FL 32085							
	6. COMMON NAME Julia's Island (a.k.a. Bird Island)				7. COOPERATOR TELEPHONE NUMBER 904.209.4279			
	8. OWNER OR REPRESENTATIVE NAME (if different from Cooperator) City of St. Augustine				9. OWNER OR REPRESENTATIVE TELEPHONE NUMBER 904.209.4279			
SECTION 3	10. OWNER OR REPRESENTATIVE ADDRESS (if different from Cooperator) P.O. Box 210 St. Augustine, FL 32085							
	11. PROPERTY / LAND CLASS INFORMATION				12. ADJOINING PROPERTY WID NO.'s		13. TARGETED SPECIES	
	COUNTY	PROPERTY	LAND CLASS	ACRES				
	A. St Johns		Non-private	3	A.		A. Raccoons	F. Crow, American
	B.				B.		B. Hawks, Red-shoulder	G. Crow, Fish
	C.				C.		C. Laughing, Gull	H.
	D.				D.		D. Owl, Great horned	I.
E.				E.		E. Rat, Black	J.	
STATE FL TOTAL ACRES 3				☐ 14. There are additional targeted species (complete and attach WS Form 12 Addendum)				
SECTION 4	15. In consideration of the benefits to be derived from the proper management of damage caused by those species listed in Item 13 (and Item 14 if applicable), I, the undersigned Cooperator or Cooperator's representative, do hereby give my consent and concurrence to the Animal and Plant Health Inspection Service (APHIS) (to include its officials, employees, and agents) to use, upon lands owned, leased, or otherwise controlled by me, and identified by this Work Initiation Document, the following methods and devices (COMPONENTS):							
	A. Firearms		B. Traps, cage		C. Traps, pole			
	D. Traps, Snap (rat, mouse, etc.)		E.		F.			
SECTION 5	☐ 16. There are additional components (complete and attach WS Form 12 Addendum)							
	17. I, the Cooperator or Cooperator's representative, have been informed of the methods and the manner in which the control materials and devices listed in Section 4 will be used, and of the possible hazards associated with their use. I understand that APHIS (to include its officers, employees, and agents) will exercise reasonable precautions to safeguard all persons to prevent injury to animal life other than those listed in Section 3, Item 13 (and Item 14, if applicable); guard against the mishandling of control devices and materials; and exercise due caution and proper judgment in all wildlife damage management operations. I understand that APHIS WS will maintain restricted use pesticide application records on applications made under the Work Initiation Document, and that APHIS WS will provide copies of the records or record information promptly upon the property owner's or cooperator's request. I understand that APHIS WS may collect Global Positioning System (GPS) coordinates at the project site as part of component or activity tracking or as wildlife disease monitoring or research data. As a Lessee, the Cooperator agrees that the lease is current and will remain so while APHIS WS conducts operational activities on the property and will notify WS if the lease expires or is canceled. The Lessee agrees to notify the landowner about any methods or devices (components) in use by APHIS WS on the property.							
SECTION 6	18. In consideration of these understandings and of the benefits to be derived, I, the Cooperator or Cooperator's representative, agree to take reasonable precautions to prevent injury to livestock and other domestic animals; assume responsibility for injury to my property under my control when said injury is not the result of negligence on the part of APHIS; assist in maintaining such warning signs as APHIS may place for the purpose of notifying persons entering onto such lands of the possible hazards associated with wildlife damage management measures in use thereon; and to give adequate warning of these possible hazards to persons I authorize to enter onto such lands. Further, in recognition of the benefits to be derived from the use of specified methods and devices authorized by this Work Initiation Document, I, the cooperator or cooperator's representative, agree not to concurrently use or allow to be used upon lands covered by this Work Initiation Document any toxic material that might reasonably be expected to take a species listed above in Section 3, Item 13 (and Item 14, if applicable), unless such use of said toxicant is agreed to by APHIS in writing.							
	19. SPECIAL CONSIDERATIONS Allow for sampling for disease monitoring							
20A. LANDOWNER, LESSEE, OR ADMINISTRATOR NAME AND TITLE John P. Regan, City Manager				20B. SIGNATURE 		20C. DATE 4/22/22		
21A. APHIS REPRESENTATIVE NAME				21B. SIGNATURE 		21C. DATE 9		
21D. APHIS REPRESENTATIVE TELEPHONE NUMBER (352) 377-5556				21E. STATE OFFICE ADDRESS 2820 E University Ave, Gainesville, FL 32641				

PRIVACY ACT NOTICE

5 U.S.C. 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

AUTHORITY FOR REQUESTING INFORMATION

7 U.S.C. 8351 to 8353, and 16 U.S.C. 687, authorizes officers, agents, and employees of the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) to conduct a program of wildlife services and to enter into agreements with States, local jurisdictions, individuals, and public and private agencies, organizations, and institutions for the purpose of conducting such services.

NATURE OF YOUR DISCLOSURE OF INFORMATION

Disclosure of information solicited by USDA, APHIS, Wildlife Services is voluntary.

PRINCIPLE PURPOSE FOR WHICH THE INFORMATION IS SOLICITED

Information is solicited from you for the purpose of executing and implementing agreements for control of wildlife damage.

ROUTINE USES WHICH MAY BE MADE OF THE INFORMATION

- (1) To cooperative Federal, State, Tribal, and local government officials, employees, or contractors and other parties as necessary to carry out the program; and other parties engaged to assist in administering the program. Such contractors and other parties will be bound by the nondisclosure provisions of the Privacy Act. This routine use assists the agency in carrying out the program, and thus is compatible with the purpose for which the records are created and maintained;
- (2) To the appropriate agency, whether Federal, State, local, Tribal, or foreign, charged with responsibility of investigating or prosecuting a violation of law or of enforcing, implementing, or complying with a statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and either arising by general statute or particular program statute, or by rule, regulation, or court order issued pursuant thereto;
- (3) To the Department of Justice when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, in litigation, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected;
- (4) For use in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected;
- (5) To appropriate agencies, entities, and persons when the agency suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; the agency has determined that as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, a risk of identity theft or fraud, or a risk of harm to the security of integrity of this system or other systems or programs (whether maintained by the agency or another agency or entity) that rely upon the compromised information; and the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;
- (6) To USDA contractors, partner agency employee or contractors, or private industry employed to identify patterns, trends, or anomalies indicative of fraud, waste, or abuse;
- (7) To land management agencies, such as the Bureau of Land Management and the U.S. Fish and Wildlife Service, relating to wildlife damage on grazing allotments;
- (8) To consumer reporting agencies in accordance with 31 U.S.C. 3711(e);
- (9) To Federal, State, Tribal, and local regulatory agencies and their employees and contractors who collaborate with Wildlife Services in implementation of, or agencies that regulate, wildlife management projects or programs, or who have an interest in, or regulate, animal or public health, or national security;
- (10) To Federal or State Government-level representatives of the U.S. Environmental Protection Agency, in compliance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) mandate (7 U.S.C. 136), of the location on a cooperator's property where certain regulated pesticide devices are deployed or regulated pesticides are applied; and
- (11) To the National Archives and Records Administration (NARA) or to the General Services Administration for records management inspections conducted under 44 U.S.C. 2804 and 2806.

EFFECTS OF FAILURE TO FURNISH INFORMATION

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

Instructions for Completing WS Form 12A, Work Initiation Document For Wildlife Damage Management

NOTE: A WS Form 12A Work Initiation Document (WID) is required to be signed by a Cooperator for all properties worked by Wildlife Services (WS). The WID and the WID agreement in WS Management Information System (MIS) expire 5 years after the Cooperator signature date. To renew a WID agreement for another 5 years, a new WS Form 12A is required to be signed by the Cooperator, and everything on the WID agreement in MIS must match the corresponding items on the WS Form 12A.

NOTE: An expanded and detailed set of instructions for the WID is available in MIS. Employees should study the detailed version until familiar with completing the WID.

SECTION 1 – Basic WID Identification and Type

1. Entering the WID document number is optional. Contact your MIS Data Technician to obtain this number if one is needed.
2. Mark only one box, selecting New (agreement) or Renewal (of existing agreement).
3. A WID may have more than one type of work characteristic. Mark all applicable boxes indicating this WID's type of work.

SECTION 2 – Cooperator Information

4. Enter the name of the Cooperator as it appears on the Cooperative Service Agreement, Cooperative Service Field Agreement, Memorandum of Agreement or Understanding, or as it appears in the Cooperator's business references.
5. Enter the Cooperator's mailing address with street or P.O. box, city, state, and ZIP code. This may be the permanent address, mailing address, home address, or business/office address.
6. Enter the common name of the Cooperator's business, farm, or ranch, if applicable.
7. Enter the Cooperator's telephone number including the area code. It may be a landline or mobile telephone number.
8. Enter the name of the owner or Cooperator's representative if it is different from the Cooperator's name.
9. Enter the property owner's or property owner representative's telephone number including area code.
10. Enter the property owner's address (or property owner representative's work address if this is a business or a non-private agreement), including the ZIP code. If the Cooperator's address in Item 5 is also the owner's address, skip this step.

SECTION 3 – Property Information, Location of Work, and Species Being Addressed

11. In this subsection, record the state and counties for the site(s) where the work is being performed for the cooperator. Include for each property the land class being worked on and the number of acres for the land class. Usually, only one land class can be recorded per property. If there is more than one land class on a property, identify each of them separately (e.g. Property: Smith #1, Land Class Private; Smith #2, Land Class County/City). Record the total acres by summing all entries in the "Acres" column.
12. If the WID allows work on an adjoining property as part of the project, additional WIDs signed by the adjoining landowners/managers must be obtained. The WID document numbers for the adjoining properties go in this subsection. If WID numbers are not assigned, list the name of the other land owners/managers instead of numbers.
13. List the full common names of the targeted species as found in MIS. Review MIS Reference Files for accuracy.
14. If more than 10 species are targeted, mark this box and list the additional species on WS Form 12 Addendum. The WS Form 12A also requires an original signature. Ensure the WS Form 12 Addendum is attached to this WS Form 12A.

SECTION 4 – Component Use Information

15. List the components that will be used in the project. They must be annotated exactly as they appear in the MIS component list. Do not list any activities (e.g., shooting, trapping, etc.).
16. If more than six components are entered, mark this box and list the additional components on WS Form 12 Addendum. The WS Form 12 Addendum also requires an original signature. Ensure the addendum is attached to this WS Form 12A.

Section 5 – Work Initiation Considerations, WS Responsibilities

17. The Cooperator is required to read this section, or alternatively have it read to him/her, before signatures are affixed to the WID.

Section 6 – Work Initiation Considerations, Cooperator Responsibilities

18. The Cooperator is required to read this section, or alternatively have it read to him/her, before signatures are affixed to the WID.
19. **Special Considerations** – If any special considerations are agreed to for this project, enter them in Item 19. They may also be entered in the MIS in the Agreement Remarks or the Property Comments fields.
- 20, 21. **Signatures/Dates** – To complete the form, both the Cooperator's authorized signer and the APHIS Representative (WS employee) print their names, sign in ink, and date the WS Form 12A. The WS employee also enters a contact telephone number and the State Office's address.

The WS employee is responsible for ensuring the Cooperator or authorized representative receives a copy of the WS Privacy Act Notice.

**AUGUST 31, 2022
INITIAL
APPLICATION
PACKET**



Est. 1565

City of St. Augustine

Nation's Oldest City

City Attorney

August 31, 2022

Florida Fish and Wildlife Conservation Commission
Division of Law Enforcement | Boating and Waterways Section
Farris Bryant Building | 620 S. Meridian Street
Tallahassee, Florida 32399

RE: APPLICATION FOR APPROVAL OF AN ORDINANCE ESTABLISHING A BOATING-RESTRICTED AREA

Pursuant to Section 327.46(1)(b), F.S., the City of St. Augustine files this application to request approval of an ordinance establishing a boating-restricted area. Per the instructions of Chapter 68D-21.001, F.A.C., the City submits the following:

68D-21.001(3):

☒ (a) Name of Applicant:

City of St. Augustine, Florida

Isabelle C. Lopez, City Attorney

P.O. Box 210

☒ (b) Primary Contact & Attorney:

St. Augustine, Florida 32085

(904) 825-1052

ilopez@citystaug.com

☒ (c) Certified Copy of Ordinance:

ORD 2022-23 (enclosed)

☒ (d) Section 327.46(1)(c)(1), F.S.:

An ordinance establishing an idle speed, no wake boating-restricted area, if the area is within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

☒ (e) 1-7: Scaled Drawings:

Enclosed

☒ (f) Documentation that the ordinance was developed, prior to presenting language for adoption with the governing body of every other county or municipality sharing jurisdiction over the area, the U.S. Coast Guard, and the Army Corps of Engineers:

- Ordinance transmitted by email to the Chair of the Florida Inland Navigation District, Mr. Carl Blow, on July 14, 2022. Further discussed with City Attorney on July 18th, and Mr. Blow offered his support for the ordinance and concurred with the need for speed regulations at the proposed zone, and noted that this was a public safety request not a request by waterfront property owners.
- Ordinance transmitted by email to the members of the St. Augustine Port and Waterway Authority on July 18, 2022, and City staff member Jim Piggott attended their July 19, 2022 meeting to answer any questions. Port and Waterway Authority supports the ordinance.
- Ordinance transmitted to USCG at Miami on July 18, 2022.
- Ordinance transmitted to Army Corps at Jacksonville on July 18, 2022.
- Ordinance transmitted to the St. Johns County Attorney on July 18, 2022, no opposition received.

☒ (g) Summary of facts and circumstances that justify the establishment of the restriction on speed or operation:

The facts, circumstances, and evidence are as established in Ordinance 2022-23 and its supporting affidavits, as well as in the City Commission meeting minutes. The geographic area covered in the ordinance is exclusively in the City limits.

☒ (h) Appendix containing all evidence listed in paragraph (g):

- Ordinance 2022-23 (enclosed)
- Supporting Affidavits (enclosed)
- Letter of Support from Chief Michaux of the St. Augustine Police Department (enclosed)
- Letter of Support from the St. Augustine Port, Waterway & Beach District (enclosed)
- City Commission Meeting Minutes (enclosed)

☒ (i) Proof of Publication as provided by Sections 50.011-.031, F.S.:

Enclosed

Isabelle C. Lopez, City Attorney

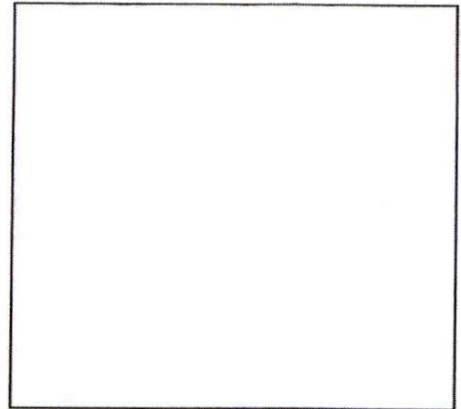
Date

08/31/22

PO Box 210 - St. Augustine, Florida 32085 - Office 904/825-1052 - FAX 904/825-1096

CERTIFIED COPY
OF
ORDINANCE 2022-23

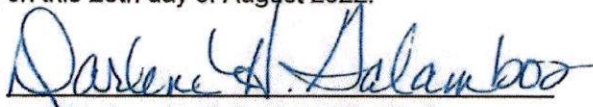
CITY OF ST. AUGUSTINE
COUNTY OF ST. JOHNS
STATE OF FLORIDA



I, Darlene Galambos, City Clerk, City of St. Augustine, Florida, do hereby certify that the attached **ORDINANCE NO. 2022-23, AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE CREATING SECTION 7-4 REGULATING AND POSTING IDLE SPEED-NO WAKE ZONES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE..** contains a full, true and correct copy as the same that appears of Record and on file in my office, City of St. Augustine, 2nd Floor, S.E., Elevator B, City Hall, 75 King Street.



IN WITNESS WHEREOF, I have hereto set my hand and affixed the corporate seal of the City of St. Augustine, Florida, on this 29th day of August 2022.


Darlene H. Galambos, City Clerk

ORDINANCE NO. 2022-23

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE CREATING SECTION 7-4 REGULATING AND POSTING IDLE SPEED-NO WAKE ZONES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 327.46(1)(c)1., Florida Statutes grants municipalities the authority to establish boating-restricted areas by ordinance within the portion of the Florida Intracoastal Waterway within their jurisdiction; and

WHEREAS, the City Commission of the City of St. Augustine endorses boating safety, education, and measures to provide a safer environment for all boating activities and the protection of property and individuals within the city limits; and

WHEREAS, the Florida Fish and Wildlife Conservation Commission (FWCC) supports the City's intent to provide for boating safety, education, and measures to provide a safer environment for all boating activities and the protection of property and individuals within the city limits; and

WHEREAS, Chapter 327.46(1)(c)1., Florida Statutes, provides the City with authority to establish an ordinance requiring idle speed, no wake boating-restricted areas within 300 feet of a confluence of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other areas containing an intervening obstruction to visibility that may obscure other vessels or other users of the waterway; and

WHEREAS, City of St. Augustine staff observed and photographed areas of boating congestion related to recreational motor boats anchored or beached in the vicinity of Bird Island (a/k/a Julia's Island), including potentially dangerous conditions related to high speed travelling vessels approaching anchored vessels, identified in the attached and incorporated by reference Exhibit "A"; and

WHEREAS, City of St. Augustine staff observed blind corners at approximately the entrance of Hospital Creek, and the northern and southern entrance to the channel adjacent to Bird Island. In addition, staff observed bends in narrow channels while

conducting condition surveillance in the area as depicted on aerial photographs, identified in the attached and incorporated by reference Exhibit "B"; and

WHEREAS, the restricted zone includes areas that are subject to potentially hazardous water levels or currents, or containing other navigational hazards such as impromptu anchored or beached recreational vessels; and

WHEREAS, the restricted zone includes areas that are subject to significant risk of collision and a significant threat to boater safety; and

WHEREAS, pursuant to the 1925 Special Act of the Florida Legislature, at Section 9, the State of Florida granted to the City of St. Augustine all sovereign submerged lands formerly owned by the State, and Bird Island (a/k/a Julia's Island) is owned by the City of St. Augustine; and

WHEREAS, the City Commission of the City of St. Augustine has determined that substantial competent evidence of hazardous boating conditions is supported by the record and that the ordinance is necessary to protect public safety; and

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

WHEREAS, the City Commission of the City of St. Augustine respectfully requests that the Florida Fish and Wildlife Conservation Commission review and approve this ordinance pursuant to Section 166.041(4), Florida Statutes.

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

Section 1. Creating Chapter 7, Article I, Section 7-4. Chapter 7, Article I, Section 7-4 of the Code of the City of St. Augustine is hereby created to read as follows:

Section 7-4. - Idle Speeds-No Wake Zone.

The City of St. Augustine limits the boating speed in certain regulated waters within the city limits, with review and approval of the Florida Fish and Wildlife Conservation Commission pursuant to Section 166.041(4), Florida Statutes.

An "Idle Speed-No Wake Zone" is hereby designated at the entrance bends of Hospital Creek and through the northern and southern entrances to the Intercoastal Waterway channel adjacent to Bird Island (a/k/a Julia's Island).

Vessels operating within boating-restricted areas posted "Idle Speed-No Wake Zone" must proceed at a speed no greater than necessary to maintain steerageway.

The following locations will be posted "Idle Speed-No Wake Zone" by their Global Positioning System (GPS) points as follows:

- (a) North of Bird Island (East sign): 29° 54.480' N, 81° 18.228' W
 - (b) North of Bird Island (West sign): 29° 54.518' N, 81° 18.265' W
 - (c) South of Bird Island (East sign): 29° 54.114' N, 81° 18.579' W
 - (d) South of Bird Island (West sign): 29° 54.113' N, 81° 18.615' W
 - (e) Hospital Creek (East sign): 29° 54.210' N, 81° 18.742' W
 - (f) Hospital Creek (West sign): 29° 54.202' N, 81° 18.767' W
 - (g) Unnamed creek: 29° 54.110' N, 81° 18.721' W
1. It is unlawful for any person to operate a vessel in a prohibited manner or to carry on any prohibited activity within a boating-restricted area which has been clearly marked by regulatory markers as authorized under Chapter 327.46, Florida Statutes.
 2. Restrictions in a boating-restricted area established pursuant to this section shall not apply in the case of an emergency or to a law enforcement, firefighting, or rescue vessel owned or operated by a governmental entity.
 3. Enforcement. Provisions of this section shall be enforced by the division of law enforcement of the Fish and Wildlife Conservation Commission (FWCC), the Sheriff of St. Johns County and his or her deputies, or the chief of Police of the City of St. Augustine and his or her officers. Each agency so listed has authority to issue citations for violations.
 4. Any violation of this section is deemed to be a non-criminal infraction punishable under Section 7-93 of the Code of the City of St. Augustine as follow
 - (a) For a first offense, \$100.00
 - (b) For a second offense: \$250.00
 - (c) For a third or subsequent offense: \$500.00

Section 2. Inclusion in Code. The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this ordinance may be renumbered or relettered and that

the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

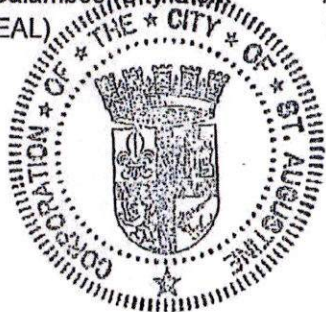
Section 4. Severance of Invalid Provisions. If any section, subsection, sentence, clause, phrase, word, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the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

Section 5. Effective Date. This ordinance shall become effective after passage, pursuant to Section 166.041(4), Florida Statutes, and upon review and approval by the Florida Fish and Wildlife Conservation Commission.

PASSED by the City Commission of the City of St. Augustine, Florida, this 22nd day of August, 2022.

ATTEST:

Darlene Galambos
Darlene Galambos, City Clerk
(SEAL)



T. L. Upchurch
Tracy Upchurch, Mayor-Commissioner

EXHIBIT "A"
AFFIDAVIT AND
CONDITION PHOTOGRAPHS
OF ANCHORED/BEACHED
VESSELS AT BIRD ISLAND

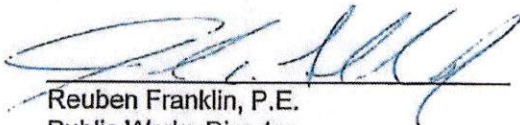
AFFIDAVIT OF REUBEN FRANKLIN, P.E.

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me appeared the undersigned affiant, **Reuben Franklin**, who after being duly sworn, stated:

1. I am over the age of 18 and qualified to make this affidavit.
2. I have been employed with the City of St. Augustine since 2010 and have been the Director of Public Works since October of 2019.
3. On May 28, 2022, I personally took the attached photographs of boats anchored around Bird Island a/k/a Julia's Island.
4. I am familiar with the boating conditions around Bird Island a/k/a Julia's Island and the photographs I took accurately depict the conditions.

FURTHER AFFIANT SAYETH NAUGHT.

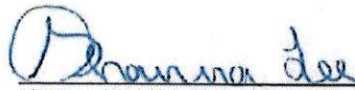

Reuben Franklin, P.E.
Public Works Director

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, **Reuben Franklin**, who is personally known to me, who is the person described in and 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 14th day of July, 2022.

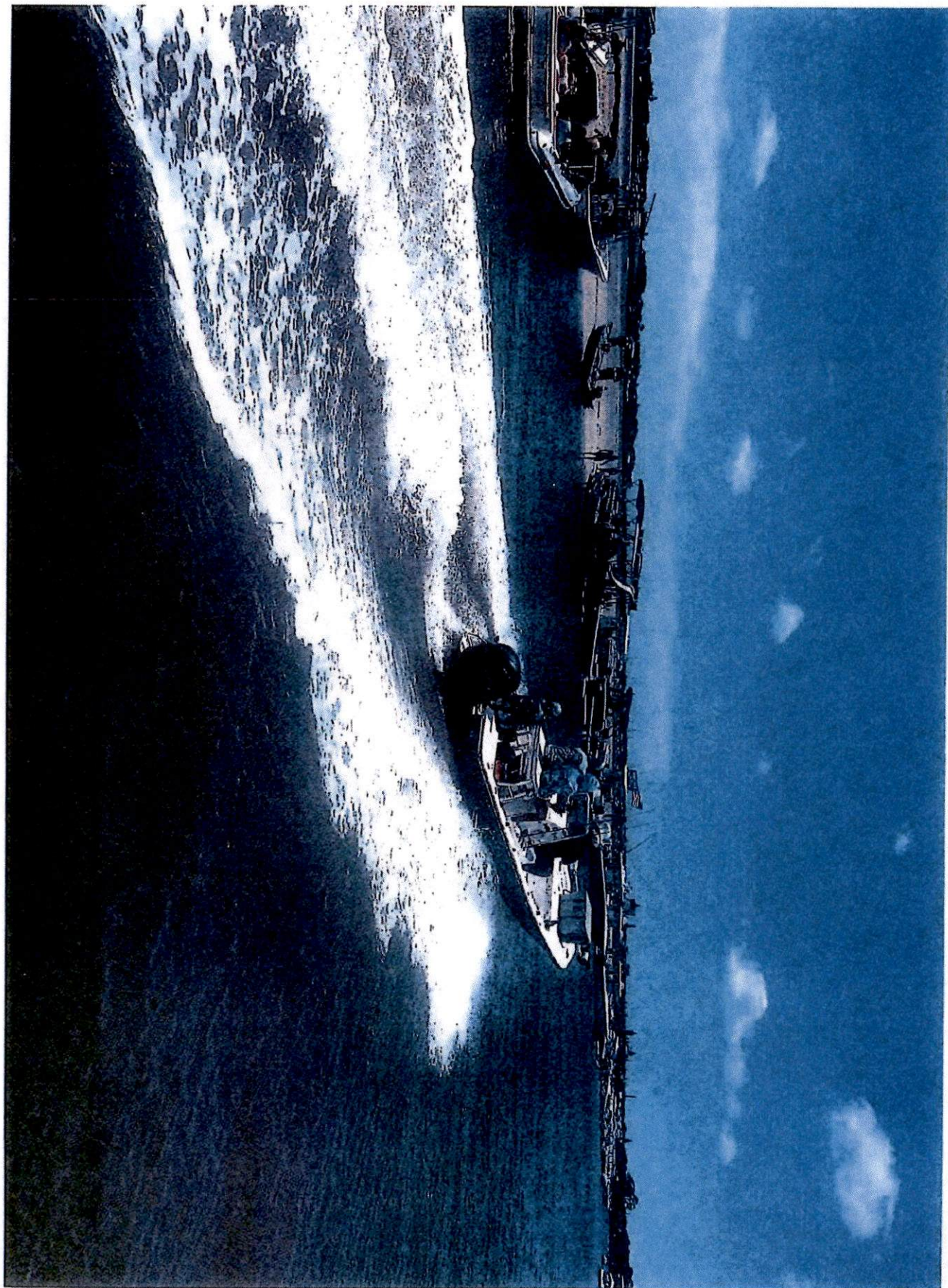


SHANNALEE
Commission # GG 329333
Expires June 8, 2023
Bonded Thru Budget Notary Services

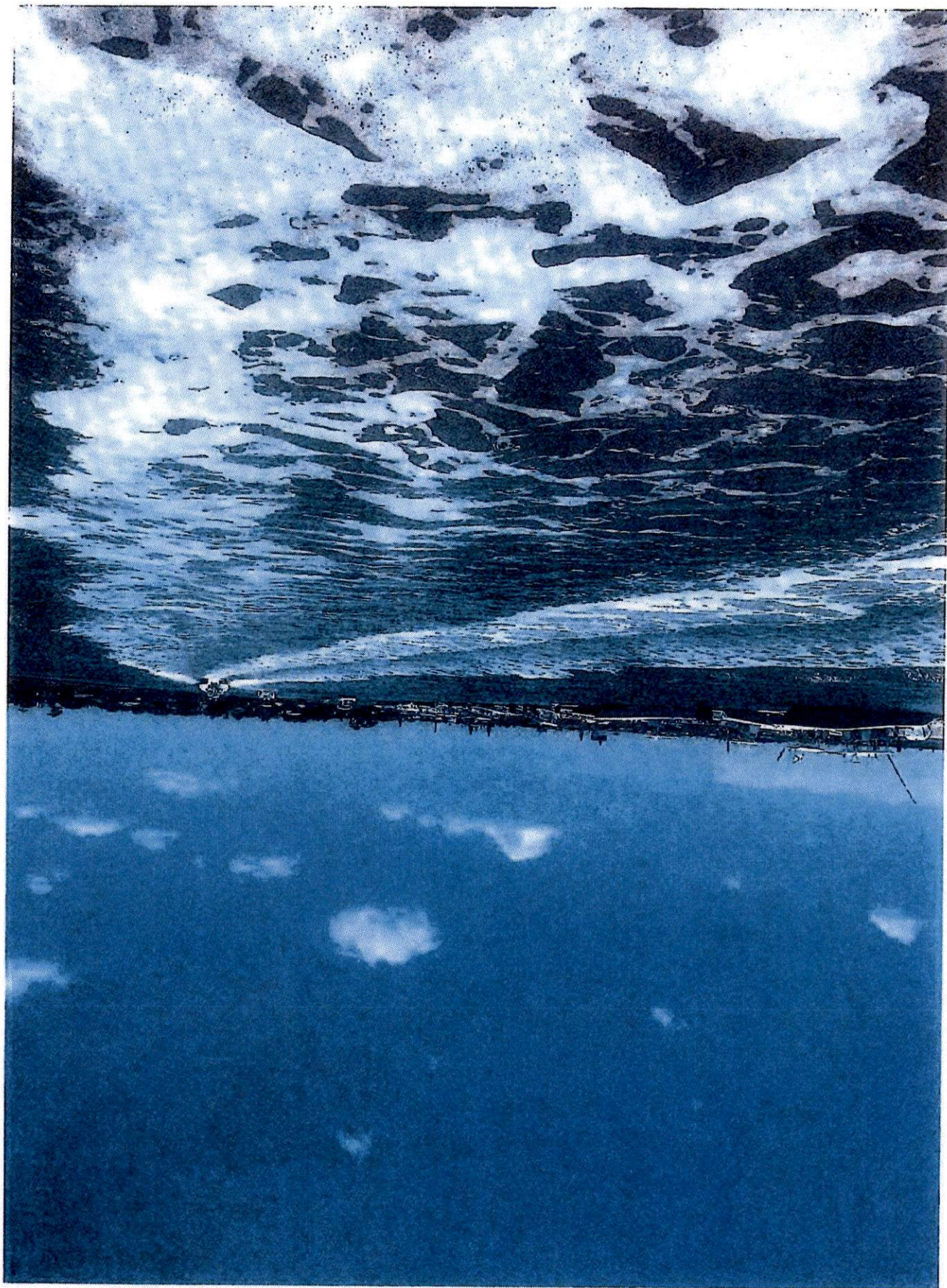

Notary Public, State of Florida











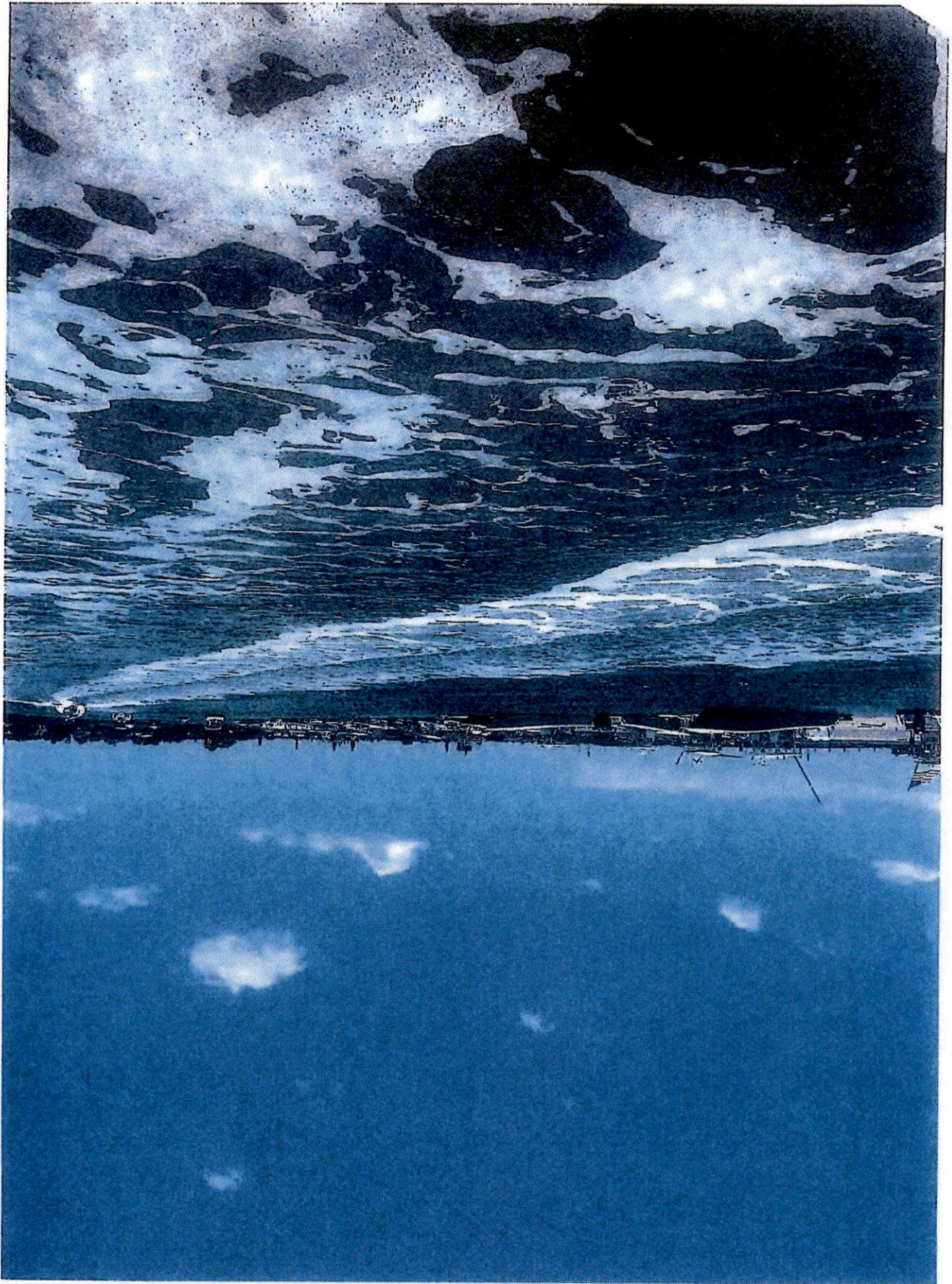








EXHIBIT "B"
AFFIDAVIT AND
MAP

AFFIDAVIT OF WILLIAM "J.B." MILLER

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Before me appeared the undersigned affiant, William "J.B." Miller, who after being duly sworn, stated:

1. I am over the age of 18 and qualified to make this affidavit.
2. I am the Land Management Coordinator for the City of St. Augustine.
3. I am familiar with the area and have coordinated with the Florida Fish and Wildlife Conservation Commission on the conservation efforts at Bird Island a/k/a Julia's Island.
4. I prepared the attached map and the area depicted on the map accurately represents a popular local anchoring and beaching boat area along Bird Island a/k/a Julia's Island, and the points identified as blind curves are accurate.

FURTHER AFFIANT SAYETH NAUGHT.



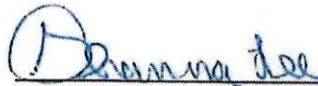
William "J.B." Miller
Land Management Coordinator

I HEREBY CERTIFY that on this day, personally appeared before me, by means of ☒ physical presence or ☐ online notarization, William "J.B." Miller, who is personally known to me, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he executed the same for the uses and purposes therein expressed.

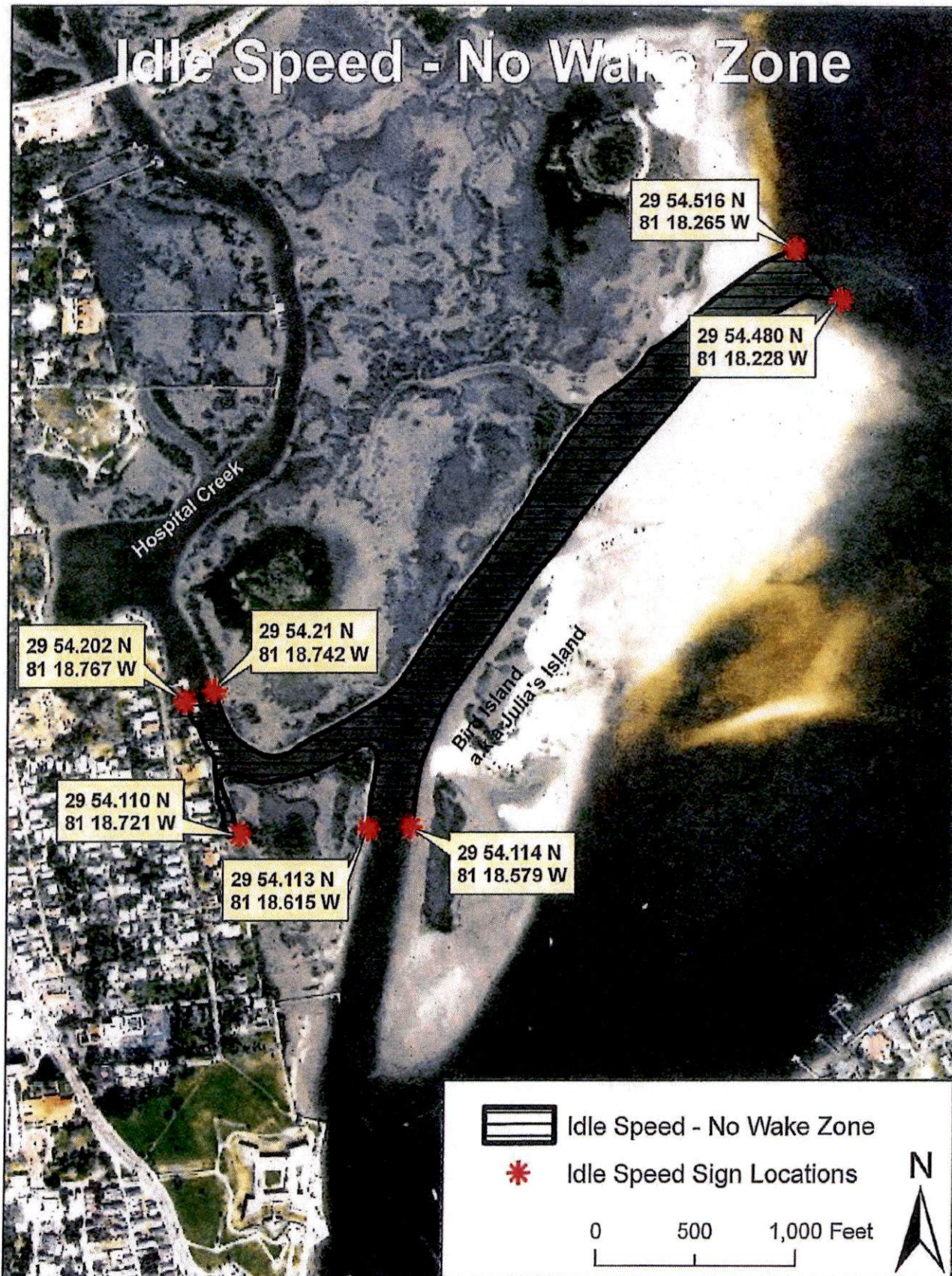
Witness my hand and official seal, this 14th day of July, 2022.

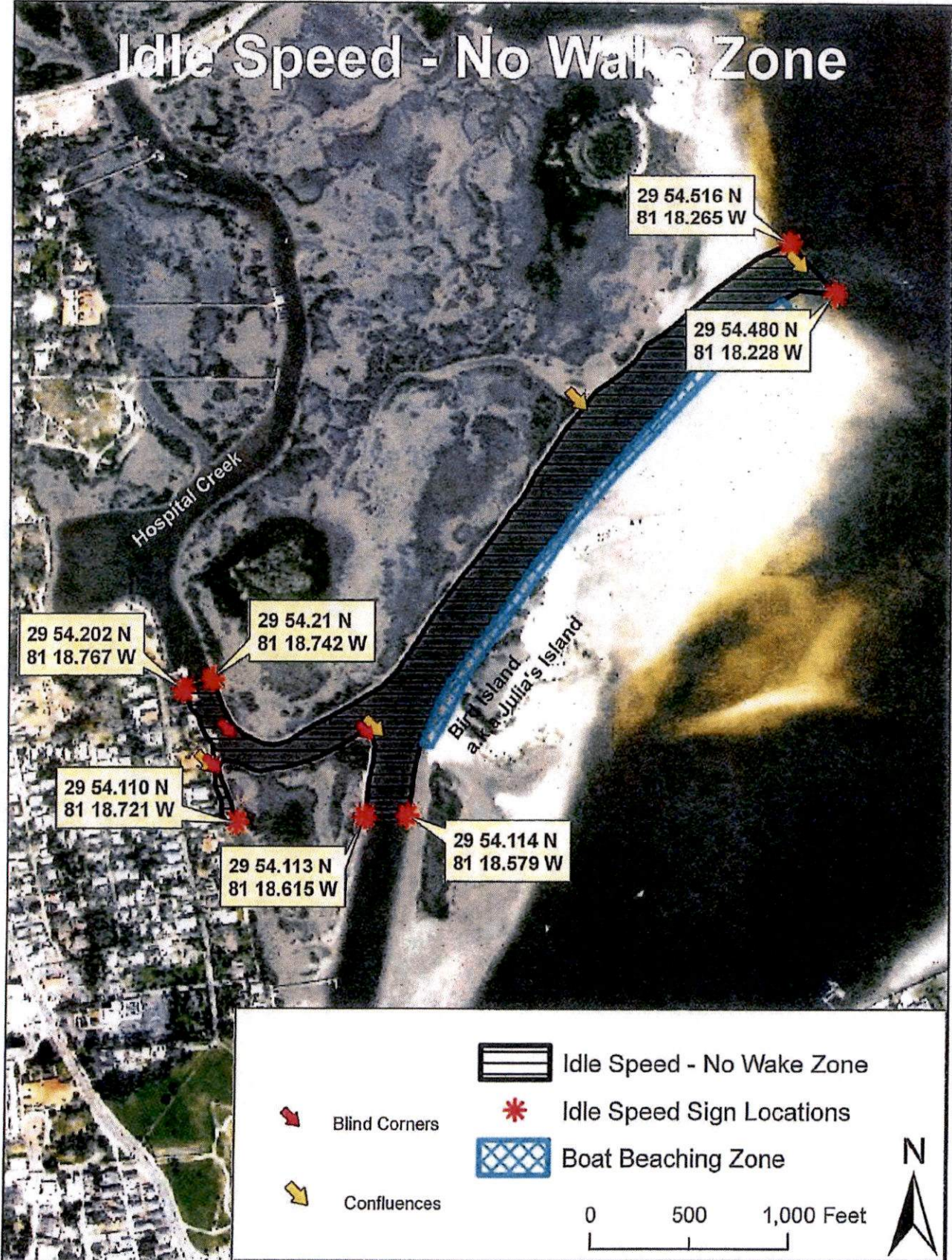


SHANNALEE
Commission # GG 329333
Expires June 8, 2023
Bonded thru Budget Notary Services



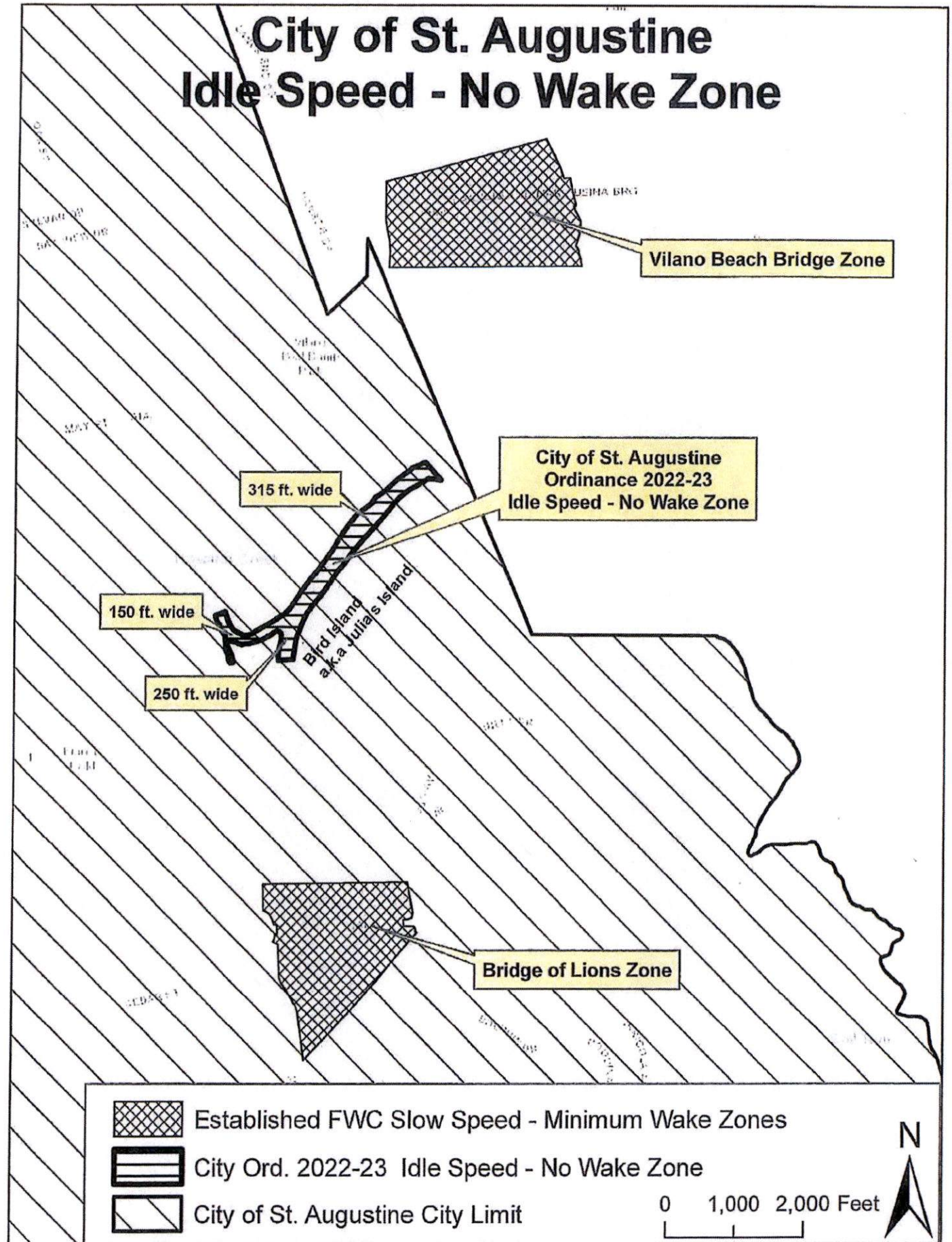
Notary Public, State of Florida





SCALED DRAWING

City of St. Augustine Idle Speed - No Wake Zone



LETTER OF SUPPORT

FROM

CHIEF MICHAUX



St. Augustine Police Department
151 King Street
St. Augustine, FL 32084
Ph: 904.825.1074 (Non-Emergency)
Fax: 904.823.4323

August 10, 2022

City of St. Augustine, Florida
City Commission
75 King Street
St. Augustine, FL 32084

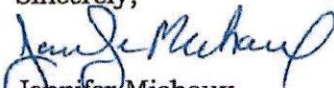
RE: Proposed Ordinance 2022-23
Idle Speed-No-Wake Zone

Dear Mayor and Commissioners:

I am writing to you in support of Ordinance 2022-23 creating an Idle Speed-No-Wake Zone along Bird Island and through dangerous blind curves in Hospital Creek. At low tide the sandbar area along Bird Island becomes a popular anchoring, fishing, and recreation area. If left unregulated, the mix of informal anchoring and recreational activity combined with nearby high-speed vessels creates a dangerous situation. As Chief of Police I fully support recreational boating as long as reasonable regulations keep separate users safe. St. Johns County has experienced substantial population growth in the last few years and with that growth comes an increase in boating traffic. The City of St. Augustine is also a hub of tourism. Combining new residents and tourists who may not be as familiar with local boating conditions creates the potential for a future tragedy. Simply looking at reported accident data, citations or warnings does not capture the actual conditions in those areas. The numerous blind curves at the confluence of the tributaries in Hospital Creek should be approached at idle speed to avoid potential collision, but without markers warning unsuspecting boaters, we are left with open conditions to a foreseeable danger.

I appreciate your willingness to be pro-active in assuring the safety of boaters and our residents and visitors. I lend my total support to these important efforts.

Sincerely,


Jennifer Michaux
Chief of Police

Email: CityPolice@StAugPD.com

Online: www.StAugPD.com

LETTER OF SUPPORT

FROM

ST. AUGUSTINE PORT,

WATERWAY & BEACH

DISTRICT



St. Augustine Port, Waterway & Beach District

P.O. Box 4512
St. Augustine, Florida 32085-4512
(904) 824-0113

August 9, 2022

Commissioners-

We, the commissioners of the St. Augustine Port, Waterway and Beach District, write to urge you to approve the City of St. Augustine's application for an Idle Speed/No Wake Zone in the area of Bird Island and Hospital Creek. The area under consideration has become an extremely popular spot for fishing and boat beaching, as well as a point of access to the Intercoastal Waterway for kayaks who launch from a small ramp further up Hospital Creek. This increasingly heavy usage, combined with the area's narrow channels and many blind turns, has created the potential for serious accidents. Without speed regulation, the safety of all those who use this waterway is in jeopardy.

We thank you for your consideration, and look forward to continuing to work with the Fish and Wildlife Commission in the future.

Sincerely,

Jane West
Sandy Flowers
Chris Way
Tom Rivers
Matt Brown

St. Augustine Port, Waterway and Beach District

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**CITY COMMISSION
MEETING MINUTES:
JULY 25, 2022**

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, July 25, 2022

The City Commission met in formal session Monday, July 25, 2022, 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
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Absent: Roxanne Horvath, City Commissioner (excused)

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchlin, Assistant City Manager
Jim Piggot, Director of General Services
Reuben Franklin, Director, Public Works
Donna Hayes, Director of Human Resources
Melissa Wissel, Director, Communications
Abby Pedigo, Fire Marshall
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Ted Voorhees of St. Cyprian's Episcopal Church, delivered the Invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Mayor Upchurch requested Items C.A.13., C.A.14., and C.A.15. be removed from the Consent Agenda and moved to Item 10 after the reports on the entrance signs and fountain.

MOTION

Mayor Upchurch **MOVED** approval of the Regular Agenda with the three modifications. The motion was **SECONDED** by Commissioner Sikes-Kline and **APPROVED BY UNANIMOUS VOICE VOTE**.

3. Special Presentations, Recognitions and Proclamations

3.A. Special Presentation of the American flag that was flown on Monday, July 11 in honor of Errol Jones, former Vice Mayor and City Commissioner, to Diane Wheeler. (T. Upchurch, Mayor)

Mayor Upchurch presented Dianne Wheeler with the flag on behalf of Errol Jones who served as a City Commissioner from 2002-2012 and as Vice Mayor from

2008-2010. He shared that Mr. Jones brought forward the need for diversity within the City workforce and was an advocate for children and as a Commissioner, helped The Player's Championship Boys and Girls Club incorporate into the City of St. Augustine.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Cynthia Garris
- BJ Kaladai
- Chris Fulmer
- Charles Pappas
- John Miller

Public Comment closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON AUGUST 8, 2022:

- Ordinance 2022-12
- Ordinance 2022-13
- Ordinance 2022-23
- Ordinance 2022-24
- Ordinance 2022-25

CA.3. Reminder of Upcoming Meetings:

- August 8, 2022, 3pm, Special Meeting to discuss 2022 budget assumptions and five-year CIP
- August 8, 2022, 6pm, Regular Meeting and Public Hearing on Budget Related Resolutions
- August 18, 2022, 8:15am, CRA Special Meeting, discussion of fiscal year 2023 budget

• August 18, 2022, 9am to Noon, Special Meeting, discussion of fiscal year 2023 budget and action items

• August 19, 2022, 9am to Noon (if needed) Special Meeting, discussion of fiscal year 2023 budget and action items

• August 22, 2022, 6pm, Regular Meeting

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

(None)

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

(None)

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. Acknowledge receipt of a Firehouse Subs Public Safety Foundation Grant by the St. Augustine Police Department for the acquisition of 15 automated external defibrillators. (A. Cuthbert, Assistant Chief of Police)

CA.9. Approval of flag protocol in the event of the death of a City Commissioner and other notable figures. (M. Breidenstein, Assistant City Manager)

CA.10. June 2022 financial update. (M. Simpson, Director Finance)

CA.11. Third quarter report for Public Works and Utility Department. (R. Franklin,

Director Public Works; T. Grant, Director Utilities)

CA.12. Third quarter report for the legal department. (I. Lopez, City Attorney)

END CONSENT

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

Mr. Regan noted the movement of Items CA.13., C.A.14. and C.A.15. to Agenda Item 10.

5.B. Approval of Consent Agenda

MOTION

Commissioner Sikes-Kline **MOVED** to approve the amended 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

(None)

8. Ordinances and Resolutions - Public Hearing Required.

8.A. Ordinances - Second Reading

(None)

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

9.A.1. Ordinance 2022-12: Amends St. Augustine Police Retirement Trust Fund Increasing real estate investments to an allowable 25% of the fund. (R. Thibault, Assistant City Attorney)

Isabell Lopez, City Attorney presented Ordinance 2022-12.

MOTION

Mayor Upchurch **MOVED** to pass Ordinance 2022-12 on first reading, read by title only and passed to second reading. The motion was **SECONDED** by Commissioner Sikes-Kline.

Commissioner Blonder acknowledged the caution made by a public speaker and expressed the need to ensure international conglomerates were not funded through this or other funds.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-12

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING PART I, ARTICLE IX OF THE CHARTER OF THE CITY OF ST. AUGUSTINE RELATING TO THE ST. AUGUSTINE POLICE OFFICER'S RETIREMENT TRUST FUND; AMENDING SECTION 9.05(2)(c), TO REVISE ALLOWABLE INVESTMENT LIMITS; PROVIDING FOR INCLUSION IN THE CHARTER 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, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2022-13: Amends the 1977 City Employees' Retirement System increasing real estate investments to 25% of assets of the system. (R. Thibault, Assistant City Attorney)

Ms. Lopez presented Ordinance 2022-13.

MOTION

Mayor Upchurch **MOVED** to pass Ordinance 2022-13 on first reading, read by title only and passed to second reading. The motion was **SECONDED** by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-13

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO THE 1977 CITY EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF ST. AUGUSTINE, FLORIDA; AMENDING SECTION 20-124(2)(c), TO REVISE ALLOWABLE INVESTMENT LIMITS; PROVIDING FOR INCLUSION IN THE CODE 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, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.3. Ordinance 2022-23: Regulates and posts idle speed-no wake zones. (R. Thibault, Assistant City Attorney)

Ms. Lopez presented Ordinance 2022-23 and stated the Commission had discussed this topic for over a year regarding the creation of idle speed-no wake zones in problematic areas along Hospital Creek and Bird Island based on concerns about public safety.

Ms. Lopez stated the first step was for the Commission to adopt ordinance and then it would be sent to the Fish and Wildlife Conservation Commission for formal approval before enforcement could begin.

Ms. Lopez stated the St. Augustine Port, Water Way, and Beach District would be submitting a Letter of Support for the ordinance prior to the 2nd reading at the August 22nd Commission meeting. She also sent the draft ordinance to Carl Blow, who was Chair of Florida Inland Navigation District (FIND). She said Mr. Blow indicated support and discussed the importance of the ordinance addressing safety issues.

Commissioner Blonder stated that on numerous occasions, she observed concerning boating and safety issues and near misses in a blind spot due to speeding boats on Hospital Creek. She said the area was like a racetrack and that boaters came through like it was a speed course. She stated the Commission had the opportunity to prevent a tragedy before it happened by getting out in front of the problem.

Commissioner Valdes said he had seen many manatees in the area and the Commission would be addressing public safety and preserving mammals headed towards extinction.

Mayor Upchurch clarified the Commission would not be restricting public access to the water ways but were trying to calm the area. He noted the photos in the meeting packet were taken on Memorial Day and showed the intensity of use in that area.

Commissioner Sikes-Kline agreed with others and stated she had witnessed the very congested area which included jet skis, motorboats, kayaks, and people fishing. She noted the ordinance would not go beyond what was necessary in the affected area.

Commissioner Blonder said the photos at Bird Island showed a typical busy afternoon with families swimming and boats and other vessels going by at full speed. She expressed concern about safety around blind curves and said the ordinance would help.

MOTION

Commissioner Valdes **MOVED** to pass Ordinance 2022-23 on first reading, read by title only and passed to second reading. The motion was **SECONDED** by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-23

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE CREATING SECTION 7-4 REGULATING AND POSTING IDLE SPEED-NO WAKE ZONES; PROVIDING FOR INCLUSION IN THE CODE 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: Valdes, Blonder, Sikes-Kline, Upchurch
NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.4. Ordinance 2022-24: Prohibits smoking in public parks and the Willie Galimore Public Pool at Eddie Vickers Park. (R. Thibault, Assistant City Attorney)

Ms. Lopez presented Ordinance 2022-24.

Commissioner Sikes-Kline asked if the ordinance would include community gardens.

Ms. Lopez stated it would not; however, she would investigate it before the second reading.

MOTION

Mayor Upchurch **MOVED** to pass Ordinance 2022-24 on first reading, read by title only and passed to second reading. The motion was **SECONDED** by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-24

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, CREATING, CHAPTER 18, ARTICLE I, SECTION 18-9 OF THE CODE OF THE CITY OF ST. AUGUSTINE PROHIBITING SMOKING AT PUBLIC PARKS AND THE WILLIE GALIMORE PUBLIC POOL AT EDDIE VICKERS PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Valdes
NAYES: None
MOTION APPROVED UNANIMOUSLY

9.A.5. Ordinance 2022-25: Prohibits open burning with exceptions for reasonable recreational and cooking burning. (R. Thibault, Assistant City Attorney)

Ms. Lopez reviewed the ordinance and said it was created based on questions received over the years and recent conversations with Flagler College.

Commissioner Blonder asked Ms. Lopez about whether citizens could burn storm debris.

Ms. Lopez suggested hearing from the Fire Marshall on the topic.

Abby Pedigo, Fire Marshall, stated that she agreed that wood chips and paper could be added to definition of fuel. She said storm debris would fall under yard debris and stressed that residents should utilize City services to pick up the debris and to not burn it in the congested city. She said the many calls received by the Fire Department were due to nuisance smoke from burning debris.

Mr. Regan repeated that residents should utilize City recycling for yard waste.

MOTION

Mayor Upchurch **MOVED** to pass Ordinance 2022-25 on first reading, read by title only and moved to second reading. The motion was **SECONDED** by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2022-25

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA RELATING TO FIRE PREVENTION AND PROTECTION; PROHIBITING OPEN BURNING; ADDING CHAPTER 18, ARTICLE IV, SECTION 18-76, OF THE CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR

SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Upchurch, Blonder, Sikes-Kline, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

(None)

10. Staff Reports and Presentations

10.A. City entrance sign project update. (J. Piggott, Director General Services)

Jim Piggott, Director of General Services stated there had been three meetings regarding the project and that Jeremy Marquis would be presenting options.

Jeremy Marquis of Marquis Latimer + Halback stated the role of entry signs was to welcome residents and visitors and define the transition from the County to City. He said the Commission had requested a budget friendly modification of existing signs and that the options presented would meet these requirements.

Mr. Marquis stated the US1 North, and A1A and Anastasia Boulevard signs could be modified, and the SR 16 and US 1 South signs would be removed. Mr. Marquis presented budgetary and visual presentations of the options.

The Commission discussed the presentation and noted questions about the proposals and costs including the following:

- Some agreement on the simplest proposal suggested for the Anastasia Boulevard sign.
- Concerned about spending money on signs when there was a homeless issue

- Clarity needed on the total costs of the two signs: minimum and maximum
- Information contained in the packet was confusing or omitted
- Commissioners needed more time to consider options

MOTION

Mayor Upchurch **MOVED** to table the signage proposals until the next meeting. The motion was **SECONDED** by Commissioner Sikes-Kline and approved by Unanimous Voice Vote.

Mayor Upchurch requested the City Manager bring back a clear presentation of options and costs based on the Commission's discussion.

10.B. City Hall/Lightner fountain update. (J. Piggott, Director General Services)

Mr. Piggott presented information on the Lightner fountain and validated costs previously quoted by Commissioner Horvath.

MOTION

Mayor Upchurch **MOVED** to approve the rework of fountain in front of City Hall for \$22,000. The motion was **SECONDED** by Commissioner Blonder and approved by Unanimous Voice Vote.

Consent Agenda Items¹

CA.13. Ratification of the collective bargaining agreement between the City and the Florida Carpenters Regional Council, Local 2038. (D. Hayes, Director Human Resources)

CA.14. Ratification of the collective bargaining agreement between the City and the Coastal Florida Police Benevolent Association. (D. Hayes, Director Human Resources)

CA.15. Ratification of the memorandum of understanding between the City and the Professional Firefighters of St. Augustine. (D. Hayes, Director Human Resources)

Mr. Regan stated the Agreements resulted from negotiations, the unions had approved them, and the Commission would need to ratify them.

Meredith Breidenstein, Assistant City Manager reviewed the Agreement for the Florida Carpenter's Regional Council, Local 2038 (Industrial Union) stating the negotiations took place over four months and were open to the public.

Ms. Breidenstein noted the following changes to the contract:

- Added Juneteenth as a holiday
- Changed Trial Period from 60-days to 6 months
- Revised vacation usage requirement
- Created a penalty for sick/vacation payout
- Changed Worker's Compensation supplement
- Changed health insurance provider
- Added 8% general wage increase for Fiscal Year 2023 only
- Added steps for obtaining licenses specific to the profession
- Increased on-call pay
- Increased overtime pay for call-in on certain holidays
- Corrected grammatical errors and clean-up language

Ms. Breidenstein confirmed there were about 75 employees covered by this Agreement.

¹ Items CA.13, CA.14., and CA.15. were moved from Consent Agenda to Item 10

MOTION

Mayor Upchurch **MOVED** to ratify the Florida Carpenter's Regional Council, Local 2038 Contract. The motion was **SECONDED** by Commissioner Sikes-Kline.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

Ms. Breidenstein reviewed the Coastal Florida Police Benevolent Association (Police Union) contract changes:

- Added Juneteenth as a holiday
- Revised vacation usage requirement
- Created a penalty for sick/vacation payout
- Changed Worker's Compensation supplement
- Changed health insurance provider
- Added 8% general wage increase for Fiscal Year 2023 only
- Added steps for obtaining a master's degree
- Retained steps for those transferred from investigations
- Added incentive pay for certain specialties
- Added the term Health Pandemic as Civil Emergency Condition
- Increased requirements for education reimbursement
- Corrected grammatical errors and clean-up language

MOTION

Mayor Upchurch **MOVED** to ratify the Coastal Florida Police Benevolent Association Collective Bargaining Agreement. The motion was **SECONDED** by Commissioner Sikes-Kline.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

Ms. Breidenstein shared that the Fire Fighter Union Contract had not expired and the Memorandum of Understanding covered changes to the health insurance program, and was voted on by members.

MOTION

Mayor Upchurch **MOVED** approval of the Memorandum of Understanding. The motion was **SECONDED** by Commissioner Sikes-Kline.

VOTE ON MOTION:

AYES: Upchurch, Sikes-Kline, Blonder, Valdes

NAYES: None

MOTION APPROVED UNANIMOUSLY

11. ITEMS BY CITY ATTORNEY

(None)

12. ITEMS BY CITY CLERK

12.A. Notification of three (3) upcoming term expirations on the Planning and Zoning Board (PZB). (D. Galambos, City Clerk)

Darlene Galambos, City Clerk shared there were upcoming term expirations for Planning and Zoning Board (PZB) members and applications would be presented to the Commission in September.

Commissioner Blonder asked if openings could be shared with prior qualified applicants.

Ms. Galambos stated that letters would be sent to those applicants and that PZB applicants must be City residents.

13. ITEMS BY CITY MANAGER

(None)

14. Items by Mayor and Commissioners

Commissioner Blonder shared that the unregulated substance Kratom, which she had brought to the Commission's attention previously, was widely available online and that any regulation would be difficult to enforce so she would be withdrawing her request to staff. She said she had attended training provided by the Police Department and was impressed with the training level, responses, questions and answers, and the seamless work between police and fire departments.

Commissioner Sikes-Kline reminded the Commissioners to provide budget items to staff. She said she had been going to ask the Commission about hearing a proposal for Zora Neale Hurston Park improvements but thought more about the homeless issues, which she felt was a higher priority in the community. She said she would like to hear more from City staff about the Key West fact-finding trip and their thoughts on addressing the homeless issue.

Commissioner Valdes said he believed there needed to be a place for those who were homeless to get help and that had showers, laundry, and a place to sleep. He said the St. Francis House was available, but more space was needed. He understood Key West had 160 beds and that they did not have a problem with panhandling. He explained assorted reasons why people would be homeless. He stated that finding money and space were necessary to help address the homeless issue.

Mayor Upchurch said he had a different perspective and believed that people who were homeless could access the many services and resources in the area. He saw this as more of a vagrancy and panhandling issue and believed ordinances could be more aggressive. He said the police department had expressed frustration when trying to make arrests,

and with the amount of support from the judicial system. He stated he would like to hear from Officer Fisher about the Key West visit.

Commissioner Blonder suggested the City needed to get the County involved and felt this would be a great workshop topic.

Mr. Regan suggested the Commission could receive intermediate reports of each fact-finding mission and that Key West could be scheduled for August 8th or another meeting. He said there were two other cities being benchmarked for comparison and would culminate into a strategic plan. He said the trip to Key West confirmed the important role of a "low barrier to entry" facility and explained how it addressed vagrancy. He said Key West did have a broader ordinance that prohibited panhandling in parks. He said that Officer Fisher reported going into Key West many times during the day and he did not see any panhandling.

Commissioner Sikes-Kline would like to learn more about how Key West approached panhandling and thought the City could modify ordinances and take more risks.

Ms. Lopez confirmed the City had been very intentional about developing its ordinance to avoid lawsuits. She said she had heard comments about Key West's Day Center and how it reduced loitering, vagrancy, and panhandling.

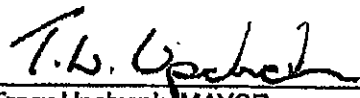
Mayor Upchurch said he would like more information on the numbers and types of arrests and penalties being imposed by the Key West judicial system.

Mr. Regan stated St. Augustine had nowhere for people who were homeless to go except for the park or on the street. He said in Key West, they would go to the Day Center or to a gathering in the national park at Fort Jefferson. He said Officer Fisher described the Key West problem as inverse of St. Augustine and that Key West

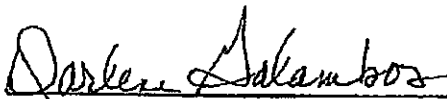
did not have the same amount of wrap around support services but had more space and commitment to provide low barrier to entry facilities, which included transitional housing. He reiterated staff would provide the Commission with a report.

15. Adjournment

There being no further business, the meeting was adjourned at 6:32 P.M.²



Tracy Upchurch, MAYOR



Darlene Galambos, CITY CLERK



² Transcribed by Colleen Kuhn

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PO Box 631244 Cincinnati, OH 45263-1244

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City Of St Augustine
Po Box 210
Saint Augustine FL 32085-0210

STATE OF FLORIDA, COUNTY OF ST JOHNS

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NOTICE OF PROPOSED ENACTMENT OF ORDINANCE 2022-23
BY THE CITY OF ST. AUGUSTINE, FLORIDA
NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING TO BE HELD BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE CONCERNING THE SECOND READING OF ORDINANCE 2022-23. THE PUBLIC HEARING WILL BE HELD DURING THE REGULAR CITY COMMISSION MEETING ON MONDAY, AUGUST 15, 2022, BEGINNING AT 5:00 P.M. AT 75 KING STREET, ST. AUGUSTINE, FLORIDA. PUBLIC COMMENTS ARE INVITED ON THE FOLLOWING MATTER:

ORDINANCE NO. 2022-23
AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE CREATING SECTION 7-4 REGULATING AND POSTING IDLE SPEED-NO WAKE ZONES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERANCE OF INVALID PROVISIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

NOTICES:
Related documents may be requested via the City Clerk's Office, City Clerk@cityofstaugustine.com, (904) 825-1907, City Hall, Lobby B, 2nd Floor, 75 King Street, St. Augustine, FL 32084, during the hours of 8:00 A.M. and 5:00 P.M. except weekends and holidays. In accordance with Florida Statute 286.6195, "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on notice. Telephone: City Clerk (904) 825-1907 or 1-800-835-8771 (TDD) or 1-800-835-8770 (V), via Florida Relay Service.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor, Vice Mayor, and City Commissioners

DATE: March 13, 2023

RE: **2023 LEGISLATIVE SESSION UPDATE**

The following is an updated summary of the bills that are identified as important for tracking by the City.

****New Bills Filed After February 16, 2023****

❖ **HB 101 (Woodson) and SB 184 (Polsky) Homestead Exemption for First Responders**

Current Status: As to HB 101, Now in Local Administration, Federal Affairs & Special Districts Subcommittee, 2/14/23; As to SB 184, Referred to Community Affairs; Finance and Tax; Appropriations, 1/26/23.

These bills include homestead exemptions for the surviving spouses of first responders who died in the line of duty while employed by the United States and not just the state.

Effective: January 1, 2024

❖ **HB 951 (Andrade) Defamation**

Current Status: Withdrawn prior to introduction, 2/21/23

This bill proposes that defamation causes of actions be preempted to the states and not the federal government. When damages for defamation are based on material published through the radio, television, or internet, the bill proposes that venue is proper in any county where the material was accessed. The bill also proposes that prevailing plaintiffs on a claim of defamation are entitled to an award of reasonable costs and attorney fees.

This bill also limits the judicial determination of a public figure for purposes of establishing defamation under certain circumstances.¹

This bill creates section 770.12 which states that a failure to verify or corroborate an alleged defamatory statement is evidence of actual malice.

Section 770.13 creates a presumption regarding anonymous sources in a defamation cause of action: they are presumed to be false.

This bill also revises the parties that a court shall award certain attorney fees and costs: the nonmoving party instead of the prevailing party is entitled to reasonable attorney fees and costs incurred in connection with a claim.

❖ **HB 991 (Andrade) Defamation, False Light, and Unauthorized Publication of Name or Likeness**

¹ A person may not be considered a public figure if their fame or notoriety arises from one of more of the following conditions: 1) defending themselves publicly; 2) granting an interview on a specific topic; 3) public employment; or 4) a viral video.

Current Status: in Civil Justice Subcommittee as of 2/28/23

This bill provides that the journalist's privilege (prohibits reporters from being forced to reveal information or confidential information in court) does not apply to defamation claims when the defendant is a professional journalist or media entity.

Also, like HB 951, this bill states that when damages for defamation are based on material published through the radio, television, or internet, venue is proper in any county where the material was accessed. It also places limitations on the judicial determination of a public figure.

As for attorney fees, this bill does not propose a change and allows the prevailing plaintiff, not the nonmoving party, on a defamation or privacy tort claim to be entitled to an award of reasonable costs and attorney fees.

Like HB 951, this bill specifies certain allegations that are defamatory per se.

In addition, the bill provides that public figures need not show actual malice to prevail in a defamation action. Also, there is a presumption of the defamatory statement being false when it comes from an anonymous source.

❖ **HB 269 (Caruso; Lopez) and SB 994 (Calatayud) Public Nuisances**

Current Status: HB 269, in Criminal Justice Subcommittee, 2/1/23; SB 994, Referred to Criminal Justice; Judiciary; Rules on 2/28/23

These bills make it a misdemeanor of the first degree to distribute certain materials such as pamphlets and flyer, in a public place, that leads to littering. If the distribution of materials includes religious content, then the offense will be reclassified as a felony of the third degree.

In addition, the bills make it a hate crime to harass or willfully follow a person based on the person wearing religious-based garments.

❖ **HB 3 Government and Corporate Activism (Rommel)**

Current Status: in Commerce Committee as of 2/28/23

This bill is aimed at eliminating the consideration of environmental, social and governance from government investment strategies, procurements, bond issuances, and use of banks.

• **17.57 Deposits and investments of state money**

This bill states that when investing decisions must be based solely on pecuniary factors² and may not subordinate the interests of the people of the state to other objectives, including sacrificing investment returns to promote any non-pecuniary factor.

• **112.662 Investments; exercising shareholder rights**

HB 3 requires the fiduciary of any retirement system to only use pecuniary factors when making investment decisions. In addition, by December 15, 2023, and by December 15 of each odd-

² Means a factor that the CFO prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration or furtherance of any social, political, or ideological interests.

numbered year, each retirement system or plan must file a comprehensive report detailing and reviewing the governance policies concerning decision-making.

- **215.681 ESG bonds; prohibitions**

This bill prohibits local governments from issuing ESG bonds³.

- **215.855 Investment manager external communication**

This bill requires any contract between a governmental entity (municipality) and an investment manager to contain the following provisions: “the views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the State of Florida”. If this provision is not included, then the governmental entity has the discretion to unilaterally terminate the investment manager.

- **218.415 Local government investment policies**

Local government investment decisions must be made based solely on pecuniary factors.

- **287.0571 Prohibition against considering social, political, or ideological interests in government contracting**

This bill prohibits local governments from rewarding government contracts on the basis of ESG factors.

❖ **HB 671 (Esposito) and SB 682 (DiCeglie) Residential Building Permits**

Current Status: HB 671, in Regulatory Reform & Economic Development Subcommittee as of 2/14/23; SB 682, Referred to Community Affairs; Regulated Industries; Rules as of 2/16/23

These bills reduce the amount of time that the building division has for reviewing and responding to permit applications.

For instance, after an applicant submits an application, the local government must provide written notice to the applicant within 3 calendar days⁴ after receipt of the application advising the applicant what information, if any is needed to deem the application properly completed. Within 9 calendar days after receiving a completed application, a local government must provide written notice to an applicant if additional information is required. Also, when reviewing an application, a local government may not request additional information more than two times, instead of three times, unless an applicant waives such limitation in writing. The bills also call for an automatic approval of the building permit if the local government does not notify the applicant that the application is approved, approved with conditions, or denied within 9 calendar days.

In addition, before a second request for additional information, applicants are given the flexibility to meet in person or virtually with the local government to attempt to resolve outstanding issues.

³ Including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds, and other environmental bonds marketed as an environmental or social bond.

⁴ Not business days.

In addition, these bills require the local jurisdiction to reduce the permit fee by 75% if an owner retains a private provider for the purposes of plans review or building inspection services.

❖ **HB 765 Building Permit Applications to Local Governments (Roth)**

Current Status: in Local Administration, Federal Affairs & Special Districts Subcommittee as of 2/21/23

Under this bill, a local government must post and update certain information pertaining to building permit applications on their website. This bill further states that within 10 days after an applicant submits an application to the local government, the local government must advise the applicant what information if any is needed to deem the application complete with the filing requirements posted on its website. Local governments are banned from requesting additional information that is not posted on its website. Lastly, if a local government fails to meet a deadline, then it must reduce the building permit fee by 25% for each business day that it fails to meet the deadline.

❖ **SB 920 Local Floodplain Management (DiCeglie)**

Current Status: Referred to Community Affairs; Environment and Natural Resources; Rules as of 2/28/23.

This bill restricts municipalities from adopting technical amendments to the Florida Building Code, relating to flood resistance, when a local floodplain management requirement exceeds minimum standards for the National Flood Insurance Program; a municipality may not deny a request for a variance or an exception to such a requirement, provided that the requested variance or exception meets such minimum standards.

❖ **SB 842 Public Records/Reports of Municipal Code Violations (Harrell)**

Current Status: Referred to Community Affairs; Governmental Oversight and Accountability; Rules, 2/23/23

This bill creates a public records exemption for a period of 1 year for a person who reports a potential violation of a municipal code or ordinance violation. This exemption applies to personal identifying and location information held by an agency before (retroactive application), on, or after the effective date of this exemption.

❖ **SB 1240 (Burgess) and HB 1197 (Maggard) Land and Water Management**

Current Status: SB 1240, Filed; HB 1197, Filed

These bills prohibit a municipality from adopting laws, regulations, rules, or policies relating to any of the following: water quality, water quantity, pollution control, pollutant discharge prevention or removal, and wetlands, including any delineation.⁵

Under these bills, if a municipality is in violation, then the CFO must withhold state funds that the municipality may be entitled to.

Companion bill, HB 1197, creates an exception to the prohibition against regulating water management. It states that the section does not apply to an interlocal or interagency agreement between the department and local government to conduct programs relating to the

⁵ The regulation of those areas are preempted to the state.

water resources of the state. Lastly, the prohibition on regulating water management does not affect the local governments authority to regulate and operate its own water management system.

❖ **HB 425 (Esposito, Andrade) Transportation**

Current Status: Now in Infrastructure & Tourism Appropriations Subcommittee as of 2/28/23

- **Section 334.181 Electronic Proof of Delivery**

In April 2020, during the pandemic, DOT issued a Materials Bulletin prohibiting the use of paper delivery tickets for the delivery of construction materials.

This bill requires a local governmental entity to accept an electronic proof of delivery as an official record for material delivery on the local governmental entity's transportation project.

- **Section 316.83 Autonomous vehicle grading standards for roads on State Highway System**

The DOT must coordinate with local partners as well as industry representatives to establish standards by which roads on the State Highway System must be graded according to their compatibility with the operation of autonomous vehicles.

Autonomous vehicle grading standards established pursuant to section 316.83 must be incorporated into standards for transportation projects involving the construction of new roads or maintenance of existing roads on the State Highway System.

- **Section 334.179 Department standards or specifications for permissible use of aggregate; misrepresentation of certification.**

Section 333.044 (10)(d), F.S., authorizes the DOT to adopt rules relating to approval of aggregate and other material sources.

Section 334.179, F.S., states that a local government may not adopt standards or specifications that are contrary to the DOT's standards or specifications for permissible use of aggregates that have been certified for use.

In addition, a producer may not represent that an aggregate is certified for use unless such aggregate is in compliance with the DOT's rules adopted pursuant to section 334.044(10)(d).

****Bills that were Amended****

❖ **SB 154 Condominium and Cooperative Associations (Bradley)**

Current Status: in Fiscal Policy as of 2/23/23

This bill amendment clarifies that the condominium or cooperative association is required to arrange the milestone inspection.⁶

In addition, the bill adds language regarding the copies of documents to be furnished to prospective buyers or lessees including, but not limited to, a statement indicating that the association has not completed the milestone inspection or is not required to complete one.

⁶ Not the property owner.

The amended bill adds section 718.501 which addresses the authority, responsibility, and duties of the Division of Florida Condominiums, Timeshares, and Mobile homes. The bill also adds section 719.501 which addresses the powers and duties of the Division of Florida Condominiums, Timeshares, and Mobile Homes. In short, the division has authority to adopt rules relating to the development, sale, lease, ownership, etc. of residential cooperative units.

❖ **SB 314 Licensed Counseling for First Responders**

Current Status: in Community Affairs as of 2/23/23

The bill was amended to add licensed counseling for correctional probation officers under section 112.18155.

❖ **SB 102 Live Local Act (Calatayud)**

Current Status: Placed on Calendar, on 2nd reading as of 2/24/23

The bill amendment deletes the strict prohibition on local government's imposing rent controls. Now, it reads, "local governments may not adopt or maintain in effect an ordinance or a rule that has the effect of imposing price controls upon a lawful business activity that is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law".

In addition, the amendment adds language to the exception of the evacuation time constraints of section 380.0552(9)(a)2 in relation to the Department of Economic Opportunity's Keys Workforce Housing Initiative. It allows deed-restricted affordable workforce housing properties to receive permit allocations to agree to evacuate at least 48 hours in advance of hurricane landfall instead of 24 hours in advance.

❖ **SB 106 Florida Shared-Use Nonmotorized Trail Network (Brodeur)**

Current Status: Placed on Calendar for 2nd reading, 2/24/23

The bill amendment changes minor language in the bills title. No substantive changes were made.

❖ **HB 359 (Duggan) Local Government Comprehensive Plans**

Current Status: in Civil Justice Subcommittee as of 2/28/23

The bill amendment deletes language that allows for the prevailing party challenging the Local Comprehensive Plan to recover attorney fees and costs, including reasonable appellate attorney fees and costs.

❖ **HB 23 (Bell) Water and Wastewater Facility Operators**

Current Status: in Agriculture & Natural Resources Appropriations Subcommittee as of 2/28/23

This bill was amended to make minor changes to the verbiage in lines 27-96. There were no substantive changes.

❖ **SB 170 Local Ordinances (Trumbell)**

Current Status: Placed on Calendar, on 2nd reading, 2/24/23

This bill was amended to replace the words “county government” with the words “municipal government”. The notion is that municipalities would not be required to suspend enforcement of ordinances that are required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government. Also note, this bill provides several other exceptions to the rule requiring municipalities to suspend enforcement of ordinances. This isn’t the only exception.

Also, this bill’s amendment adds section 125.66 (enactment procedures) which excludes the noticing requirement for a subsequent meeting if at the time of the first meeting the meeting, the date, time, and place of the subsequent meeting was publicly stated. Also, it applies retroactively.

❖ **HB 179 (Andrade) Florida Kratom Consumer Protection Act**

Current Status: Reported out of Regulatory Reform & Economic Development Subcommittee; Laid on Table, CS filed on 2/24/23

The bill was amended to exclude the definition of “Kratom extract” and widen the actions that are considered unlawful in relation to kratom products. For instance, the amendment makes it unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, to any person under 21 years of age. In addition, the amendment makes it unlawful for any food store, food establishment, or cottage food operation as opposed to any processor to violate the subsection.

Please place this item on the agenda for the March 13, 2023 City Commission meeting under City Attorney items, for information only, no presentation necessary.

Thank you,

/s/ Danyelle Alston

Danyelle Alston
Assistant City Attorney

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 89	Building Construction	Maggard	Revises definition of term "class A air-conditioning contractor"; prohibits certain persons or entities from making substantive changes to building plans after permit has been issued; provides exceptions; requires certain persons to provide certain information to certain persons or entities; provides that certain persons are subject to disciplinary action under certain circumstances.	Filed 01/03/23; Referred to Regulatory Reform & Economic Development Subcommittee, Referred to Local Administration, Federal Affairs & Special Districts Subcommittee, Referred to Commerce Committee, 01/10/23.	
SB 92	Short term Rentals	Garcia	Vacation Rentals; Providing that local laws, ordinances, or regulations requiring vacation rental owners or operators to provide the local government with certain contact information are not prohibited or preempted to the state, etc.	Filed 12/16/22; Referred to Regulated Industries; Community Affairs on 01/4/23;	
HB 105	Preemption of the Regulation of Vacation Rentals	Basabe	Preemption of the Regulation of Vacation Rentals; Provides local laws, ordinances, or regulations requiring vacation rental owners or operators to provide local government with certain contact information are not prohibited or preempted to state.	Filed 01/4/23; Referred to Regulatory Reform & Economic Development Subcommittee, Referred to Local Administration, Federal Affairs & Special Districts Subcommittee, Referred to Commerce Committee, 01/10/23.	
HB 833	Vacation Rentals	Duggan	Revises provisions relating to vacation rentals including taxes collected by advertising platforms; licensing; local registration; information included on advertising platforms.	Filed 02/15/23; Referred to Regulatory Reform & Economic Development Subcommittee, Referred to Ways & Means Committee, Referred to Commerce Committee, Now in Regulatory Reform & Economic Development Subcommittee, 2/21/23.	
SB 714	Vacation Rentals	DiCeglie	Requiring advertising platforms to collect and remit specified taxes for certain vacation rental transactions; defining the term "advertising platform"; revising the regulated activities of public lodging establishments and public food service establishments preempted to the state to include licensing; requiring advertising platforms to require that persons placing advertisements for vacation rentals include certain information in the advertisements and attest to certain information; authorizing the division to revoke, refuse to issue or renew, or suspend vacation rental licenses under certain circumstances, etc.	Filed 2/13/2023; Referred to Regulated Industries; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy, 2/23/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 106	Florida Shared-Use Nonmotorized Trail Network	Brodeur	Authorizing the Department of Environmental Protection to establish a program to recognize specified local communities as trail towns; revising the membership of the Florida Tourism Industry Marketing Corporation; extending the Florida Shared-Use Nonmotorized Trail Network to lands of the Florida wildlife corridor; increasing the amount the Department of Transportation is required to allocate for purposes of funding and maintaining projects within the Florida Shared-Use Nonmotorized Trail Network, etc. APPROPRIATION: \$200,000,000.	Filed 01/24/23; Referred to Transportation; Appropriations 01/26/23, On Committee agenda--Transportation, 2/7/23, 9:30am, 110 Senate Building, 1/31/23; In Appropriations on 2/8/23; On Committee agenda--Appropriations for 2/22/23 at 3:30pm, 2/13/23; Amendment filed by Appropriations, 2/21/23; Pending reference review, 2/24/23; Placed on calendar on 2nd reading, 2/28/23.	Favorable by Transportation; Yeas 9 Nays 0, 2/7/23; - CS by Appropriations; YEAS 17 NAYS 0, 2/22/23.
SB 102	Housing / "Live Local Act"	Calatayud	Deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; providing an exemption from ad valorem taxation for land that meets certain criteria; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property used to provide affordable housing meeting certain requirements; suspending, for a specified period, the General Revenue Fund service charge on documentary stamp tax collections; authorizing the Governor, under the Florida Job Growth Grant Fund, to approve state or local public infrastructure projects to facilitate the development or construction of affordable housing, etc. APPROPRIATION: \$811,000,000.	Filed; Referred to Community Affairs; Appropriations, 01/26/23, On Committee agenda--Community Affairs, 2/8/23, 9:30am, 401 Senate Building, 01/31/23; On Committee agenda--Appropriations for 2/22/23 at 3:30p, 2/13/23; Delete all amendments filed by Appropriations, 2/20/23; Pending reference review, 2/24/23; Placed on calendar for 2nd reading, 2/24/23.	Favorable by Community Affairs; YEAS 9 NAYS 0; CS by- Appropriations; YEAS 17 NAYS 0, 2/22/23.
HB 229	Taxation of Affordable Housing	Cross	Authorizes counties & municipalities to adopt ordinances to grant partial ad valorem tax exemptions to property owners whose properties are used to provide affordable housing; specifies duties of boards of county commissioners & municipal governing bodies adopting ordinances granting such exemptions; requires owners of property that is improperly granted such exemptions to pay owed taxes, penalties, & interest.	Filed 01/17/23; Referred to Ways & Means Committee; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to State Affairs Committee; In Ways & Means Committee, 01/25/23.	
SB 136	Florida Kratom Consumer Protection Act	Gruters	Creating the "Florida Kratom Consumer Protection Act"; prohibiting processors from selling, preparing, distributing, or exposing for sale certain kratom products; prohibiting processors from distributing, selling, or exposing for sale a kratom product to an individual under 21 years of age; providing civil penalties, etc.	Filed 01/09/23; Referred to Commerce and Tourism; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy, 01/19/23; On Committee agenda--Commerce & Tourism, 3/6/23, 2/28/23.	

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 179	Florida Kratom Consumer Protection Act	Andrade	Prohibits processors from selling, preparing, distributing, or exposing for sale certain kratom products & from distributing, selling, or exposing for sale kratom products to individuals under 21 years of age; provides civil penalties & exception.	Filed 01/11/23; Referred to Regulatory Reform & Economic Development Subcommittee; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to Commerce Committee; In Regulatory Reform & Economic Development Subcommittee, 01/17/23; Added to Regulatory Reform & Economic Development Subcommittee agenda, 2/16/2023; Amendment Filed, 2/22/23;Favorable with CS by Regulatory Reform & Economic Development Subcommittee, 2/23/23; Report out of Regulatory Reform & Economic Development Subcommittee, 2/24/23; Laid on Table, 2/24/23.	
SB 170	Local Ordinances	Trumbull	Authorizing courts to assess and award reasonable attorney fees and costs and damages in certain civil actions filed against local governments; requiring a board of county commissioners to prepare or cause to be prepared a business impact estimate before the enactment of a proposed ordinance; requiring a county to suspend enforcement of an ordinance that is the subject of a certain legal action if certain conditions are met; requiring a governing body of a municipality to prepare or cause to be prepared a business impact estimate before the enactment of a proposed ordinance, etc.	Filed 01/24/23; Referred to Community Affairs; Rules, 01/26/23; On Committee agenda--Community Affairs, 02/08/23, 9:30 am, 01/30/23, CS by community affairs; Yeas 7 Nays 2, 2/8/23. Pending reference review under Rule 4.7(2), 2/9/23, On committee agenda--Rules, 2/23/23, 9:30am, 2/13/23; CS by Rules; Yeas 15 Nays 0, 2/23/23; Pending reference review under Rule 4.7(2), 2/24/23; Placed on calendar for 2nd reading, 2/24/23.	Favorable by Community Affairs; YEAS 7 NAYS 2; CS/CS by- Rules; YEAS 15 NAYS 0, 2/23/23.
HB 325	Flood Disclosures for Residential and Commercial Property Sales	Valdés	Requires seller of residential & commercial property to disclose certain flood information to prospective purchaser before executing contract for sale of property.	Filed 01/23/23; Referred to Regulatory Reform & Economic Development Subcommittee; Referred to Civil Justice Subcommittee; Referred to Commerce Committee; In Regulatory Reform & Economic Development Subcommittee, 02/01/23.	
SB 484	Flood Disclosures for Real Property Sales	Bradley	Requiring a seller of real property to disclose in writing certain flood information to a prospective purchaser before executing a contract for the sale of the property; defining the term “flooding”, etc.	Filed 02/02/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 111	Public Financing of Potentially At-risk Structures and Infrastructure	Hunschofsky	Provides certain areas are at risk due to sea level rise & structures & infrastructure within those areas are potentially at risk.	Filed 01/04/23; Referred to Agriculture, Conservation & Resiliency Subcommittee; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to Infrastructure Strategies Committee; In Agriculture, Conservation & Resiliency Subcommittee, 01/10/23.	
HB 401	Sovereign Immunity	Beltran	Removes statutory limits on liability for tort claims against state & its agencies & subdivisions; revises requirements for government entity to settle claim or judgment; revises timeframes within which claim must be presented & within which agency must make final disposition of claim after it is filed to prevent claim from being deemed denied; revises exceptions relating to instituting actions on claims against state or one of its agencies or subdivision.	Filed 01/24/23; Referred to Civil Justice Subcommittee; Referred to Appropriations Committee; Referred to Judiciary Committee; In Civil Justice Subcommittee, 02/01//23; Added to Civil Justice Subcommittee agenda, 02/02/23; Favorable with CS by Civil Justice Subcommittee, 2/9/23; Reported out of civil justice subcommittee, Laid on table, CS Filed, 2/10/23; Referred to Appropriations Committee, Referred to Judiciary Committee, Now in Appropriations Committee, 2/13/2023.	Favorable with CS by Civil Justice Subcommittee.
HB 1B	Emergency Response	Giallombardo	Creates Local Government Emergency Bridge Loan Program within DEO, subject to appropriation; provides program's purpose; specifies program eligibility requirements; authorizes DEO to provide interest-free loans to eligible local governments through specified means; provides for expiration of program; provides appropriations. APPROPRIATION: \$700,000,000.	Filed; Referred to Appropriations Committee; In Appropriations Committee, 02/03/23; Added to Appropriations Committee agenda; 1st Reading (Original Filed Version); Favorable by Appropriations Committee; Reported out of Appropriations Committee; Bill released to House Calendar; Added to Second Reading Calendar, 02/06/23; Added to Special Order Calendar, 2/9/23; Laid on Table, refer to SB 2B, 2/9/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 2B	Emergency Response	Albritton	Creating the Local Government Emergency Bridge Loan Program within the Department of Economic Opportunity, subject to appropriation; authorizing the department to provide interest-free loans to eligible local governments through specified means; requiring the loan amount to be based on demonstrated need of the local government and disbursed in a lump sum; authorizing the department to approve loans through the end of the 2023-2024 fiscal year, subject to the availability of funds, etc. APPROPRIATION: \$700,000,000.	Filed; Referred to Fiscal Policy -SJ 2, 02/03/23; On Committee agenda-Fiscal Policy; Introduced -SJ 2, 02/06/23; Placed on Calendar, on 2nd reading; Placed on Special Order Calendar, 02/08/23; Read 2nd and 3rd time, 2/8/23. Bill referred to House Calendar, 2/8/23. Bill added to Special Order Calender, 2/9/23; Signed by Officers and presented to Governor, 2/10/23; Approved by Governor, 2/15/23.	Favorable by- Fiscal Policy; YEAS 20 NAYS 0. Passed, 2/8/23; YEAS 39 NAYS 0.
HB 23	Water and Wastewater Facility Operators	Bell	Requires DEP to issue water treatment plant operator licenses, water distribution system operator licenses, & domestic wastewater treatment plant operator licenses by reciprocity to certain applicants; authorizes DEP to issue temporary operator licenses during declared state of emergency; requires DEP to waive application fee for temporary operator licenses.	Filed 12/06/22; Referred to Water Quality, Supply & Treatment Subcommittee; Referred to Agriculture & Natural Resources Appropriations Subcommittee; Referred to Infrastructure Strategies Committee; In Water Quality, Supply & Treatment Subcommittee, 12/23/22; Added to Water Quality, Supply & Treatment Subcommittee agenda, 2/15/23; Favorable with CS by Water Quality, Supply & Treatment Subcommittee, 2/22/23; Reported out of Water Quality, Supply & Treatment Subcommittee, Laid on Table under Rule 7.18(a), 2/24/23; reported out of water quality, supply, & treatment subcommittee, 2/24/23; Laid on Table, 2/24/23.	
SB 162	Water and Wastewater Facility Operators	Collins	Revising legislative findings and intent; requiring the Department of Environmental Protection to issue water treatment plant operator licenses, water distribution system operator licenses, and domestic wastewater treatment plant operator licenses by reciprocity to certain applicants; providing licensure requirements; authorizing the department to issue temporary operator licenses during a declared state of emergency, etc.	Filed 01/10/23; Referred to Environment and Natural Resources; Regulated Industries; Fiscal Policy, 01/19/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 37	Financial Disclosures for Local Officers	Roach	Requires specified local officers to file full & public disclosure of financial interests; excludes specified local officers from requirement to file statements of financial interests.	Filed 12/07/22; Referred to Ethics, Elections & Open Government Subcommittee; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to State Affairs Committee; In Ethics, Elections & Open Government Subcommittee 12/23/22; PCS added to Ethics, Elections & Open Government Subcommittee agenda, 01/18/23; Favorable with CS by Ethics, Elections & Open Government Subcommittee, 01/25/23; Reported out of Ethics, Elections & Open Government Subcommittee; Laid on Table under Rule 7.18(a); CS Filed, 01/26/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to State Affairs Committee; In Local Administration, Federal Affairs & Special Districts Subcommittee, 01/30/23.	
HB 41	Land Development Initiative and Referendum Processes	Garcia	Revises restrictions on initiative and referendum processes.	Filed 12/14/22; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to Infrastructure Strategies Committee; Referred to State Affairs Committee; In Local Administration, Federal Affairs & Special Districts Subcommittee, 12/23/22.	
HB 471	Homestead Assessments	Fernandez-Barquin	Revises limitation on annual increases of homestead property tax assessments.	Filed 01/24/23; Referred to Ways & Means Committee; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to State Affairs Committee; In Ways & Means Committee, 02/01/23.	
SB 120	Homestead Assessments	Avila	Revising the limitation on annual increases of homestead property tax assessments, etc.	Filed 01/04/23; Referred to Community Affairs; Finance and Tax; Appropriations, 01/19/23; On Committee agenda-Community Affairs, 02/15/23.	CS by Community Affairs; YEAS 6 NAYS 3, 2/15/23

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HJR 469	Revised Limitation on Increases of Homestead Property Tax Assessments	Fernandez-Barquin	Proposes amendment State Constitution to revise limitation on annual increases of homestead property tax assessments.	Filed 01/24/23; Referred to Ways & Means Committee; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to State Affairs Committee; In Ways & Means Committee, 02/01/23.	
SJR 122	Revised Limitation on Increases of Homestead Property Tax Assessments	Avila	Proposing amendments to the State Constitution to revise the limitation on annual increases of homestead property tax assessments and to provide an effective date, etc.	Filed 01/04/23; Referred to Community Affairs; Finance and Tax; Appropriations, 01/19/23; On Committee agenda-Community Affairs, 02/15/23; in Finance and Tax, 2/15/23	Favorable by Community Affairs; YEAS 8 NAYS 1, 2/15/23.
HB 235	Alternative Mobility Funding Systems	Robinson	Revises requirements related to agreements to pay for or construct certain improvements; authorizes local governments to adopt alternative mobility planning & fee system; prohibits alternative system from imposing responsibility for funding existing transportation deficiency upon new development; revises requirements for calculation of impact fees; removes ability of local government, school district, or special district to increase impact fees in certain instances; provides requirements for mobility fees-based funding systems, mobility fees & fee increases; specifies criteria to be used in adopting mobility plan & mobility fee for transportation mitigation improvements; prohibits courts from using deferential standard for specified purpose; provides for specified mobility fee credits.	Filed 01/18/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to Ways & Means Committee; Referred to Commerce Committee; In Local Administration, Federal Affairs & Special Districts Subcommittee, 01/25/23.	
SB 350	Alternative Mobility Funding Systems	Brodeur	Authorizing certain local governments to adopt an alternative mobility planning and fee system or, in certain circumstances, an alternative system; specifying requirements for the application of an adopted alternative system; revising requirements for the calculation of impact fees by certain local governments and special districts; requiring certain mobility fees to be updated within a specified timeframe; specifying criteria to be used by a local government in calculating a mobility plan and mobility fee for transportation mitigation improvements; providing that mobility fee credits must comply with the Florida Impact Fee Act in any mode that creates equivalent capacity that is designated in a local government capital improvements list, etc.	Filed 01/24/23; Referred to Community Affairs; Transportation; Finance and Tax; Rules, 02/09/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 359	Local Government Comprehensive Plans	Duggan	Authorizes certain administrative modifications to capital improvement schedules; provides that prevailing party in challenge to plan or plan amendment is entitled to recover attorney fees & costs; awards attorney fees & costs, including reasonable appellate attorney fees & costs, to prevailing party in challenge to compliance of small scale development amendment.	Filed 01/23/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to Civil Justice Subcommittee; Referred to State Affairs Committee; In Local Administration, Federal Affairs & Special Districts Subcommittee, 02/01/23; Added to Local Administration, Federal Affairs, & Special Districts Subcommittee agenda, 2/15/23; Amendment Filed, 2/21/23; Favorable with CS by Local Administration, Federal Affairs & Special Districts Subcommittee, 2/22/23; Reported out of Local Administration, Federal Affairs & Special Districts Subcommittee, 2/23/23; Laid on Table under rule 7.18(a), 2/23/23.	
SB 540	Local Government Comprehensive Plans	DiCeglie	Authorizing certain administrative modifications to capital improvement schedules; providing that the prevailing party in a challenge to a plan or plan amendment is entitled to recover attorney fees and costs; awarding attorney fees and costs, including reasonable appellate attorney fees and costs, to the prevailing party in a challenge to the compliance of a small scale development amendment, etc.	Filed 02/06/23.	
HB 397	Public Meetings	Tuck	Provides specified entities may meet in private with their attorneys to discuss claims concerning private property rights; specifies what may be discussed during such meetings; requires such meetings be transcribed; provides transcripts become public records at specified times.	Filed 01/23/23; Referred to Ethics, Elections & Open Government Subcommittee; Referred to Civil Justice Subcommittee; Referred to State Affairs Committee; In Ethics, Elections & Open Government Subcommittee, 02/01/23.	
HB 499	Florida Main Street Program and Historic Preservation Tax Credits	Stark	Specifies eligibility requirements for receiving specified tax credits for taxpayers that rehabilitate certified historic structures; specifies requirements for taxpayers claiming or transferring specified tax credits; specifies requirements for Division of Historical Resources of DOS for evaluating & certifying applications for specified tax credits; specifies amount of tax credits; authorizes carryforward, sale, & transfer of tax credits; revises order in which tax credits against corporate income tax credit or franchise tax are applied; revises order in which credits & deductions against insurance premium tax are applied.	Filed 01/24/23; Referred to Ways & Means Committee; Referred to Regulatory Reform & Economic Development Subcommittee; Referred to Commerce Committee; In Ways & Means Committee, 02/01/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 288	Florida Main Street Program and Historic Preservation Tax Credits	DiCeglie	Citing this act as the "Main Street Historic Tourism and Revitalization Act"; providing a credit against the state corporate income tax and the insurance premium tax for qualified expenses in rehabilitating certain historic structures; specifying eligibility requirements for the tax credit; specifying requirements for the Division of Historical Resources of the Department of State for evaluating and certifying applications for tax credits; specifying the order in which the credit is applied against the corporate income tax or franchise tax, etc.	Filed 01/19/23; Referred to Commerce and Tourism; Finance and Tax; Appropriations, 01/26/23; On Committee agenda-Commerce and Tourism, 02/14/23;	Favorable by Commerce and Tourism; YEAS 9 NAYS 0, 2/12/23.
HB 439	Land Use and Development Regulations	McClain	Revises effect of special magistrate's recommendation; revises local governmental entity notification requirements; revises types of data that comprehensive plans & plan amendments must be based on; requires local government to submit affidavit for specified purposes; requires that EDR be sole publisher of specified estimates; revises elements that must be included in comprehensive plan; revises frequency at which local government must evaluate its comprehensive plan; prohibits local government from adopting plan amendments when it fails to meet certain requirements; revises exceptions to applicability of land development regulations relating to single-family or two-family dwelling building design elements; requires AG to audit county transportation trust fund.	Filed 01/24/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to Commerce Committee; Referred to State Affairs Committee; In Local Administration, Federal Affairs & Special Districts Subcommittee, 02/01/23.	
HB 383	Public Construction	Griffitts	Provides that certain permit applications shall be deemed approved; revises provisions relating to payments for purchases of construction services by local governmental entities & public entities; revises time periods within which certain proceedings must be commenced & concluded; provides dates by which undisputed portion of certain payment requests must be paid.	Filed 01/23/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee; Referred to Commerce Committee; Referred to State Affairs Committee; In Local Administration, Federal Affairs & Special Districts Subcommittee, 02/01/23; Favorable with CS by Local Administration, Federal Affairs, & Special Districts Subcommittee, 2/22/23; Reported out of Local Administration, Federal Affairs & Special Districts Subcommittee, 2/23/23; Laid on Table under rule 7.18(a), 2/23/23.	
SB 346	Public Construction	DiCeglie	Providing that applications for approval of a development permit or development order which are under review by a municipality are deemed approved after a specified timeframe; requiring a certain list to include a dollar valuation using reasonable market rates of the estimated cost to complete items on the list; revising the timeframe within which proceedings must commence to resolve disputes between vendors and local governmental entities; revising the conditions that require a public entity to pay or release amounts subject to certain disputes or claims, etc.	Filed 01/24/23; Referred to Community Affairs; Governmental Oversight and Accountability; Rules, 02/09/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 154	Condominium and Cooperative Associations	Bradley	Revising the circumstances under which community association managers or management firms must comply with a specified provision; revising the definition of the terms “milestone inspection” and “substantial structural deterioration”; authorizing local enforcement agencies to make certain determinations relating to milestone inspections after a building reaches a specified age; authorizing municipal governing bodies to adopt certain ordinances relating to association repairs; revising the types of policyholders not required to purchase flood insurance as a condition for maintaining certain policies issued by the Citizens Property Insurance Corporation; revising condominium association reserve account requirements, etc.	Filed; Referred to Regulated Industries; Rules, 02/10/23; On Committee Agenda-Regulated Industries for 2/21/23 at 1pm, 2/13/2023; On committee agenda-Regulated Industries for 2/21/23 at 1pm, 2/13/23; Amendment filed 2/20/13; Original reference(s) removed: Rules, Remaining references corrected to Fiscal Policy, Now in Fiscal Policy.	CS by Regulated Industries; YEAS 9 NAYS 0, 2/21/23.
HB 133	Fees in Lieu of Security Deposits	Mooney	Authorizes landlord to offer tenant option to pay fee in lieu of security deposit; requires landlord to provide notices to tenants; prohibits landlord from filing insurance claim within specified period of time; prohibits landlord from accepting certain payments; requires written agreement signed by landlord & tenant if tenant decides to pay fee in lieu of security deposit; specifies landlords have exclusive discretion whether to offer tenants option to pay fee in lieu of security deposit.	Filed 01/09/23; Referred to Civil Justice Subcommittee; Referred to Judiciary Committee; In Civil Justice Subcommittee, 01/17/23; added to Civil Justice Subcommittee agenda, 02/02/23; Favorable by Civil Justice Subcommittee, 02/09/23; Reported out of Civil Justice Subcommittee; In Judiciary Committee, 02/10/23.	Favorable by Civil Justice Subcommittee, 2/9/23.
SB 494	Fees in Lieu of Security Deposits	DiCeglie	Authorizing a landlord to offer a tenant the option to pay a fee in lieu of a security deposit; requiring the landlord to notify the tenant of certain unpaid fees and costs within a specified time after the conclusion of the tenancy; requiring a written agreement signed by the landlord, or the landlord's agent, and the tenant if the tenant decides to pay a fee in lieu of the security deposit; specifying that certain fees, insurance products, and surety bonds are not security deposits; prohibiting a landlord from approving or denying an application for occupancy based on a prospective tenant's choice to pay a fee in lieu of a security deposit, etc.	Filed 02/02/23; Referred to Judiciary; Community Affairs; Rules, 02/09/23.	
HB 843	Challenges to Development Orders	Cross	Requires prevailing party to show challenge to development order was frivolous before prevailing party is entitled to recover reasonable attorney fees & costs; provides intervenors are not entitled to recover reasonable attorney fees & costs.	Filed 02/15/23.	
SB 816	Challenges to Development Orders	Polsky	Requiring a prevailing party to show that the challenge to a development order was frivolous before the prevailing party is entitled to recover reasonable attorney fees and costs; prohibiting a prevailing party in a challenge to a comprehensive plan from an award of reasonable attorney fees and costs; providing that intervenors are not entitled to recover reasonable attorney fees and costs and may not recover certain attorney fees and costs, etc.	Filed 02/15/23; Referred to Community Affairs; Judiciary; Rules, 2/23/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 729	Local Officials' Employment Contracts	Holcomb	Provides employment contracts for county administrator & county attorney; chief executive officer of municipality & municipal attorney; and district school superintendent & attorney are not to be renewed, extended, or renegotiated during specified timeframe.	Filed 02/10/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee, Referred to State Affairs Committee, Now in Local Administration, Federal Affairs & Special Districts Subcommittee, 2/21/23.	
SB 696	Local Officials	Ingoglia	Providing that the employment contract for a county administrator is not to be renewed, extended, or renegotiated during a specified timeframe; providing that the employment contract for a county attorney is not to be renewed, extended, or renegotiated during a specified timeframe; providing that the employment contracts for a chief executive officer of a municipality and a municipal attorney are not to be renewed, extended, or renegotiated during a specified timeframe; providing that a district school superintendent's employment contract with the district school board is not to be renewed, extended, or renegotiated during a specified timeframe; providing that the employment contract of an attorney employed by a district school board is not to be renewed, extended, or renegotiated during a specified timeframe, etc.	Filed 02/10/23; Referred to Community Affairs; Governmental Oversight and Accountability; Rules, 2/23/23.	
HB 55	Trees and Other Vegetation within Rights-of-Way	Garcia	Authorizes DOT to suspend prohibition against removal or cutting of trees or other vegetation in response to state of emergency declared by Governor; requires DOT to adopt guidelines relating to removal or cutting of trees or other vegetation for purpose of clearing debris generated during declared state of emergency.	Filed 12/16/22; Referred to Transportation & Modals Subcommittee; Referred to Constitutional Rights, Rule of Law & Government Operations Subcommittee; Referred to Infrastructure Strategies Committee; In Transportation & Modals Subcommittee, 01/10/23.	
SB 108	Trees and Vegetation Within the Rights-of-Way of Certain Roads and Rail Corridors	Rodriguez	Providing that the prohibition against the removal, cutting, marring, defacing, or destruction of trees or other vegetation in certain rights-of-way does not apply if the Department of Transportation suspends such prohibition pursuant to a declared state of emergency; requiring the department to publish informational guidelines regarding the removal of debris from certain emergencies, etc.	Filed 12/27/22; Referred to Transportation; Community Affairs; Rules, 01/04/23; On Committee agenda-Transportation, 02/14/23; Pending reference review under Rule 4.7(2) - (Committee Substitute), 02/15/23; In Community Affairs, 02/16/23.	CS by Transportation; YEAS 9 NAYS 0, 02/14/23.
HB 169	Licensed Counseling for First Responders	Lopez	Requires employing agency of first responder to pay for certain licensed counseling for first responders; requires such counseling to be completed within specified timeframe; prohibits employing agency from requiring first responder to use leave for such counseling; authorizes first responder to select licensed mental health professional; prohibits payment by employing agency for such counseling from creating presumption of compensable occupational disease.	Filed 01/10/23; Referred to Constitutional Rights, Rule of Law & Government Operations Subcommittee; Referred to Appropriations Committee; Referred to State Affairs Committee; In Constitutional Rights, Rule of Law & Government Operations Subcommittee, 01/17/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 314	Licensed Counseling for First Responders	Rodriguez	Requiring an employing agency of a first responder to pay for certain licensed counseling for first responders; prohibiting the employing agency from requiring the first responder to use specified leave for such counseling under certain circumstances; authorizing a first responder to select a licensed mental health professional and providing requirements for the employing agency related thereto, etc.	Filed 01/20/23; Referred to Governmental Oversight and Accountability; Community Affairs; Fiscal Policy, 01/26/23; On Committee agenda-Governmental Oversight and Accountability, 02/21/23; All amendments filed by the Governmental Oversight and Accountability were deleted on 2/2/23; Pending reference review, 2/22/23; In Community Affairs, 2/23/23.	CS by Governmental Oversight and Accountability; YEAS 8 NAYS 0, 2/21/23.
HB 215	Possession or Use of a Firearm in a Sensitive Location	Rayner-Goolsby	Defines "sensitive location"; prohibits possession or use of firearm in sensitive location; provides exceptions.	Filed 01/17/23; Referred to Criminal Justice Subcommittee; Referred to Justice Appropriations Subcommittee; Referred to Judiciary Committee; In Criminal Justice Subcommittee, 01/25/23.	
SB 456	Possession or Use of a Firearm in a Sensitive Location	Berman	Prohibiting the possession or use of a firearm in a sensitive location; providing criminal penalties, etc.	Filed 01/31/23; Referred to Criminal Justice; Judiciary; Rules, 02/09/23.	
HB 525	Pub. Rec./Current and Former County and City Attorneys	Arrington	Provides exemption from public records requirements for personal identifying & location information of current & former county attorneys, assistant county attorneys, deputy county attorneys, city attorneys, assistant city attorneys, & deputy city attorneys & names & personal identifying & location information of spouses & children of such attorneys; provides for future legislative review & repeal; provides statement of public necessity.	Filed 01/25/23; Referred to Civil Justice Subcommittee; Referred to Ethics, Elections & Open Government Subcommittee; Referred to Judiciary Committee; In Civil Justice Subcommittee, 02/07/23.	
SB 216	Public Records/Current and Former County and City Attorneys	Burgess	Providing an exemption from public records requirements for the personal identifying and location information of current and former county attorneys, deputy county attorneys, assistant county attorneys, city attorneys, deputy city attorneys, and assistant city attorneys, and the names and personal identifying and location information of the spouses and children of such attorneys; providing applicability; providing for future legislative review and repeal; providing a statement of public necessity, etc.	Filed 01/17/23; Referred to Community Affairs; Governmental Oversight and Accountability; Rules, 01/26/23.	
HB 827	Wastewater Grants	Basabe & Lopez	Authorizes DEP to provide grants for certain projects to restore specified impaired water bodies & water segments.	Filed 02/14/23; Referred to Water Quality, Supply & Treatment Subcommittee, Referred to Agriculture & Natural Resources Appropriations Subcommittee, Referred to Infrastructure Strategies Committee, Now in Water Quality, Supply & Treatment Subcommittee, 2/21/23.	

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 458	Wastewater Grant Program	Rodriguez	Authorizing the Department of Environmental Protection to provide wastewater grant program grants to projects directed at or focused on a water body included on a specified list of impaired waters, etc.	Filed 01/31/23; Referred to Environment and Natural Resources; Appropriations Committee on Agriculture, Environment, and General Government; Fiscal Policy, 02/09/23; On Committee agenda-Environment and Natural Resources, 2/27/23.	
HB 535	Law Enforcement Officer Funeral Service Benefits	Botana	Authorizes certain number of hours of administrative leave be granted to certain members of law enforcement agency for specified purpose; authorizes head of law enforcement agency to deny such administrative leave; authorizes travel expenses to certain members of law enforcement agency for specified purpose; authorizes use of state motor vehicle to attend funeral of law enforcement officer killed in line of duty; increases amount of money to be paid toward funeral & burial expenses for certain officers killed in line of duty.	Filed 01/26/23; Referred to Constitutional Rights, Rule of Law & Government Operations Subcommittee; Referred to Appropriations Committee; Referred to State Affairs Committee; In Constitutional Rights, Rule of Law & Government Operations Subcommittee, 02/07/23; Added to Constitutional Rights, Rule of Law & Government Operations Subcommittee agenda, 02/16/23; Favorable with CS by Constitutional Rights, Rule of Law & Government Operations Subcommittee; Strike all amendment filed by Rep. Botana, 2/22/23; Reported out of Constitutional Rights, Rule of Law & Government Operations Subcommittee, 2/24/23; Laid on Table, 2/24/23.	
SB 364	Bereavement Benefits for Law Enforcement Officers	Avila	Citing this act as the "Respecting the Sacrifice of Law Enforcement Officers Act"; authorizing the head of a law enforcement agency to grant administrative leave to law enforcement officers under certain circumstances; authorizing the head of a law enforcement agency to designate specified travel as official state business; revising the sum paid on the behalf of specified law enforcement officers killed in the line of duty for funeral and burial expenses, etc.	Filed 01/24/23; Referred to Governmental Oversight and Accountability; Criminal Justice; Fiscal Policy, 02/09/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
HB 101	Homestead Exemption for First Responders	Woodson	Homestead Exemption for First Responders; Exempts from taxation homestead property of surviving spouse of first responder who dies in line of duty while employed by United States Government; expands definition of "first responder" to include certain federal law enforcement officers.	Filed 1/4/23; Referred to Ways & Means Committee, Referred to Local Administration, Federal Affairs & Special Districts Subcommittee, Referred to State Affairs Committee, Now in Ways & Means Committee, 1/10/23; Added to Ways & Means Committee agenda, 2/7/23; Favorable by Ways & Means Committee, Reported out of Ways & Means Committee, Now in Local Administration, Federal Affairs & Special Districts Subcommittee, 2/14/23.	Favorable by Ways & Means Committee, 2/14/23.
SB 184	Homestead Exemption for First Responders	Polsky	Exempting from ad valorem taxation the homestead property of the surviving spouse of a first responder who dies in the line of duty while employed by the United States Government; expanding the definition of "first responder" to include certain federal law enforcement officers; providing applicability, etc.	Filed 01/13/23; Referred to Community Affairs; Finance and Tax; Appropriations, 01/26/23.	
HB 951	Defamation	Andrade	Provides venue is proper in any county in state for certain defamation causes of action; provides plaintiffs are entitled to reasonable costs & attorney fees; provides person is not public figure for purposes of defamation claim if his or her fame or notoriety arises in specified manner; provides failure to take certain action is evidence of actual malice; revises parties to whom court shall award certain attorney fees & costs.	Filed 2/20/23; Withdrawn prior to introduction, 2/21/23.	
HB 991	Defamation, False Light, and Unauthorized Publication of Name or Likenesses	Andrade	Provides that journalist's privilege does not apply to defamation claims when defendant is professional journalist or media entity; revises provisions concerning venue for certain actions; provides for attorney fees & costs to prevailing plaintiffs in certain actions; specifies certain persons may not be considered public figures; provides certain allegations are defamatory per se; provides statutory damages to prevailing plaintiffs who are subject of such allegations; creates presumption that statement by anonymous source is presumptively false; provides public figure does not need to show actual malice to prevail in defamation action.	Filed 2/21/23; Referred to Civil Justice Subcommittee, referred to Judiciary committee, Now in civil justice subcommittee, 2/28/23.	
HB 269	Public Nuisances	Caruso; Lopez	Prohibits distribution of certain materials that lead to littering; prohibits stalking of certain individuals; prohibits willful & malicious defacement, injury, or damage to certain property; removes minimum damage requirement for violation; prohibits projection of certain images onto buildings or other property without permission; prohibits interference with certain assemblies; provides enhanced criminal penalties for persons who commit violations while evidencing religious or ethnic animus; requires certain violations be reported as hate crimes.	Filed 01/19/23; Referred to Criminal Justice Subcommittee; Referred to Justice Appropriations Subcommittee; Referred to Judiciary Committee; In Criminal Justice Subcommittee, 02/01/23.	

**CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION**

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 994	Public Nuisances	Calatayud	Prohibiting the distribution of certain materials which leads to littering; providing for reclassification of certain offenses; providing criminal penalties; prohibiting the stalking of certain individuals based on their wearing of certain garments; providing criminal penalties; prohibiting willful and malicious defacement of or injury or damage to certain religious property; requiring that certain violations be reported as hate crimes, etc.	Filed 02/21/23.	
HB 3	Government and Corporate Activism	Rommel	Revises provisions relating to deposits & investments of state money, retirement system & trust fund assets, & public funds; bonds; government contracts; financial institutions; consumer finance; money services businesses; & unfair & deceptive trade practices.	Filed 2/20/23; Referred to Commerce Committee, Referred to State Affairs Committee, Now in Commerce Committee, 2/28/23.	
HB 671	Residential Building Permits	Esposito	Removes provisions relating to acquiring building permits for certain residential dwellings; requires local jurisdiction to reduce permit fees; revises timeframes for approving or denying building permits; specifies when permit application is deemed complete & sufficient; requires opportunity for in-person or virtual meeting before second request for additional information may be made; reduces permit fees if certain timeframes are not met; specifies that permit requirements apply to single-family residential units & single-family residential dwellings; requires that local governments follow prescribed timeframes unless local ordinance is more stringent.	Filed 2/8/23; Referred to Regulatory Reform & Economic Development Subcommittee, Referred to State Administration & Technology Appropriations Subcommittee, Referred to Commerce Committee, Now in Regulatory Reform & Economic Development Subcommittee, 2/14/23.	
SB 682	Residential Building Permits	DiCeglie	Deleting provisions relating to issuing building permits for certain residential dwellings; revising the timeframes for approving or denying certain building permits; revising the actions a local government must take after receiving specified information; requiring local governments to offer certain applicants the opportunity to meet in person or electronically; reducing permit fees by a certain percentage if certain timeframes are not met, etc.	Filed 2/10/23; Referred to Community Affairs; Regulated Industries; Rules, 2/16/23.	
HB 765	Building Permit Applications to Local Governments	Roth	Requires local government to post & update information on its website; requires electronic submission of application; authorizes local government to provide notice of expiration within specified timeframe; prohibits local government from issuing permit unless specified information is included with permit & provided to applicant; revises application process; prohibits local government from requesting additional information from & imposing additional requirements on applicant other than those posted on its website; revises amount by which permit fee must be reduced in certain instances; provides limitation on specified fee.	Filed 2/13/23; Referred to Local Administration, Federal Affairs & Special Districts Subcommittee, Referred to Regulatory Reform & Economic Development Subcommittee, Referred to State Affairs Committee, in Local Administration, Federal Affairs & Special Districts Subcommittee, 2/21/23.	
SB 920	Local Floodplain Management	DiCeglie	Prohibiting local governments adopting technical amendments to the Florida Building Code to implement the National Flood Insurance Program or incentives from denying requests for specified variances or exceptions to certain local floodplain management requirements, etc.	Filed 2/17/23; Referred to Community Affairs; Environment and Natural Resources; Rules, 2/28/23.	

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
SB 842	Public Records/Reports of Municipal Code Violations	Harrell	Providing an exemption from public records requirements for personal identifying and location information of persons reporting a potential violation of a county or municipal code or ordinance; providing for retroactive application; providing for future legislative review and repeal of the exemption, etc.	Filed 02/16/23; Referred to Community Affairs; Governmental Oversight and Accountability; Rules, 02/23/23.	
HB 1197	Land and Water Management	Maggard	Prohibits counties & municipalities from adopting laws, regulations, rules, or policies relating to water quality or quantity, pollution control, discharge prevention or removal, or wetlands & preempts such regulation to the state; requires DEP to notify CFO of certain violations; requires CFO to withhold certain funds; repeals provisions relating to land management review teams.	Filed 02/27/23.	
HB 425	Transportation	Esposito; Andrade	Revises & provides requirements relating to autonomous vehicle grading standards for certain roads, Implementing Solutions from Transportation Research & Evaluating Emerging Technologies Living Lab, certification of aggregate shipments, acceptance of electronic proof of delivery, liability insurance, cost reduction, sharing of cost savings, settlements requiring payment of certain amounts, contractor's certificate of qualification to bid, exemption from public records requirements for identities of potential transportation project bidders, & request for legislative approval of proposed turnpike projects.	Filed 01/24/23; Referred to Transportation & Modals Subcommittee; Referred to Infrastructure & Tourism Appropriations Subcommittee; Referred to Infrastructure Strategies Committee; In Transportation & Modals Subcommittee, 02/01/23; PCS added to Transportation & Modals Subcommittee agenda, 02/15/23; Favorable with CS by Transportation & Modals Subcommittee; Reported out of Transportation & Modals Subcommittee, 02/22/23; Laid on Table under Rule 7.18(a); CS Filed, 02/23/23; Referred to Infrastructure & Tourism Appropriations Subcommittee; Referred to Infrastructure Strategies Committee; In Infrastructure & Tourism Appropriations Subcommittee, 02/28/23.	Favorable with CS by Transportation & Modals Subcommittee, 02/22/23.
SB 64	Department of Transportation	Hooper	Revising the definition of the term "certified for use" in regard to permissible use of aggregates; requiring that contracts let by the department for performance of bridge construction or maintenance over navigable waters contain certain insurance requirements; revising the calculation of a certain settlement paid to a nonselected responsive bidder which requires the department to maintain certain records and provide certain notices to the Legislature and the Attorney General; increasing the proposed budget estimates of construction contracts for which an applying contractor may submit certain financial statements, etc.	Filed 12/12/22; Referred to Transportation; Appropriations Committee on Transportation, Tourism, and Economic Development; Fiscal Policy, 01/04/23; On Committee agenda - Transportation, 02/21/23; Pending reference review under Rule 4.7(2) - (Committee Substitute), 02/22/23; In Appropriations Committee on Transportation, Tourism, and Economic Development, 02/23/23.	CS by Transportation; YEAS 9 NAYS 0, 02/21/23;

CS = Committee Substitute filed.

CITY ATTORNEY LEGISLATIVE BILL TRACKING
2023 REGULAR SESSION

BILL NUMBER	TITLE	SPONSOR	SUBJECT	STATUS UPDATES	VOTE HISTORY
* Bills with no counterpart in Senate or House have minimal chance of passage.					

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: March 2, 2023

RE: Request for Two (2) appointments for the Corridor Review Committee (CRC)

Notification was previously given regarding the term expiration of two (2) positions on the CRC which will expire March 28, 2023.

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

- Michael A. Dixon (Current CRC Member)
- Vauhn Cochran (Current CRC Member)

Based on the application provided, the following applicant does not appear to be qualified:

- Carl Patrick Gill

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

Sincerely,



City Clerk

Attachments: Applications

xc: CRC Clerk's File

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 MICHAEL A. DIXON, FAIA
2. BOARD/COMMITTEE DESIRED CORRIDOR REVIEW COMMITTEE
3. RESIDENCE (Address) 32 GRANT STREET, ST. AUGUSTINE, FL 32084
4. PHONE (847) 502-3136 E-MAIL madixon1166@gmail.com
5. BUSINESS OWNED (Address) NONE (RETIRED)
6. BUSINESS PHONE — E-MAIL —
7. PROPERTY OWNED (Address) NONE
8. PREFERRED MAILING ADDRESS 32 GRANT ST., ST. AUGUSTINE, FL 32084
9. OCCUPATION (include resume if available) ARCHITECT (RETIRED)
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) LICENSED ARCHITECT (FLORIDA REGISTRATION #AR100435)
11. OTHER COMMENTS OR INFORMATION HISTORIC PRESERVATION ARCHITECT
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.

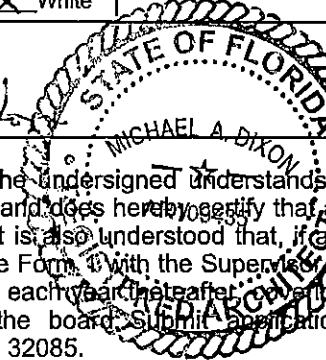
Question 1. Are You Hispanic or Latino? (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.) Yes | X No

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

Michael A. Dixon  DATE 1/24/2023

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.

MD
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 |

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. All applications must include a cover letter and resume.

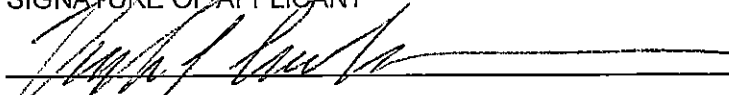
1. APPLICANT NAME VAUGHN COCHRAN
2. BOARD/COMMITTEE DESIRED CORRIDOR REVIEW COMMITTEE
3. RESIDENCE (Address) 6310 SOLANO CREEK RD
4. PHONE 904-540-3183 E-MAIL BLACKFLY.VAUGHN@GMAIL.COM
5. BUSINESS OWNED (Address) 1056 ANASTASIA BLVD./BLACKFLY THE RESTAURANT
6. BUSINESS PHONE 904 201 6300 E-MAIL _____
7. PROPERTY OWNED (Address) RESIDENCE, BLACKFLY LOUNGE (PARTNER)
8. PREFERRED MAILING ADDRESS RESIDENCE
9. OCCUPATION (include resume) ARTIST, RESTAURANTEUR
10. PROFESSIONAL QUALIFICATIONS (submit a cover letter) _____

11. OTHER COMMENTS OR INFORMATION ALREADY SERVED ONE TERM

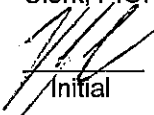
12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has 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 2/17/23

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 | ☐ 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 |

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. All applications must include a cover letter and resume.

1. APPLICANT NAME CARL PATRICK GILL
2. BOARD/COMMITTEE DESIRED CORRIDOR REVIEW COMMITTEE (CRC)
3. RESIDENCE (Address) 58 VILLAGE DEL LAGO CIRCLE, 4600 ASA SOUTH
4. PHONE 407 814 3785 E-MAIL CGILL@FLAGLER.EDU
5. BUSINESS OWNED (Address) _____
6. BUSINESS PHONE _____ E-MAIL _____
7. PROPERTY OWNED (Address) See Residence Address
8. PREFERRED MAILING ADDRESS _____
9. OCCUPATION (include resume) PROFESSOR - CONSULTANT
10. PROFESSIONAL QUALIFICATIONS (submit a cover letter) Former Town Planner AND
CURRENT PROJECT MANAGER
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.) <u>Yes</u> ☒ 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

Carl Gill

DATE 2/1/2023

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.

CPG

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

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners

DATE: March 2, 2023

RE: Request for One (1) appointment for the Historic Architectural Review Board (HARB)

Notification was previously given regarding the term expiration of one position on the HARB which will expire March 28, 2023.

Advertising requesting applications was placed in the St. Augustine Record and posted on the City's website.

Attached is an application received from Paul L. Weaver, III, who is a current member and eligible for re-appointment, in addition to the current HARB roster, Board profile and responsibilities.

I respectfully request that consideration be given to this applicant.

Sincerely,



City Clerk

Attachments: Application

xc: HARB Clerk's File

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 Paul L. Weaver, III
2. BOARD/COMMITTEE DESIRED HARB
3. RESIDENCE (Address) 5 Milton Street
4. PHONE 904 347-6090 E-MAIL hpa007@aol.com
5. BUSINESS OWNED (Address) Historic Property Associates, Inc., 5 MILTON ST, ST.AUGUSTINE
6. BUSINESS PHONE 904 824-5178 E-MAIL hpa007@aol.com
7. PROPERTY OWNED (Address) 3-5 Milton Street
8. PREFERRED MAILING ADDRESS PO Box 1002 St. Augustine, FL
9. OCCUPATION (include resume if available) Historian
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) see attached resume
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 | X **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)

<u> </u> American Indian or Alaska Native	<u> </u> Asian	<u> </u> Native Hawaiian or Other Pacific Islander
<u> </u> Black or African American	<u>X</u> <u> </u> White	

13. SIGNATURE OF APPLICANT

Paul L. Weaver, III

DATE 01/24/2023

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.

PLW/III

Initial

PZB/HARB/CRC Application 2020
Updated 12/04/2019

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 |

Paul L. Weaver, III
Historic Property Associates, Inc.
P.O. Box 1002
St. Augustine, Florida 32085-1002
(904) 824-5178 (office)
(904) 347-6090 (cell)
E-mail: HPA007@aol.com

Education:

M.A. (1986) University of Florida/Latin American History/Historic Preservation, Magna Cum Laude

B.A. (1976) University of Florida in American History, High Honors

Experience:

Member, Vice-Chair and Chair, Historic Architectural Review Board, City of St. Augustine, Florida (2003-2016, 2018-2022): Responsible for review of development projects in the City of St. Augustine's Historic Preservation Zoning Districts. Board responsibilities further include review of demolitions, ad valorem exemption applications, preservation planning documents, and National Register nominations under the National Park Service's Certified Locally Ordained Government (CLG) Program. Measures undertaken during tenure include revised demolition ordinance for historic buildings and procedures for dealing with condemned/abandoned buildings in the Lincolnville Historic District.

Consultant & President, Historic Property Associates (1980-2022): Professional preservation consultant responsible for documenting, describing, evaluating, and interpreting historic properties throughout the Southeast. Conducted site specific research and prepared reports for a wide range of historic properties; National Register of Historic Places nominations; preservation planning documents, including state model guidelines; federal and state compliance review reports; and grant applications; continuing education instructor for architects, planners, and interior designers; tax certification applications, preservation

Paul L. Weaver
page 2

planning documents, and state and federal grant applications for community education, survey and planning, and acquisition and development projects.

President, Board Member, St. Augustine Historical Society(2017-2022): Member and President of city's most important non-profit historical association.

Historian, Historic St. Augustine Preservation Board (1986-1987): Conducted research and prepared historical manuscripts and publications for preservation program focusing on St. Augustine's Hispanic past. Research on major Spanish documentary collections at the University of Florida, Gainesville, and at St. Augustine.

Consultant, Historic St. Augustine Preservation Board (1984-1986): Directed the definitive survey of St. Johns County, Florida, including all historical research, photography, architectural description, and preparation of all phases of the final report.

Historic Site Specialist, Florida Department of State (1982-1984): Administered National Register program, processed nominations, evaluated survey grant applications, reviewed tax credit applications and determinations of eligibility, supervised state funded surveys, reviewed development projects for compliance with state and federal preservation law.

University of Florida, P.K. Yonge Library of Florida History, Archivist, Spanish Calendar Project (1980-1982): Trained Paleographer and Translator, Prepared Finding Aids for Major Spanish Florida Document Collections, professional activities included two trips to the Archive of the Indies, Seville, Spain to microfilm Spanish Florida document collections.

Historic Site Specialist, Historic St. Augustine Preservation Board (1978-1980): Participated in the definitive survey of St. Augustine, Florida, including historical research and preparation of the final report.

Oldest City: St. Augustine, Saga of Survival, Second Edition, 2017: Wrote Chapter on Post World War, II St. Augustine entitled: "St. Augustine after World War II, From Winter Newport to Spanish Williamsburg."

BACKGROUND OF HISTORIC PROPERTY ASSOCIATES

Corporate Summary

Historic Property Associates, Inc. (HPA), a cultural resource management firm, has been engaged in historic preservation studies since 1979 and was incorporated in Florida in 1984. The firm has conducted architectural survey of more than one-hundred twenty cities, towns and counties and it has created over seventy historic districts that are listed in the National Register of Historic Places. HPA offers a full menu of historic preservation services to municipal and county governments, agencies of local, state, and federal government, private developers, and individual property owners. The principals and consultants associated with the firm are academically trained and professionally experienced in architectural survey, planning, recordation techniques, and preservation methods and practices. Their experience includes service in the agencies of state and federal government that direct cultural resource studies and management. They are particularly familiar with the procedures of regulatory law and practice governing historic preservation issues.

HPA maintains offices at 5 Milton Street in Historic St. Augustine. The firm is fully computerized, including word processing, data base management systems, and computer aided design (CAD). Those systems permit the firm to create the cartographic and graphic instruments required in many phases of preservation work, including creation of historic districts, preparation of design guidelines, and field survey.

Name of Business:	Historic Property Associates, Inc. Employer I.D. 59-2475398 Organized in 1979; incorporated in 1984 Licensed in St. Augustine ID#4994 Licensed in St. Johns County#3549
Mailing Address:	P.O. Box 1002 St. Augustine, Florida 32085-1002
Phone Number:	(904) 824-5178
Contact:	Paul L. Weaver, President

Background and Qualifications

Paul L. Weaver, III

Summary of Qualifications

Local experience/Survey and Registration

Paul Weaver: MA Latin American History/Historic Preservation, 1986; Historic Sites Specialist, Bureau of Historic Preservation, 1982-84; Historian St. Augustine Preservation Board, 1984-87; President, Historic Property Associates, 1987-2019; nearly 40 years of experience in historic preservation; numerous National Register nominations, including St. Augustine Town Plan District, Lincolnville, North City, Fullerwood, and Nelmar Terrace districts, St. Augustine Alligator Farm, St. Johns County Jail, and Constitution Obelisk, St. Augustine City Waterworks and St. Augustine Miniature Golf Course prepared for the COSA. From 1978 to 1980 participated in the definitive survey of St. Augustine, Florida, including historical research and preparation of the final report. The survey included the West Augustine portion of the city. In 2006 prepared historic property survey of the North City area of St. Augustine, including preparation of forms and survey report. In 2016 prepared the report for the survey update of the colonial city of St. Augustine.

Grant Administration

Mr. Weaver has reviewed, prepared and administered grants for the Florida Department of States since 1984. He was a grant reviewer for the Bureau of Historic Preservation in 1984, the first year of the state grant program. Since moving to St. Augustine in 1984 he has prepared grant applications for the O'Reilly House, Flagler Memorial Presbyterian Church, Villa Flora, and the Llambias House National Historic Landmark. He has administered grants including the City of Wauchula historic building survey which was one of the similar project used as a reference for this project.

Past Performance

Historic Property Associates, Inc.(HPA) is Florida's oldest cultural resource management firm. and Paul L. Weaver have a track record of approximately forty years. The company has consistently successfully completed its projects on time and on budget. The company has never defaulted on a contract or declared bankruptcy. The company has successfully completed numerous projects in St. Augustine including many projects for the City of St. Augustine.

Ability to meet needs and perform work

Historic Property Associates, Inc.(HPA) is located at 5 Milton Street in the city of St. Augustine, literally within walking distance of much of the survey area. Travel time and distance is a non-factor in our ability to perform the services. While HPA has a steady work load, the personnel is excited about the opportunity to complete this important project. The principal is committed to a minimum of 800 hours during the contract period in order to complete project.

Equipment and availability

The firm is fully computerized, including word processing, data base management systems, and computer aided design (CAD). Those systems permit the firm to create the cartographic and graphic instruments required in many phases of preservation work, including creation of historic districts, preparation of design guidelines, and field survey. The firm is available to commence work upon execution of the contract with the City of St. Augustine.

References

RFP# PB2019-03

QUALIFICATIONS – SIMILAR PROJECTS

(This form must be completed and included in bid submittal or the Bid will be determined to be Non-Responsive)

Respondent must have completed at least two (2) similar projects for a government agency, as described at Item 8a of the Instructions to Respondents, in the past three (3) years by the individual, firm, or project manager assigned to the project. (Add additional sheet for optional additional completed projects.)

Completed Project #1:

Agency/company: Clay County Port, Inc. for Division of Historical Resources
Current contact person at agency/company: Ted McGowan
Telephone: 904 284-3676 Fax: n/a E-mail: ted@reynoldspark.com
Address of agency/company: 1065 Bulkhead Road
Name of project: Cultural Resource Assessment of Reynolds Industrial Park
Description: Historic property survey of Lee Field/Naval Station Green Cove Springs, included recording new and previously recorded properties, National Register assessment and determination of eligibility, mitigation of threatened properties, preparation of MOA, HABS documentation
Project value: \$41000 Start date: 01/18 Completion date: 03/19 (survey portion)
(month/year) (month/year)
Name(s) of assigned personnel:
Project manager: Paul Weaver
Others: n/a

Completed Project #2:

Agency/company: City of Wauchula, Main Street grant for Division of Historical Resources
Current contact person at agency/company: Jessica Newman
Telephone: (863) 767-0330 Fax: n/a E-mail: jnewman@cityofwauchula.com
Address of agency/company: P.O. Box 1162, Wauchula, FL
Name of project: Historic Building Survey Update for the City of Wauchula, Main ST
Description: Historic Property Survey of Wauchula Florida Main Street area included recording new and previously recorded properties, preparation of survey report, National Register assessment, preparation of historic district which has been listed in the National Register of Historic Places
Project value: \$25000 Start date: 01/17 Completion date: 06/18
(month/year) (month/year)
Name(s) of assigned personnel:
Project manager: Paul Weaver
Others: n/a

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commission

DATE: March 6, 2023

RE: Items by City Manager: Request for Exception to Resolution 2018-13 Regarding Special Events

The City's Terms of Use of Public Property was amended on April 9, 2018 with Resolution 2018-13. This resolution established limits on the number of special events held during certain times and established fees for the use of public property for events. Section 1 of the resolution states that "Upon effective date of this resolution no multi-day event will be permitted on Francis Field, except those which were held between October 1, 2016 and September 30, 2017."

I am requesting an exception to Resolution 2018-13 that would allow the St. Augustine Amphitheater's Sing Out Loud Festival to host a two-day event on Francis Field the weekend of September 22-23, 2023. If this request is approved, the festival organizers would still be required to apply for use of Francis Field and go through all required steps with the City's Event Review Committee.

Please place this request on the March 13, 2023 agenda under Items by City Manager.

Feel free to contact me with any questions.

Sincerely,



John P. Regan, P.E.
City Manager

Cc: Isabelle Lopez, City Attorney,
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Cori Niles, Events and Venue Coordinator

Attachment

RESOLUTION NO. 2018-13

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING
LIMITS ON THE NUMBER OF SPECIAL EVENTS HELD
DURING CERTAIN TIMES AND ESTABLISHING FEES
FOR THE USE OF PUBLIC PROPERTY FOR EVENTS.**

WHEREAS, special events have long been a part of the cultural environment of the City of St. Augustine, which includes annual parades, festivals, art shows and musical performances; and

WHEREAS, the City supports a wide variety of special events by making venues available that include Francis Field, the Gazebo in the Plaza de la Constitución, the Municipal Marina, Lightner Courtyard and rights-of-way throughout the City; and

WHEREAS, residents and businesses in the City have consistently identified quality of life as a core value and identified mobility issues as being a primary challenge to that core value; and

WHEREAS, the City Commission continues its commitment to support solutions to mobility issues through budgetary and staff support; and

WHEREAS, St Augustine's ever-increasing popularity as a year-round visitor destination contributes to the city's mobility issues, especially during identifiable peak periods of increased visitation and related traffic; and

WHEREAS, major events on Francis Field which are scheduled during times of peak visitation exacerbate mobility challenges by drawing additional traffic to the city's downtown; and

WHEREAS, street closures and the elimination of parking required to support events in the rights-of-way have an adverse impact on commerce by reducing the availability of parking because businesses in the historic core are not required by code to provide parking for clients, customers or employees; and

WHEREAS, traffic congestion caused by special events with a large number of attendees held during times of peak visitation and street closures implemented in support of events in the rights-of-way are known to diminish the response time of emergency response vehicles thus posing a threat to maintaining public safety; and

WHEREAS, multiple events held in the same area in a short period of time that draw large numbers of attendees have an adverse impact on City's landscaped infrastructure especially during growing seasons; and

WHEREAS, multiple events held in a short period of time which often includes Sundays and holidays increase the strain on City support services, including staffing by Public Works, General Services, and Police Departments; and

WHEREAS, the Historic Downtown Parking Facility, the City's only large-scale

parking facility, reaches capacity multiple times on consecutive days when large events are held during periods of peak visitation which contributes to the congestion of traffic on City streets; and

WHEREAS, the Historic Downtown Parking Facility serves the City's franchised tour vehicles as a pick-up and drop-off location and increased congestion at peak times disrupts the schedules of these operators who have leased space from the City; and

WHEREAS, the City Commission has expressed a desire to initiate mitigation of some of these issues by restricting the time, place and manner of special events.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, THAT

Section 1. Upon the effective date of this resolution no multi-day event will be permitted on Francis Field, except those which were held between October 1, 2016 and September 30, 2017.

Section 2. Upon the effective date of this resolution no event will be scheduled on Francis Field during designated block-out periods except those events which were held between October 1, 2016, and September 30, 2017.

Section 3. Block out periods shall be defined as:

- The months of March and April;

- The Saturday before Thanksgiving through January 31 of the following year;
- Friday, Saturday, Sunday and Monday of weekends with a federal Monday holiday, including Martin Luther King Jr. Day, Presidents Day, Memorial Day, Labor Day, and Columbus Day;
- Independence Day and the day before and after being July 3, 4 and 5;
- The day of and two days prior to the Daytona 500.

Section 4. Upon the effective date of this resolution no event will be permitted in the Gazebo in the Plaza de la Constitución which lasts longer than two hours except those which were held between October 1, 2016, and September 30, 2017.

Section 5. Upon the effective date of this resolution no event will be permitted that requires the closing of a street and/or interruption of traffic for more than two hours except those which were held between October 1, 2016, and September 30, 2017.

Section 6. For events using the City's streets, excluding events using only sidewalks, in the area bounded by Matanzas Bay, Bridge Street, Ponce de Leon Boulevard, and Grove Avenue and events affecting Florida Department of Transportation-maintained roads for more than 15 minutes except those which were held between October 1, 2016, and September 30, 2017:

- Athletic events must be on a Saturday or Sunday and may start as early as 6:00 am and must conclude by 10:00 am if on a Saturday and 12:00 pm if on a Sunday;
- Athletic events held on Sunday are limited to two Sundays per year total whether or not the two events are organized by one or more organizations; and
- Parades events may start as early as 9:00 am and must conclude by 12:00 pm on weekdays and Saturdays.

Section 7. Events on Francis Field or in the right-of-way, excluding events using only sidewalks, which draw more than 1,000 people at any one time after 10:00 am are responsible for mitigation of traffic congestion caused by the event and will:

- Provide satellite parking for event volunteers and vendors;
- Provide funding support for a City-operated parking and transit plan that may include operation of a park-and-ride shuttle system; and
- Fund all traffic management costs associated with the event.

Section 8. Upon the effective date of this resolution the following fees are established. These fees do not preclude payment for City provided support services or the standard permit fees of \$25 or the \$50 for parades and processions on St. George Street between Orange Street and Cathedral Place. All events on Francis Field receive two complimentary days, one prior to the event for move-in and one following the event for move-out, but are charged for days beyond those two complimentary days.

- Multi-day or single day events on Francis Field will pay a use fee of \$1,000 per day for days of the event and \$500 per move-in and move-out day in excess of the two complimentary days;
- Events on Francis Field wholly contained in one day with attendance of less than 2,500 people will pay a use fee of \$500 for the day of the event and \$250 per move-in and move-out day in excess of the two complimentary days; and
- Events using the City rights-of-way, excluding events using only sidewalks, for more than one hour will pay a use fee of \$100 for the first hour and \$100 for each successive hour.

Section 9. Upon the effective date of this resolution, Francis Field may not be used for events on consecutive weekends, and no road closures requiring an FDOT permit will be allowed on consecutive days except for November 11 and 12, 2018.

Section 10. The City Fire Marshal will determine the maximum occupancy for events on Francis Field by calculating the open space of the site, excluding all permanent or temporary infrastructures (i.e. stage, exhibits, dumpsters, portable restrooms, etc.) allowing a minimum of seven (7) square feet per person. The maximum occupancy will include all persons (i.e. event attendees, event support personnel, vendors, etc.). The event organizer will be responsible for ensuring that the maximum occupancy is not exceeded at any time during the event.

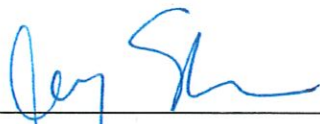
Section 11. Nothing in this resolution is intended to restrict the First Amendment right of freedom of expression nor to place an undue burden on activities organized by or participated in by indigents. The City shall provide a process and forms for use of rights-of-way for First Amendment activities including indigency protections.

Section 12. All decisions regarding the approval or denial of any permit pursuant to this resolution shall be conveyed in writing to the applicant within 30 days from submittal of a completed application. An appeal to the decision of event planning staff may be appealed within fifteen (15) days of the decision to the City Manager or his or her designee. A decision on the appeal will be rendered within five (5) days from receipt of a completed appeal request. This appeal to the City Manager shall act as the final administrative appeal.

Section 13. This resolution will take affect on May 15, 2018.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida this 9th day of April, 2018.

CITY OF ST. AUGUSTINE, FLORIDA



Nancy Shaver, Mayor-Commissioner

ATTEST:



Darlene Galambos, City Clerk
(Corporate Seal)

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, February 13, 2023

The City Commission met in formal session Monday, February 13, 2023, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Reuben Franklin, Director, Public Works
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Greg Johnson, Deputy Director of Financial Services
Jim Piggott, Director of General Services
Jennifer Michaux, Police Chief
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Britton of New Mt. Moriah Christian Ministry delivered the invocation, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

Mayor Sikes-Kline asked for a moment of silence in recognition of the passing of former Mayor Greg Baker.

Mayor Sikes-Kline requested that the Certificate of Recognition 2023-02CR - 125th Anniversary of the Maria Jefferson Chapter of the National Society of the Daughters of the American Revolution be moved from the Consent Agenda to the Regular Agenda as Item 3.B.

2.A. Modification and Approval of Regular Agenda MOTION

Commissioner Horvath **MOVED** to approve the Regular Agenda as amended. The motion was **SECONDED** by Commissioner Blonder and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. Special Presentations, Recognitions and Proclamations

3.A. Proclamation 2023-07: Declaring February 2023 to be designated as Black History Month. (C. Garris, Commissioner)

Commissioner Garris presented Arnette Chase and his family with Proclamation 2023-07 in recognition of Black History Month.

13.B Certificate of Recognition 2023-02CR - 125th Anniversary of the Maria Jefferson Chapter of the National Society of the Daughters of the American Revolution. (N. Sikes-Kline, Mayor)

Mayor Sikes-Kline presented a Certificate of Recognition to the Maria Jefferson Chapter of the Daughters of the American Revolution.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Vicki Pepper
- Lauren Giber
- Pastor Delphine Sands
- Pastor Anthony Britton
- B.J. Kalaidi

Public comment was closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON FEBRUARY 27, 2023:

- Ordinance 2023-08

CA.3. Reminder of Upcoming Meetings:

- February 27, 2023, 4:30pm, Presentation of the deAviles Award

- February 27, 2023, 5:00pm, Regular City Commission Meeting
- March 13, 2023, 5:00pm, Regular City Commission Meeting
- March 20, 2023, 1:00pm, Special City Commission Meeting
- March 27, 2023, 5:00pm, Regular City Commission Meeting

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

None.

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

None.

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

- Certificate of Recognition to St. Johns Housing Partnership recognizing their 25th year of service. (R. Horvath, Commissioner)
- Certificate of Recognition 2023-02CR - 125th Anniversary of the Maria Jefferson Chapter of the National Society of the Daughters of the American Revolution. (N. Sikes-Kline, Mayor)

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

- Proclamation 2023-04-Irish American Heritage Month (N. Sikes-Kline, Mayor)
- Certificate of Recognition 2023-01CR - 110th Anniversary of the founding of Delta Sigma Theta Sorority (N. Sikes-Kline, Mayor)

CA.8. Notification of presentation of the deAviles Award. (M. Wissel, Director Communications)

¹ Moved from Consent Agenda to Regular Agenda

CA.9. Nomination of Leslee Keys for the Adelaide Sanchez award. (*B. Blonder, Commissioner*)

CA.10. Approval of the design of the entry sign on Anastasia Island. (*J. Piggott, Director General Services*)

CA.11. Approval of Title VI document for the City's STAR circulator. (*R. Franklin, Director Public Works*)

CA.12. Invoice in the Baker Hostetler Ponce Associates/Maderia Subdivision matter of \$1,765.50 (*R. Franklin, Director Public Works*)

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

None.

5.B. Approval of Consent Agenda

The Consent Agenda was approved by Unanimous Voice Vote.

The Commission inquired about the nominating process for awards.

Melissa Wissel, Communications Director explained that a letter requesting a nomination was typically submitted by a Commissioner. She said that she could provide accompanying documentation if the Commission desired it.

The Commission requested that the procedure be modified going forward.

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 2023-06: Amends the Future Land Use Designation of a portion of 865 Fish Island Road south of State Road 312 from Public to Commercial Medium Intensity. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director presented Ordinances 2023-06 and 2023-07.

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

- B.J. Kalaidi

Public hearing was closed.

Ms. Skinner reviewed maps of the area and expectations for the property if the Ordinances were adopted.

Commissioner Horvath asked who owned the property and how it could be accessed.

Mr. Regan noted the property in question was owned by the City and included a Lift Station that served a development on Plantation Island Drive South.

David Birchim, Assistant City Manager said no easements would be needed.

MOTION

Commissioner Horvath **MOVED** to pass Ordinance 2023-06 on second reading and read by title only. The motion was **SECONDED** by Commissioner Blonder.

Isabelle Lopez, City Attorney read the title as follows:

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 2.32 ACRES OF PROPERTY LOCATED SOUTH OF STATE ROAD 312 BEING A PORTION OF 865 FISH ISLAND ROAD BETWEEN 700 PLANTATION ISLAND DRIVE SOUTH AND 950 PLANTATION ISLAND DRIVE SOUTH IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF PUBLIC TO A DESIGNATION OF COMMERCIAL MEDIUM INTENSITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Blonder, Garris, Springfield, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2023-07: Amends the zoning of a portion of 865 Fish Island Road south of State Road 312 from Government Use District (GU) to Commercial Medium-Two (CM-2). (A. Skinner, Director Planning and Building)

Commissioners disclosed ex parte.

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

- B.J. Kalaidi

Public hearing was closed.

Mr. Birchim indicated that the Commission had considered the property for the purpose of affordable housing in January 2022; however, decided that the Holmes Boulevard Property would be best suited.

MOTION

Commissioner Horvath **MOVED** to pass Ordinance 2023-07 on second reading and read by title only. The motion was **SECONDED** by Commissioner Springfield.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 2.32 ACRES OF PROPERTY LOCATED SOUTH OF STATE ROAD 312 BEING A PORTION OF 865 FISH ISLAND ROAD BETWEEN 700 PLANTATION ISLAND DRIVE SOUTH AND 950 PLANTATION ISLAND DRIVE SOUTH IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF GOVERNMENT USE DISTRICT (GU) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF COMMERCIAL MEDIUM-TWO (CM-2); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Springfield, Garris, Blonder, Sikes-Kline

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

9.A.1. Ordinance 2023-08: Amendment to regulation and posting of idle speed no-wake zones. (I. Lopez, City Attorney)

Ms. Lopez presented Ordinance 2023-08. She noted that the Fish and Wildlife Commission supported portion of the Ordinance which addressed the sharp curves on Hospital Creek; however, they did not support the regulations related to Bird Island. She noted that they recommended a Vessel Traffic Study.

Commissioner Springfield suggested that the City look at the comparison between commercial sites and non-designated areas.

MOTION

Commissioner Blonder **MOVED** to pass Ordinance 2023-08 on first reading and moved to second reading. The motion was **SECONDED** by Commissioner Springfield.

Ms. Lopez read the Ordinance:

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 7-4 OF THE CODE OF THE CITY OF ST. AUGUSTINE REGULATING AND POSTING IDLE SPEED-NO WAKE ZONES; PROVIDING FOR INCLUSION IN THE CODE 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: Blonder, Springfield, Garris, Horvath, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2023-03: Amends the convenience fee surcharge for electronic and credit card payments. (G. Johnson, Deputy Director Financial Services)

Greg Johnson, Deputy Director of Financial Services, reviewed Resolution 2023-03 which amends Resolution 2021-38.

MOTION

Commissioner Blonder **MOVED** to pass Resolution 2023-03. The motion was **SECONDED** by Commissioner Horvath and **APPROVED BY UNANIMOUS CONSENT**.

10. Staff Reports and Presentations

10.A. 450 North Holmes Boulevard affordable housing project update and discussion. (D. Birchim, Assistant City Manager)

Mr. Birchim presented information on the North Holmes Boulevard Affordable Housing Project. He noted the following site details and considerations:

- 82.5 acres and located in St. Johns County
- Utilities Department was currently using as storage
- Federally designated Opportunity Zone
- Water service was available
- Sewer service would need to be added
- Site was identified by the Commission as their preferred option
- 400 affordable rental housing units being proposed

- o Amenities need to be identified
- o no expiration date on affordable housing
- o rentals, owner occupied, or a mix,
- o range of income levels

Mr. Birchim shared that consultants had been retained to assist with the project and activities would include:

- The site being open to the public on Saturday, March 18th from 9 a.m. to 12:00 p.m.
- A Charrette, Interactive Design Process, scheduled for March 20th from 1:00 p.m. – 5:00 p.m.
- A final report to the Commission with conceptual site plans for approval
- A Request for Proposal

Commissioner Springfield asked if any of the units could be designated for seniors only.

Ms. Lopez explained there could be deed restrictions for people aged 55 and over.

Mr. Birchim confirmed a percentage of units would be accessible under the Americans with Disabilities Act (ADA). He indicated that a survey of the property had been completed, and an Environmental Engineer would investigate the classification of the wetlands. He said coquina had been mined at the site in the past, and may continue in the future.

Ms. Lopez explained that the Charrette would not be a Noticed Commission meeting, Commissioners would not be attending in their elected capacity, and that Commission participation would be limited.

10.B. Communications department presentation. (M. Wissel, Director Communications)

Melissa Wissel, Communications Director presented information on activities of the Communications Department to include:

- Providing reliable and relevant information regarding the City
- Emergency/Crisis Communications
- Citizen Awards
- Events/Programs
- Campaigns
- Graphic design
- Content Quality Control
- Website Management
- Citizen Survey beginning in March 2023
- Neighborhood grants
- Sister Cities
- Government engagement

Commissioner Springfield asked about the Department's approach to ADA compliance.

Ms. Wissel shared that about a third of Cindy Walker's time was spent on ADA compliance. She said they train City staff on ADA compliance processes.

Ms. Lopez said that the City was proactive in complying with the ADA across all departments.

Mayor Sikes-Kline expressed her interest in adding staff to the Communications Department in the upcoming budget cycle.

11. ITEMS BY CITY ATTORNEY

None.

12. ITEMS BY CITY CLERK

12.A. Notification of two term expirations on the Lincolnville Community Redevelopment Area Steering Committee. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk, reviewed term expirations for the Lincolnville Community Redevelopment Agency (LCRA) Steering Committee.

12.B. Request for appointments to the St. Augustine Audit Review Committee. (D. Galambos, City Clerk)

Ms. Galambos requested approval for two Audit Review Committee appointments. She noted both applicants were well qualified and would serve with the Mayor on the Committee.

MOTION

Commissioner Horvath **MOVED** to approve the Audit Review Committee appointments. The motion was **SECONDED** by Commissioner Blonder and **APPROVED BY UNANIMOUS VOICE VOTE.**

13. ITEMS BY CITY MANAGER

13.A. Presentation and discussion of the final report on the Sociable City Assessment. (J. Regan, City Manager)

Mr. Regan presented history, data, trends, and outcomes of the Sociable City Assessment. He noted a 2022 stakeholder engagement opportunity included 130 individuals representing 81 organizations looking at public safety, quality of life, mobility, social venues, and public space. He went on to discuss project goals which included preservation and advocacy of the social and economic value of downtown, identification of risk factors for crime, ensuring a peaceful coexistence, and enhanced communication between government and the business community.

The Commissioners and Police Chief Jennifer Michaux discussed the impacts of wedding venues on downtown bars, increased Driving Under the Influence (DUI) arrests in 2022, limited resources and slow response times, and the ability to get residents back into the downtown area.

Mr. Regan said that staff would develop a timeline and strategy for implementing the proposed plan and noted input would be obtained from the business community.

Ms. Lopez shared that there was legislation being proposed that would impact regulatory ordinances that should be considered.

14. Items by Mayor and Commissioners

Commissioner Garris asked that the church crosswalk issue be added to the Task Tracking list.

Commissioner Springfield provided a reminder of the upcoming Don Pedro Menendez birthday celebration.

Commissioner Blonder provided a reminder of the Fort Mosaic Jazz and Blues Festival. She requested that the landscaping for Zora Neale Hurston Memorial Park be updated.

15. Adjournment

There being no further business, the meeting was adjourned at 7:38P.M.²

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

² Transcribed by Colleen Kuhn



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, excellence in education is vital to the success of our city; and in St. Augustine, FL we seek to instill each child and adolescent with a good education; and

WHEREAS, by preparing our students for the responsibilities and opportunities of the future, education develops the intellect through lessons on literacy, math, and science; and

WHEREAS, the Rebbe, Rabbi Menachem Schneerson, of righteous memory, dedicated his life to the betterment of mankind and tirelessly advocated for a better education for all Americans; and

WHEREAS, the Rebbe taught that education should not be limited to the acquisition of knowledge and preparation for a career, but also on character building, with emphasis on the universal moral and ethical values that are the basis of any peaceful civilized society; and

WHEREAS, the United State Congress has established "Education & Sharing Day, USA" as an annual national day to commemorate the Rebbe's achievement's; and the lessons and the vision he set forth are relevant to us all today.

NOW, THEREFORE, BE IT PROCLAIMED the City Commission of the City of St. Augustine, does hereby proclaim **April 2, 2023**, as **EDUCATION & SHARING DAY, ST. AUGUSTINE, FL** and calls upon educators, volunteers, and citizens, to reach out to young people and work to create a better, brighter, and more hopeful future for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 27th day of March in the year of our Lord two thousand and twenty-three and the four hundred and fifty-seventh year of the founding of St. Augustine, the Nation's Oldest City.

Nancy Sikes-Kline, Mayor



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, Parkinson's disease is a chronic, progressive, neurological disease and is the fastest growing and second most common neurodegenerative disease in the United States; and

WHEREAS, Parkinson's disease is estimated to affect approximately 64,000 Floridians and one million people in the United States, and is growing at a rate in excess of 60,000 new people per year; and

WHEREAS, Parkinson's disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention; and

WHEREAS, Research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is not known; and

WHEREAS, There is no objective test or biomarker for Parkinson's disease, and there is no known cure or drug to slow the halt or progression of the disease; and

WHEREAS, The symptoms of Parkinson's disease take the form of motor, non-motor, and psychological forms of expression and vary in intensity from person to person; and

WHEREAS, Increased research, education and community support, and services provided by the Parkinson's Foundation, the many regional support groups, and other organizations are working to provide access to quality, cost-effective care.

*NOW, THEREFORE, the City Commission of the City of St. Augustine, Florida, declares **APRIL 2023** be designated as **PARKINSON'S AWARENESS MONTH** and calls upon all the citizens to to raise awareness of the need for research and support for those in the community living with Parkinson's disease.*

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 April in the year of our Lord two thousand twenty-three and the four hundred and fifty seventh year of the founding of St. Augustine, the Nation's Oldest City.

2023-14

Nancy Sikes-Kline, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

2000
2001
2002

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and Commissioners
City Manager

DATE: March 2, 2023

RE: Society for Advancement of Management Request for use of the City Seal

This request is on behalf of the Society for Advancement of Management (SAM) for their 2023 SAM International Conference held in Nashville, Tennessee during March 16-18, 2023. The is for a one-time use of the City Seal as part of the PowerPoint presentation to further identify the connection between the city of St. Augustine and the Case Study regarding Waste Management within the city. The application and method of use is attached.

Per City Code Section 2.1, permission to use the City Seal may only be granted by the City Commission. Should you concur, please place this matter on the Consent Agenda for the March 13, 2023, meeting.



Darlene Galambos
City Clerk

Application for Use of City Seal

First Name	Cynthia
Last Name	Manzano
Mailing Address	50 Pengrove St
City	Cranston
State	RI
Zip Code	02920
Phone Number	4013695880
Email Address	miawhitewolf508@gmail.com
Applying As	Individual
Written Description of Intended Use of City Seal	The City Seal will be used on our PowerPoint Presentation for Society for Advancement of Management (SAM). The presentation will be for the City of St. Augustine Municipal Solid Waste Department Leadership Team at the SAM International Business Conference held in Nashville, Tennessee during March 16-March 18 2023.
Upload Sketch/Visual Depiction	Permission to Use St. Augustine City Seal.pptx
Number of Objects Intended to Include the City Seal	PowerPoint will include 2 City Seals (Beginning and End Slides)
Duration of the Requested Approval	Only for PowerPoint Presentation Only (1 day)
How will the requested use of the City Seal further the City's Vision Plan and the goals of livability, authenticity, vitality, and character of St. Augustine as a distinctive community	The City Seal will be used as part of the PowerPoint presentation to further identify the connection between the city of St. Augustine and the Case Study regarding Waste Management within the city.
Requested Use in Conjunction with City Sponsored Event or Other Government Sponsored Event	No

Requested Use in Conjunction with a Private Event	Yes
If Yes, Describe the Public Benefit of the Event, if any	The community will benefit from the case study solution provided that it is adopted by the City of St. Augustine to help with solid waste management, reduction in waste overall, decrease in the contamination rate of collected recyclables, increase in commercial recycling efforts, and diversion of food and yard waste from the waste stream.
Electronic Signature Agreement	I agree.
Electronic Signature	Cynthia Manzano
Date	2/27/2023

Email not displaying correctly? [View it in your browser.](#)



CITY OF
ST. AUGUSTINE.
— EST. 1565 —

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, City Manager

RE: Nomination for the 2023 Adelaide Sanchez Award
for Historic Preservation and Restoration

DATE: March 13, 2023

In accordance with the process proscribed in Resolution 2017-08, I request that the nomination of Dr. Leslee Keys be advanced for selection as the 2023 Adelaide Sanchez Award.

Please place this on the consent agenda for the March 13 City Commission meeting for approval. The presentation shall be scheduled for May 8, at 4:30pm, prior to the first regularly scheduled meeting in May.

Thank you,

A handwritten signature in blue ink that reads "Barbara Blonder". The signature is written in a cursive, flowing style.

Barbara Blonder
City Commissioner

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John Regan, City Manager

RE: Nomination for the 2023 Adelaide Sanchez Award
for Historic Preservation and Restoration

DATE: March 13, 2023

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Thank you,

A handwritten signature in blue ink that reads "Barbara Blonder". The signature is written in a cursive, flowing style.

Barbara Blonder
City Commissioner



March 13, 2023

2023 Adelaide Sanchez Award for Historic Preservation, Achievement in restoration and/or preservation of historic resources

Dr. Leslee Keys brings broad professional experience in government, non-profit, and academic arenas in a variety of cities throughout the US. Recently, she completed 21 years with Flagler College in St. Augustine, Florida including service as the Director of Historic Preservation and Special Initiatives and Assistant Professor of History. In 2022, she was honored for her fundraising expertise that assisted in securing more than \$42 Million for arts, culture, and heritage organizations.

She served on the Board of Directors of Preservation Action, then NAPC where she continues as an NAPC Trainer. She served as guest faculty for the National Trust's Leadership Training program, UF's Preservation Institute: Nantucket, and the Florida Humanities Council. She has made more than 90 academic and 48 community presentations in 78 cities in 16 states, Washington, D.C., and England.

She holds a bachelor's degree in history, pre-law, and political science from Ball State University's Honors College. She completed master's programs in history and urban and regional planning at Virginia Tech. She received a doctoral degree in historic preservation from the University of Florida and is the first recipient of the Distinguished Alumni Award in Historic Preservation.

She is the author of several publications, including *Hotel Ponce de Leon: The Rise, Fall and Rebirth of Flagler's Gilded Age Palace*. She received the inaugural Roy E. Graham Award for Excellence in Historic Preservation Education from the Florida Trust for Historic Preservation where she is a Trustee Emerita.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: John P. Regan, City Manager

DATE: March 13, 2023

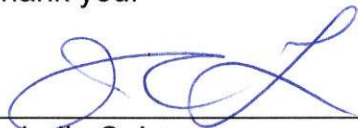
RE: **SMITH V. CITY – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 02-2023-11-3029 dated March 2, 2023, from Cavendish Partners, P.A. for legal services rendered in February 2023 regarding the Philip Smith v. City of St. Augustine matter.

The amount due is **\$2,760.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the March 13, 2023 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$30,257.65.*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 03/02/2023

Invoice #: 02-2023-11-3029

Matter: Stampedes Dance Hall Liquor License

Lawsuit File #: 3029

INVOICE TOTAL AND BALANCE DUE \$2,760.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210
St Augustine, FL 32085

Due Date: 03/31/2023

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 03/02/2023 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**